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Pursuing road justice through cross-party advocacy

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Abstract

The process of attempting to influence policy is explored through the example of the UK All-Party Parliamentary Group for Cycling and Walking's (APPGCW's) inquiry on road justice, carried out in 2023. First the APPGCW is introduced, then the process of the inquiry briefly explained. To illustrate the practical business of developing recommendations as part of an inquiry, one potential recommendation is discussed in detail – the idea of basing penalties for traffic offences partly on the momentum of the vehicles involved. The rationale for such a policy is explained, then the practicalities and possible shortcomings examined. This discussion concludes with the reasoning behind opting *not* to make a recommendation along these lines. The paper then describes the inquiry report's content and reception, and concludes with reflections on how reports of this kind are developed and whether they achieve their ends.

Keywords: Lobbying; politics; policy; road safety; walking; wheeling; cycling; justice; highway law.

1. Introduction

The All Party Parliamentary Group for Cycling and Walking (APPGCW) is one of 772 so-called all-party parliamentary groups (APPGs) in the UK (House of Commons, 2023a). Such groups draw members from all the major political parties and from both the House of Commons and the House of Lords, and so stand in contrast with the adversarial nature of much of UK politics. Having a common interest leads parliamentarians to seek ways of navigating the political system together, irrespective of which party is in power at a given time. Thomas argues that the significant growth in the number of APPGs has "helped both parliamentarians and external actors to continue to achieve their goals despite changes in the external political environment such as rising policy complexity and increased demands from citizens" (Thomas, 2016, p. ii).

APPGs differ in their activities as well as in the intensity of their activity, but it is typical for groups to hold events and to conduct occasional inquiries on matters of relevance to the group. Whilst they constitute an interface between the UK Parliament and wider society, much of their activity is aimed at the community of parliamentarians (Keaveney, 2020). This is explained by a general emphasis on influencing the policies of the

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prevailing government. APPGs are not free of criticism, however, with some evidence that they are not as impartial as they could/should be (Rickard and Ozieranski, 2021).

The APPGCW was dedicated to cycling when it was founded in the 1970s but it absorbed walking in 2019. According to the register of APPGs, its purpose is "to champion cycling and walking in the context of the growing importance of all forms of active travel. Our main aim is to get more people cycling and walking in the UK, more often and more safely" (House of Commons, 2023b). It has two co-chairs, one each from the Conservative and Labour parties.

A perennial concern of the APPGCW is the experience of those who walk, wheel and cycle with the justice system. This is for the obvious reason that a good experience of the justice system is preferable to a bad one. It also is motivated as follows: there is a compelling need for massive growth in levels of walking, wheeling and cycling, for reasons of public health, climate change etc. A major deterrent to all these forms of travel, particularly cycling, is perceived danger. The perception that travelling by these modes is unacceptably risky is a function of various factors, including the widely held view that the justice system in the UK is too lenient towards drivers, and wont to "victim blame" so-called vulnerable road users (Cunningham, 2008). That is, it is too risky to cycle, say, because road users who pose the greatest threats to those cycling believe, with some justification, that they can impose danger on other roads users with impunity. Hence the APPGCW's periodic investigation of the state of the justice system as it affects those walking, wheeling and cycling. And thus, in early 2023, the APPGCW launched an inquiry into *road justice*.

This short paper recounts the way in which the road-justice inquiry proceeded and summarises the conclusions reached. To illustrate the process by which recommendations were developed and honed, it discusses in particular the idea of basing penalties for driving offences partly on the momentum of vehicles involved. The paper concludes with reflections on the process of developing recommendations intended to influence policy makers.

2. Process

2.1 Context

This inquiry followed on from a 2017 inquiry called Cycling and the Justice System (Peck, 2017). That inquiry was somewhat eclipsed by a general election called around the time of its launch. In the intervening years, the APPG expanded to cover walking as well as cycling. And, in 2022, significant revisions had been included in the Highway Code regarding the responsibilities of various road users (discussed more fully below). These were considered good grounds for revisiting the 2017 work.

2.2 Commissioning and early work

The author had supported the APPGCW in a previous inquiry (Cohen, 2021). On the basis of this existing relationship, the group's secretariat approached the author to act as policy adviser to the road-justice inquiry. The inquiry was characterised as "light touch" because it was revisiting earlier work, and a single oral evidence session was planned to inform the development of recommendations. (APPGCW inquiries would typically involve three or more such sessions.)

