

**Irish Association for Emergency Medicine
Royal College of Surgeons in Ireland
123 St Stephen's Green
Dublin 2**

**President: Mr Fergal Hickey
Consultant in Emergency Medicine
Sligo General Hospital
The Mall
Sligo
Tel: 071 91 74505
Fax: 071 91 74646**

**Secretary: Mr James Binchy
Consultant in Emergency Medicine
University College Hospital
Newcastle Rd
Galway
Tel: 091 542766
Fax: 091 520154**

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**Submission to Road Safety Authority for consideration in
respect of Road Safety Strategy 2007-2011**

The attached submission was prepared following a request received by the Irish Hospital Consultants Association (IHCA) and passed to Consultants in Emergency Medicine who are members of the IHCA and also to the officers of the Irish Association for Emergency Medicine (IAEM) given our frontline role in the treatment of victims of motor vehicles collisions.

The IAEM sought the views of its members who are the 48 Consultants in Emergency Medicine in the Republic of Ireland. This submission represents a summation of individual views on an issue that the Irish Association for Emergency Medicine considers to be of major importance. We would be happy to engage in further discussion or consultation with the Road Safety Authority as befitting our first-hand knowledge and expertise of the management of the victims of motor vehicle collisions.

In attempting to reduce the mortality and morbidity from motor vehicles collisions it would be remiss not to note that there is room for improvement in medical services provided to victims of such events. The current situation of having 35 Hospitals in the Republic of Ireland with Emergency Departments of various capabilities is unsustainable. The IAEM believes that there should be rationalisation of the numbers of Departments receiving such critically ill patients and that such departments should be properly designed, equipped and staffed as appropriate for 2006. Many current Emergency Departments are not fit for purpose, badly designed, poorly staffed and do not have easy access to specialist services. Access to Neurosurgical and Vascular Surgical Services is particularly difficult and access to Orthopaedic Surgery and Plastic and Reconstructive Surgery is also a difficulty for many Hospitals. In addition there is a need to further develop Rehabilitation Medicine regionally and to ensure that when patients are transferred back to their area of domicile that appropriate services are available to them locally.

The attached submission will follow the suggested lines of Education, Engineering, Enforcement and Evaluation.

**Fergal G Hickey FRCS FRCS Ed (A&E) DA(UK) FCEM
Consultant in Emergency Medicine, Sligo General Hospital
President, Irish Association for Emergency Medicine
on behalf of the Irish Association for Emergency Medicine**

Education

- There is a need to change the mindset which regards motor vehicle collisions as “tragic accidents”. This is reflected in media comment as well as the persistent misuse of the term *road traffic accident*. The vast majority of motor vehicle collisions are as results of a preventable error usually driver error. As long as the attitude that this is an unfortunate “accident” persists, then individual members of the public are unlikely to take responsibility in seeking to address it.
- There is an extraordinary degree of ignorance about the “Rules of the Road”. These should be taught in school and there should be a public education campaign to deal with basic driving skills that many drivers in Ireland seem to have difficulties with. The use of roundabouts and appropriate lane discipline particularly on dual carriageways and motorways are obvious areas for improvement.
- In urban areas where there are defined crossing points e.g. pedestrian crossings, pedestrian traffic lights etc the habit of jay walking should be discouraged. It may be appropriate to change the onus of responsibility for an incident from the driver to the pedestrian in this situation.
- The use of dipped headlights during the daytime should be encouraged both during the winter months as well as during periods of poor visibility e.g. rain.
- Ethnic minorities, who are disproportionately represented in the motor vehicle collision injury and fatality statistics, should be a particular target for education. This will need to be provided in their first language rather than simply in English (or Irish).

Engineering

Car engineering

- Consideration should be given to systems which make the use of seatbelts mandatory i.e. systems which offer loud and repeated reminders when the driver or passengers are not wearing seatbelts (this will require seat sensors so that the “vehicle knows” that there is somebody in the relevant seat). This could include a facility that the ignition cannot be turned on until people are wearing their seatbelts.
- Cars should be modified so that fog lights which have been turned on are automatically extinguished when the lights are turned off but require the driver to turn them on again when the lights are used subsequently, rather than the current arrangements which allows fog light to be on when not intended

HGV engineering

- These should be fitted and retrofitted as a matter of course with blind spot mirrors

Road Engineering

- *Decisions about road improvements*

There remains a concern that decisions about bypasses and other road improvements are made with a significant political input. The decision about what roads to improve and in what order should be made independently of politicians. The decisions should involve individual road safety records and there should be a concerted effort to deal with those areas of substandard road where there have been a number of deaths or serious injuries, which road improvement might potentially prevent.

