

Andre Rebello
Senior Coroner for Liverpool & Wirral
Gerard Majella Courthouse
Boundary Street
LIVERPOOL
L5 2QD

Date: 3rd March 2020
Your ref 03635-2018

Response to Regulation 28 Notice – Inquest into death of Mr Anthony Carroll

Dear Mr Rebello,

Please accept this correspondence in response to your Regulation 28 Report to Prevent Future Deaths, dated 8 January 2020, following the Inquest touching the death of Mr Anthony Carroll on 25 December 2018.

I write on behalf of the National Police Chiefs Council and in my capacity as the chief officer with responsibility for police driving matters.

Within your report you raised two matters of concern. I have repeated those matters for ease and provided a full response to both concerns.

During the course of evidence, it was apparent that the public might be under a misapprehension that police emergency vehicles responding to an emergency are limited to 20 mph above the designated speed limit for the road. Has there been publicity that vehicles need to respond safely as quickly as possible? If not, is this under consideration?

Emergency services have a speed limit exemption under Section 87, Road Traffic Regulation Act 1984, which states:

'No statutory provision imposing a speed limit on motor vehicles shall apply to any vehicle on an occasion when it is being used for fire and rescue authority, for ambulance purposes or police purposes, if the observance of that provision would be likely to hinder the use of the vehicle for the purpose for which it is being used on that occasion.'

The appropriateness of exceeding the speed limit under this exemption is determined by the prevailing circumstances, environmental conditions, driver qualification and the vehicle concerned. There will be times that it would be unsafe to travel at or in excess of a speed limit even in an emergency. There will also regularly be circumstances where exceeding the speed limit is both justifiable and acceptable.



Whilst a small number of Police forces do have a policy of observing a 20mph cap on designated speed limits, the majority of forces do not. The 20mph cap is not being considered for adoption as a national policy because adopting a single approach does not adequately reflect the dynamic assessment and considerations a trained police driver would need to apply to each scenario where excess speed under the exemption is justifiable and lawful.

As I refer to above, the lawfulness of the exemption is dependent upon the prevailing circumstances as the driver determines them to be at that time. For these reasons, the NPCC therefore has no plans currently to undertake any publicity around the exemption allowing police vehicles to safely exceed the speed limit.

During the course of evidence, the police driver and the police passenger believed the sirens were activated and sounding. Analysis of the Siemens VDO Incident Data Recorder demonstrated that in the heat of the emergency both were mistaken and the sirens were not activated. Has a warning light in the cab been considered as a visual indicator or the lights and siren being activated been considered?

A picture of the emergency lighting control panel is included in the Collision Investigation report submitted by [REDACTED] (page 42. Photograph 3.6). The top of two rows of buttons can be seen in the bottom left hand corner of the photograph where the control panel is built into the dashboard fascia of the Peugeot patrol car.

When the buttons are pressed to activate the emergency equipment (lights and sirens), these buttons should illuminate to display the activation of the function. The vehicle horn button built into the steering wheel of most cars is also the standard means of activating and cycling through the siren functions (silent/yelp/wail/two-tone/blast - dependent on model fitted), which requires the driver to select using their thumbs (whilst holding the steering wheel) to activate the modes required during an emergency response drive.

Although many police response vehicles are similar throughout the United Kingdom, not all of the emergency equipment or control units are standardised within these vehicles. They all have a control panel or switches to operate the emergency equipment and usually a corresponding light to indicate that the equipment has been activated. This is described as a warning light and serves in addition to the noise and pressure waves of the sirens themselves.

The expectation and requirement placed upon the officers, reiterated throughout their training, is that they concentrate on their emergency driving and upon the road and hazards ahead, and the imposition of any additional visual distraction within the cab of the vehicle could be detrimental to that. As such, there is no current national proposal to add further indicators for equipment activation to the national police vehicle specifications.

Thank you for raising these issues with us for consideration.

Yours sincerely



Deputy Chief Constable
Lancashire Constabulary
NPCC Lead for Police Driving