With the support of a research assistant, the author conducted a brief literature review centred on developing a coherent view of driving offences, their specific characteristics, and the extent to which they differed (if at all) from offences in general. This work was intended to shed light on the thesis introduced above that traffic offenders are treated more leniently than other categories of offenders. This work informed the selection of invitees for the evidence session.

2.3 Evidence session

An oral evidence session took place at the House of Commons in May 2023. The witnesses were:

- A barrister and recorder with extensive experience of the conduct of cases relating to traffic offences
- A solicitor who spends much of their time assisting victims of road collisions in obtaining compensation
- An academic specialising in traffic law
- A senior police officer with a long-standing interest in road safety
- Representatives of organisations campaigning for improved conditions for walking, wheeling and cycling

Wide-ranging questions were posed, covering the nature of traffic offences, the sentencing guidelines, the process of dealing with suspected offences and the extent to which road justice is currently a reality for those walking, wheeling and cycling.

2.4 Iterating recommendations

The comments made by witnesses provided a rich set of potential recommendations. These were expanded and refined through informal conversations and correspondence with a range of expert stakeholders including the witnesses themselves.

A draft set of recommendations was produced in the early summer of 2023 and this was shared with the witnesses and selected others. This elicited extensive comments, which led to a period of iteration, during which certain draft recommendations were replaced and others revised. The final set of recommendations, whilst not formally endorsed by all involved in the process, was supported by a sufficient proportion of the expert stakeholders to give confidence that it represented a reasonable response to the question of how to work towards the goal of road justice.

3. A recommendation based on vehicle momentum/mass

In this section, to illustrate the process of developing recommendations, the example of momentum/vehicle mass is discussed. This requires a degree of context on the Highway Code, followed by an explanation of the rationale for including a recommendation based on vehicle momentum or mass. The section concludes with an explanation of what was decided and why.

3.1 The Highway Code and its evolution

The Highway Code was first published in the UK in 1931 (Ministry of Transport, 1931). It is a combination of selections of existing law and normative statements concerning how road users should conduct themselves. The legal statements take the form of "you must"

or "you must not", whilst the normative statements are presented as "you should/should not", reflecting the fact that they are not based on legislation. Despite this, normative statements in the Highway Code often play a part in legal proceedings, with verdicts taking account of whether a road user followed the Code (Department for Transport, 2022). And the Highway Code has an important status amongst road users: those taking a driving test must demonstrate accurate knowledge of it, and it is popularly thought of as the definitive statement of traffic law, despite being a handbook rather than statute.

The Highway Code is periodically updated and the version published in early 2022 included significant changes relating to walking and other forms of active travel. The most significant from the perspective of this paper is the emergence of a hierarchy of road-user responsibility, supported by new rules for giving way. The hierarchy is presented in stages, beginning with a reminder about the relative risks faced by different categories of road user: "the road users most likely to be injured in the event of a collision are pedestrians, cyclists, horse riders and motorcyclists". The crucial clause follows: "those in charge of vehicles that can cause the greatest harm in the event of a collision bear the greatest responsibility to take care and reduce the danger they pose to others". Publicity produced in association with the release of the new version placed road users into three categories, with those at the top, including pedestrians, "more likely to be injured [in the event of a collision]" and those at the bottom having "greater responsibility"[1] (Department for Transport, 2022).

Various active-travel campaign organisations had called extensively for the hierarchy and were jubilant about its inclusion in the 2022 Highway Code, (e.g. Dollimore, 2021), though there was disappointment about the extent and effectiveness of marketing conducted afterwards to raise awareness (Jones, 2023). The most significant point is that there is no prospect of change to traffic law to reflect the hierarchy. A long-standing promise to review traffic offences in the round, made originally in 2014, has not yet been honoured, creating an expectation that the hierarchy will remain in the domain of "should" rather than "must", with the expectation of very limited resulting change in road-user behaviour. Moreover, it is for now far from clear what specific actions or behaviours a driver is meant to adopt in order "to take care and reduce the danger they pose to others".

3.2 The potential role of vehicle momentum

Having set the scene, in this section we discuss how the traffic justice system might be revised to reflect the hierarchy and some potential benefits and disadvantages of proceeding in this manner.