- *Road Design*

There remains a concern that even with new and improved roads there are obvious design faults. The significant number of unprotected right turns on improved roads is a cause for concern. There is also a need to separate traffic, where possible, with dedicated cycle lanes and pedestrian areas. Furthermore even on new and generally higher quality roads there remain a significant number of junctions with unusual geometry that is fundamentally dangerous. In addition there is a concern that on cost grounds certain aspects of the road improvement are under-engineered and subsequently need to be replaced, often at a significant cost and often after a number of unnecessary deaths (e.g. southern end of N15 Donegal Town Bypass).

- *Sign Posting*

The National Roads Authority and Local Authorities have a poor track record in adhering to current sign posting regulations. Signposts are often badly positioned, inaccurate or contradictory and often protrude into road space resulting in them being struck by high sided vehicles.

The individual signs are of a lower specification (metal thickness) than those in use in the United Kingdom and there seems to be no ongoing maintenance policy i.e. a sign once damaged is left in its damaged state until it finally falls off its mounting. When new signs are installed there is supposed to be a process of removing obsolete signs. However this often does not happen, leaving a mixture of signs that are often contradictory. No road sign on a national primary or secondary route or regional road should be secured with a single post. Signs should be secured with two posts and therefore not run the risk of being either deliberately or as a result of a collision or weather turned to face the opposite direction. There needs to be a pro-active approach to maintenance ensuring that signs remain visible and are not covered up by overgrowth of vegetation.

Road sign contractors should be obliged to certify that their signs and the siting of their signs is in accordance with the regulations laid down in the Traffic Signs Manual 1996.

- *Provision of rest areas / service areas on major roads*

Given the evidence of the dangers of driver fatigue there needs to be adequate provision of rest areas and service areas on major roads. The longstanding but now superseded National Roads Authority policy of not having online service areas on national routes has contributed to an increased risk of death from driver fatigue as drivers are not presented with a reasonable environment in which to stop and take a break.

- *Management of road works*

The Kentstown bus crash, which sadly claimed the lives of 5 teenage girls, confirmed what many people have felt, namely that roadworks management is done particularly poorly in Ireland. There needs to be a safety driven approach to road works which need to be better controlled and better signposted. There are many examples in day-to-day practice of inappropriate signs being used (just because they are a warning sign), of dangerous arrangements being left at night and of materials, signs and other detritus being left at the end of the works on site.

Enforcement

Safety Equipment

- A warning triangle and a high visibility jacket should be mandatory in cars.

Necessity of whole system approach

- All of us have been in queues of cars where Gardai check tax and insurance but overlook much more significant problems such as unrestrained children walking around in the car, cars with obvious visual deficiencies (broken lights etc.). There seems to be an attitude within An Garda Síochána that the check point is to do something specific and if the more obvious and more significant issue is not on their “to do” list for that particular day it will be ignored. Although having a valid NCT certificate is a requirement for cars of a certain age checking these does not seem to be high priority with the Gardai. This negates the impact of this safety development.
- There is significant public concern that the Gardai target those areas in which they are likely to catch motorists travelling above the speed limit rather than police those areas where there has been a significant track record of fatalities or injuries. While speeding cannot be condoned wherever it happens, the approach taken by An Garda Síochána does not appear to be targeted at reducing the risk of fatality or injury in those areas in which it is likely to occur.

Speed limit policy

- The presence of significant areas of high quality roads with lower speed limits than what would be the norm in other developed countries, and the converse i.e. very deficient areas of road with the normal national primary route speed limit (100kph) brings speed limits in general into disrepute. This is reflected in a general ignoring of speed limits. There needs to be a clear focus on ensuring that speed limits are appropriate for given stretches of road and that these are then enforced.

Enforcement for all Road users

- In addition to motorists being subject to the “Rules of the Road” there needs to be stronger enforcements for both pedestrians and cyclists. These latter groups can also contribute to unnecessary deaths and injuries.

Misuse of hard shoulders and verges

- The practice of goods usually fruit and vegetables being sold from selling points on the hard shoulders of national primary routes should be outlawed. Furthermore the relatively recent practice of cars being parked in the hard shoulder or on the sides of roads with “for sale” signs in their windows should also be prohibited. Hard shoulders

should not be used for “routine” parking of cars. The proliferation of temporary and often illegal signs on the verges of roads that have the capacity to distract drivers of vehicles should also be outlawed.

Drink driving

- The national ambivalence to drink driving needs to be tackled head on. The current law has far too many loopholes to be effective. The weekly local papers are full of cases thrown out of court on the most irrelevant of technicalities e.g. the name of the townland in which the alleged incident occurred. There needs to be a more simplified law of the kind that is in use in other jurisdictions with less technical refuges for those who clearly have committed an offence. It is indicative that it is the laws concerning drink driving that have had most referrals to higher courts. This may serve the interests of individuals and the legal profession but does not serve the public interest.
- Drivers of vehicles, cyclists and pedestrians who have been involved in an incident on the roads which gives rise to death or significant injury should be automatically required to provide a blood or breath alcohol sample. Failure to give such a sample should result in prosecution. This routine testing exists in other jurisdictions and could easily be transposed to the Irish context.
- There is considerable ignorance among individual Gardai about the 1994 Road Traffic Act and that this act allows them to seek a sample from a patient who has been involved in a road traffic incident. Many seem to assume that the previous Road Traffic Act which precluded them from requiring a sample when a patient had been conveyed by ambulance or attended hospital is still in force. Even where Gardai know the 1994 Road Traffic Act they currently have difficulties in getting a “designated doctor” to attend the patient and take blood in the appropriate timeframe. There is a need for the system to be put on a more definite footing in each Garda district and if this is not possible then an alternative method of ensuring that blood is taken (in a timely fashion and in accordance with forensic requirements) should be put in place.
- Those convicted of drink driving should be obliged to repeat their driving test and do a specific “drunk drivers course” in order to regain their licence at the end of their period off the road.
- Where alcohol is a factor in a fatality this should be included as one of the subsidiary causes of death on the victim’s death certificate. It is no longer acceptable that the contribution of alcohol be glossed over in the way that it currently is.

Courts

- The repeated examples throughout the country of individual cases or groups of cases being thrown out of court on technicalities needs to be addressed as a matter of urgency. The Gardai and the individual State Solicitors should ensure that the documentation in road safety cases is watertight and if the legislation places an unnecessary or intolerable burden on the prosecuting authorities e.g. the provision of a hand written rather than typed document then the legislation should be amended to streamline the process.

Reciprocal arrangements between Northern Ireland, Great Britain and Republic of Ireland

- The current penalty point system in the Republic of Ireland uses a different scale than that used in Northern Ireland which in turn is different than that used in Great Britain. There needs to be tripartite agreement on a single model which will allow penalty points amassed in one jurisdiction to be applied to the driving licences of those from the two other jurisdictions. The unwillingness or inability to achieve conformity between Northern Ireland and Republic of Ireland contributes to unnecessary deaths and injuries in the general Border region.

Evaluation

In addition to simply counting the number of deaths or the number of significant injuries (e.g. the number of patients admitted to Neurosurgical or Spinal Injuries Units as a result of a motor vehicle incident) and concluding that a reduction in both of these figures indicates success of a strategy (i.e. objective improvements), there is also a need to produce more subjective improvements. There is a strong perception in Ireland that road safety is given a degree of lip service but little else and that the various agencies, which have a statutory role in elements of it, do not take that role as seriously as they might. Unless and until the reality proves that this perception is no longer founded, then Ireland will continue to have a problem disproportionate to that in other developed countries.

There needs to be higher detection rates for drink driving and other forms of road safety infringements but this needs to be coupled with higher prosecution rates and much higher ratios of successful prosecutions to prosecutions taken. There is currently a public view that detection is unlikely and even if detection takes place, it is more likely than not that a carefully chosen Solicitor or Barrister will get somebody off on a technicality.

Only when the public considers it unacceptable to drink and drive, either because it is morally unacceptable or because they are likely to be detected, prosecuted and punished, will the national scourge of drink driving be overcome. A similar approach to speeding and other forms of dangerous driving is also required.