There appear two natural paths to arriving at penalties that, *ceteris paribus*, reflect the varying responsibility of road users to take care: expansions/revisions to the set of road-user offences; or revisions to the guidance to magistrates and judges in the setting of penalties, taking into account the characteristics of vehicles involved. In saying this, we acknowledge that a principle of *presumed liability* (Boufous, 2020) would be an obvious way of attempting to impress upon road users in the "greater responsibility" category the need to take care. We do not discuss the idea further in this paper, noting only that a

[1] In full, the top category contains *people walking (including children, older adults and disabled people)*; the middle category contains *people riding horses, people cycling, people driving horse-drawn vehicles and motorcycles*; the bottom category contains *people driving cars and taxis, people driving vans and minibuses, people driving large goods and passenger vehicles*.
(https://twitter.com/transportgovuk/status/1487365002843627521)

justice system operating optimally should deliver the same penalties whether liability is presumed or not.

Modifying the offences is easy to discount for two reasons: first, vehicles continue to evolve but the law is slow to change, so it is likely any new laws pertaining to *Vehicle Type A* would over time become outdated or even obsolete. Second, existing laws in Great Britain create an unhelpful dichotomy between driving a motorised vehicle and travelling by other means (e.g. cycling) when it is preferable for a single law to cover ostensibly similar acts: creating new offences based on vehicle types would exacerbate this problem. The second path – revised guidance to those determining penalties – avoids these difficulties and instead has the advantage that there is already typically a range of penalties available, from which the magistrate or judge chooses according to the circumstances of the case.

How to create a sound link between the facts as they pertain to the hierarchy, and the penalty? The temptation is to set a series of guidelines, one for powered two-wheelers, one for heavy goods vehicles (HGVs) and so on but this would miss the point: a given vehicle does not cause a particular level of harm *because* it is of that vehicle type, but because of its characteristics. Such an approach would also probably be subject to the same need for regular updating, since vehicle types and characteristics evolve. It makes more sense to attempt instead to base the penalty on the potential (or actual) harm, *irrespective of vehicle type*. In saying this, we acknowledge that certain vehicle characteristics (e.g. high ground clearance on an HGV) can prove material to the extent of injury sustained in a collision, so we shall return to this point later.

The fact that speed is strongly and positively correlated with injury has long been understood. But the emergence of the hierarchy illustrates that a model based on speed alone is incomplete. Is there another quantity that predicts with reasonable accuracy the probable harm that would result from a given vehicle colliding with a reference road user, *ceteris paribus*? To the extent that there is, this quantity is momentum, being the product of mass and speed[2]. This is because, in a collision, the momentum of one "participant" to a great extent determines the impact experienced by another. More specifically, if two vehicles collide end-on, the change in speed of each vehicle is the closing speed multiplied by the proportion of the total mass contained by the *other* vehicle[3]. Thus, a person struck by a bus travelling at 20mph will suffer greatly more trauma than a person struck by a powered two-wheeler travelling at the same speed, *because the bus weighs much more*. This is a major reason why heavier vehicles are associated with greater degrees of injury in collisions.

Let us assume that culpability is positively linked to potential or actual harm – the greater the harm that might result from a person's actions, the more culpable those actions are taken to be and the greater the punishment meted out, *ceteris paribus*[4]. Given the relationship between momentum and potential harm, culpability (and therefore penalties) would thus be positively linked to the momentum of the offender's vehicle.

[2] Momentum is formally the product of mass and velocity (the combination of speed and direction) but the simplification is reasonable in this context.

[3] Simplified for purposes of illustration.

[4] In saying this, we acknowledge that we gloss over a wealth of complexity relating to intention, capacity and knowledge – not all actions leading to the same harm are equally culpable.

3.3 The limitations of using momentum

We mentioned earlier the high ground clearance of HGVs as being a relevant factor in collisions: it is much less likely that an individual will be "dragged under" the wheels of a car than those of a lorry, and this factor is strongly correlated with degree of injury. Heavier vehicles tend also to be larger, bringing increased chances of a driver not seeing another road user, a problem exacerbated by the high positions of typical cabs in goods vehicles. These facts all demonstrate the limitations of using momentum alone to bring the hierarchy of road-user responsibility to bear in traffic law.

We have also chosen to look at collisions in a simplistic way up to now, ignoring their wider characteristics. For example, a motorcyclist may drive poorly, leading a bus driver to swerve and leave the road with potentially grave consequences for people both inside and outside that vehicle, but leaving the motorcyclist unharmed. We must therefore ask whether such simplifications are sufficiently problematic as to make the idea presented here untenable. We return to this point in the next section.

3.4 Discussion

We have argued that penalties should be set in proportion to the potential harm associated with a given act. If momentum is accepted as a reasonable proxy for potential harm caused in a collision, making momentum one of the determinants of penalties appears to follow logically. But, whilst the above syllogism may be sound, we must remind ourselves of the key phrase from the Highway Code: "those in charge of vehicles that can cause the greatest harm in the event of a collision bear the greatest responsibility to take care and reduce the danger they pose to others". Would momentum-based penalties cause this category of road users to take care and/or reduce the danger they pose to others?

There is evidence that road-user behaviour is influenced by penalties (Koornstra *et al.*, 2002; Novoa *et al.*, 2011). The relationship is of course complex and only a naïve policy maker would expect an increase in penalties to have an immediate, proportionate and lasting effect on behaviour. A crucial factor is that road users will only adjust their behaviour if they are *aware* of revised penalties. The probability of prosecution is also a major factor in determining behaviour: a stiff penalty will only deter people from transgressing if they perceive they are likely to receive it. Again, there is some evidence that prosecution rates do influence behaviour (Luca, 2015). Still, we must bear in mind that a great deal of road-user behaviour takes place unreflectively: a driver may know about the new penalties and the likelihood of getting caught but, if their behaviour is habitual, will probably carry on as before. In sum, the potential safety benefits of introducing the changes discussed is contingent on several related variables. This, though, would be true of any proposal to revise the penalties for road offences, so is not automatic grounds to discard the idea.

We have raised above the concern that momentum only partially captures the risks posed by larger vehicles. We have also mentioned the complexity of road traffic and the possibility that harm can be caused indirectly, with the actions of someone who perhaps does not "bear the greatest responsibility" causing a collision involving a heavy vehicle, but in which the driver of the latter vehicle is blameless. Would the introduction of penalties based partly on momentum be likely to lead to perverse results that would outweigh any primary safety benefits? In response, we must first observe that those setting penalties have some latitude – if the circumstances of a given case made it seem

unjust to apply a momentum-based penalty, the magistrate or judge could adjust accordingly. The answer also depends partly on how momentum-based penalties might compare with what went before. If penalties faced by those in charge of "low-responsibility" vehicles fell compared with the status quo[5], this could result in riskier behaviour on their parts, with unwelcome consequences. This scenario does not therefore seem desirable. A perhaps more likely scenario has penalties remaining as before for "low-responsibility" categories and being increased for "high-responsibility" categories. Subject to remarks above concerning the relationship between penalties and behaviour, this could be expected to lead to more cautious behaviour on the part of those in charge of "high-responsibility" vehicles, resulting in some reduction in collisions. Injuries stemming from factors such as high clearance would not obviously go up; if anything, they would be likely to fall given increased caution on the part of this category of drivers. Could increased caution amongst this group embolden other road users? It has been much discussed that pedestrians and cyclists might play "chicken" with automated vehicles in the expectation that the automated vehicle would always yield (Cohen, Jones and Cavoli, 2017). Perhaps the same thing would happen here? It is certainly possible but we suggest instead that so-called vulnerable road users tend not to rely on the kindness of drivers; we therefore conclude tentatively that casualties could be expected to drop following the introduction of momentum-based penalties.

In closing, it is necessary to note that road safety is only one consideration when changes to penalties for road offences are being contemplated. There is the crucial matter of individual freedoms – can the imposition of greater penalties for offences be justified in societal terms? In other words, would the potential road-safety benefits outweigh the costs borne by offenders? And there is the more practical issue of knock-on effects for the justice system itself. For example, UK prisons cost £47,434 per prisoner in 2021-22 (Ministry of Justice, 2023), a significant consideration when any potential increase in custodial sentences is being contemplated.

3.5 A draft recommendation

The arguments set out above appear to support basing penalties partly on vehicle momentum on grounds of likely road-safety benefits, though the case is not "open and shut". This prompted the author to speak with several expert stakeholders during the period of the inquiry to understand their views on the merits and practicality of the idea. It was immediately clear that momentum was considered an unworkably abstract concept in the circumstances, so vehicle mass (weight) soon became the basis of discussion. And there was sufficient support from stakeholders consulted to justify including a draft recommendation amongst the set shared with the expert stakeholder group. That draft recommendation read "sentences for driving offences to reflect vehicle weight" and was supported by this explanatory text: "In keeping with the Highway Code's hierarchy of road-user responsibility, those in charge of vehicles with the greatest capacity to do harm should face greater penalties for not taking the requisite care" (Cohen, 2023).

3.6 Decision

In June 2023, the Sentencing Council for England and Wales published the response to its consultation on motoring offences (Sentencing Council, 2023c). This coincided with

[5] This might arise if there was a desire to keep the mean penalty as before.

a series of changes to sentencing guidelines which came into effect on 1st July. Sentencing guidelines tell those judging a case what to take into account when deciding on any penalty. They tend to include "aggravating factors", factors that would ordinarily be considered to make the offence more reprehensible and therefore imply a more severe punishment.

The revised sentencing guidelines for a range of serious traffic offences now include as aggravating factors: "victim was a vulnerable road user, including pedestrians, cyclists, horse riders, motorcyclists etc" and "driving a LGV, HGV or PSV etc" (e.g. Sentencing Council, 2023b). Whilst this is clearly not equivalent to basing penalties on momentum, the parallels are obvious, particularly as vehicle speed is also a consideration when determining sentence. One might be tempted to claim that these changes are directly attributable to the updated Highway Code but it is not as simple as that: for example, the previous version of the guideline for dangerous driving included carrying a heavy load as a factor indicating *higher culpability* (Sentencing Council, 2022). But this nevertheless represents an extension of that principle, through the inclusion of a factor based on victims being vulnerable road users; further, "carrying a heavy load" is poorly defined, whereas identifying specific vehicle types gives those determining sentences clearer instructions. So, whether or not they are motivated by the hierarchy of road-user responsibility, these changes are clearly consistent with its spirit.

The logic behind basing a recommendation on vehicle momentum/mass was that it would have universal application. For example, it is notable that not all sentencing guidelines for traffic offences were updated during the process described. Those for careless driving, for example, have not been updated and so are of the previous form, mentioning carry a heavy load as indicative of higher culpability (Sentencing Council, 2023a). More recently, the Scottish Sentencing Council approved its first set of sentencing guidelines, these being for the set of offences of causing death by driving (Scottish Sentencing Council, 2023). These replicate the victim being a vulnerable user as an aggravating factor but do not include driving one of the heavier categories of vehicle.

Nevertheless, two stakeholders whose expertise is closely associated with the law suggested that the recommendation was superfluous given the new sentencing guidelines. This proved a compelling argument. The decision was therefore made that, whilst there remained a case for a recommendation of this kind that would apply across all relevant traffic law in all parts of the UK, this would not be the best use of the finite media/policy attention that the inquiry's report was likely to receive. The recommendation was therefore replaced with a different recommendation – to remove tolerances in the enforcement of speed limits – with some striking consequences (see below). The final report instead contained the following text:

"In keeping with the Highway Code's hierarchy of road-user responsibility, we argue that those in charge of vehicles with the greatest capacity to do harm should face greater penalties for not taking the requisite care. Vehicle weight is a contributing factor to the severity of a collision, so we contemplated making a recommendation along these lines. But sentencing guidelines that came into effect on 1st July for a range of serious traffic offences include as aggravating factors: 'victim was a vulnerable road user, including pedestrians, cyclists, horse riders, motorcyclists etc' and 'driving a LGV, HGV or PSV etc'. This is an encouraging development though it could go further: passenger cars vary greatly in weight so the aggravating factors should, we argue, also take this into account. Nevertheless, we shall be monitoring progress closely, to see whether sentences

consistently reflect those aggravating factors where they apply" (All Party Parliamentary Group for Cycling & Walking, 2023, p. 21).

4. The inquiry's recommendations

In this section, we briefly present the recommendations that featured in the inquiry report and the thinking behind what was chosen.

4.1 Rationale and structure

The contributions of a broad range of stakeholders naturally result in a long list of possible recommendations. To distil that list to the ten set out here, it was felt recommendations should:

- Bring significant benefits in terms of a) the objective safety of those walking, wheeling and cycling, b) the perceived safety of those walking, wheeling and cycling, and/or c) the experience of victims and their families.
- Span the justice process, from prevailing law, through what happens at the roadside and subsequent investigations, to the conduct and outcomes of trials.
- Be sufficiently specific to enable their implementation (or not) to be readily tracked.

In addition, the recommendations were put into two groups. Group A consisted of ambitious (but feasible) recommendations that would have large potential benefits, though they may depend on significant enabling action, such as legislative change. Those in Group B were relatively uncontroversial and could be implemented fairly rapidly, at least in principle, given the necessary political will.

4.2 The recommendations in brief

In the interests of space, the ten recommendations are presented below in the briefest terms. They can be read in full, together with text providing justification and discussing implementation, in the inquiry report (All Party Parliamentary Group for Cycling & Walking, 2023).

Group A – high ambition

A1 Escalating penalties for repeated offences
A2 Compulsory re-testing
A3 Increased maximum sentence for dangerous driving; fuller use of Police bail powers
A4 Exceptional hardship to be truly exceptional
A5 Removal of tolerances in speed enforcement

Group B – less controversial and relatively straightforward to implement

B1 Consistently thorough investigation of serious collisions
B2 Standardising third-party reporting systems
B3 A UK Commissioner for Road-Danger Reduction
B4 Treating crash victims as victims of crime
B5 Widen understanding of the Highway Code

5. Launch, media reaction and subsequent action

The report was launched on 11th September 2023, having first been shared with selected journalists. Coverage in one national newspaper drew attention to one recommendation in particular – the removal of tolerances in the enforcement of speed limits. Many other

media organisations picked the story up with the result that the author was briefly interviewed on live television. Most of the coverage was unsympathetic, arguing that removing tolerances was unreasonably draconian and/or impractical. A much smaller number of articles led not with speed enforcement but with the mention of vehicle weight. The Daily Telegraph, for example, reported "pro-cycling MPs want stiffer penalties for larger, heavier cars", with the sub-heading "A report by APPGCW argues that driving the biggest vehicles should be seen as an 'aggravating factor' during sentencing for road offences" (Evans, 2023).

Since the report's launch, MP members of the APPGCW have attempted to arrange discussions of the recommendations with government stakeholders. Initial responses were not positive: at the time of writing, the Ministry of Justice has argued that the report lies under the jurisdiction of the Department for Transport, and the APPGCW secretariat is contesting this.

6. Discussion and conclusions

There is possibly a set of ten recommendations which, if implemented, would result in the greatest possible positive impact on the issues at hand – objective and perceived safety of those walking, wheeling and cycling, and the experience of those walking, wheeling or cycling who are injured on the roads. If it does exist, finding it is very likely impossible, given the number of imponderables involved. In this case, that set may not have served the aims of the APPGCW in any case. This is because recommendations made by a lobbying group (as the APPGCW is) need to be both relevant and eye-catching, and there is no guarantee that all of the recommendations on our hypothetical perfect list of ten would draw attention.

Thus we see that this is an exercise not in deriving an objectively optimal set of recommendations but in providing the APPGCW with a platform for advocacy. Not that it would be desirable to choose ten headline-grabbing recommendations either; the APPGCW needs to be seen as a reasonable entity, basing its work on evidence and prioritising impact over sensationalism.

Not only was the set of recommendations almost certainly not objectively optimal, but it was not universally popular amongst expert stakeholders. The inquiry process threw into relief the different world-views of those working in the fields of active travel, road safety, and the justice system. Their perspectives reflected their starting points, with those practising law, for example, tending to make recommendations based on types of offence and associated penalties. There also remains a great deal that is unknown about the links between policy interventions and road-user behaviour. This allows two stakeholders with ostensibly identical aims to favour different courses of action. Ongoing research into the effectiveness of measures designed to reduce road danger can be expected gradually to diminish the knowledge gap but it seems unlikely that it will ever be removed altogether.

In closing, we must reflect on the very extensive media attention that the report received, and ask whether the fact that most coverage was critical (suggesting that it was unreasonable to remove tolerances on speed limits) means it would have been better if the report had not been noticed by the media at all. One view is that the topics were at least being discussed: even if commentators were arguing that the removal of tolerances was unreasonable, this may have caused readers and viewers to consider the validity of arguments in favour of tolerances in enforcing speed limits. More broadly, from an advocacy point of view, there is surely some truth in the adage that the only thing worse than being talked about is not being talked about.

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