

## EDITORIAL

# Road Traffic Deaths and Injuries – A Personal Responsibility

### The death and injuries toll

In this year 372 people have been killed in road traffic collisions to November 30. 11 less than the same period in 2000.<sup>1</sup> There have been 329 accidents, of which 95 were single vehicle accidents. Of those killed, 145 were drivers. 89 were passengers, 77 pedestrians, 44 motorcyclists, 13 pedal cyclists and 4 were motorcycle pillion passengers. The numbers killed in the years 1997 through 2000 were: 472, 458, 413 and 415 respectively. Between 12.000 and 13.000 have been injured annually. In 1998, the comparable European fatality rates per 100.000 population ranged from 6.0 (Sweden and the United Kingdom) to 22.4 (Portugal) with an E.U. average of 9.8.<sup>2</sup> Ireland, ranked ninth out of the 15 E.U. Member States, had a rate of 12.4 whilst Northern Ireland's rate was 9.4.<sup>3</sup>

In that same year, the Irish Government published a five-year road safety strategy, which set out a number of targets<sup>4</sup>:

- to reduce road fatalities by a minimum of 20 per cent;
- to achieve a similar reduction in the number of serious injuries;
- to reduce the incidence of excess speeding by 50 per cent from 1997 levels;
- to increase the wearing rate of seat belts to at least 85 per cent;
- to reduce by 25 per cent the number of fatal road accidents (commonly drink related) occurring the hours of darkness; and
- to implement specific accident reduction measures at more than 400 additional national road locations.

### Causes

Primary contributory factors to road traffic collisions are speeding, intoxication and non-wearing of seat belts. These are human factors. Mechanical factors

as primary contributors account for a small percentage of collisions. The relative contributions to saving an estimated 172 lives in 2002 (over figures projected from trends in 1997) by countering the main causative factors are: speeding 29 per cent, alcohol 23 per cent and seat belt wearing 20 per cent.<sup>5</sup> These are measures which are intended to counter human behaviour and have little or nothing to do with the vehicles involved or the roads on which they travel.

### Benefits of a road safety strategy

The estimated economic benefits of the implementation of the road safety strategy are £536 million over the period 1998-2002 compared to the estimated cost of implementing the strategy of £117.4 million. This is a benefit cost ratio of 4.5:1 and it would rise to an annual ratio of over 8:1 after the strategy has been implemented, according to the Bacon report.<sup>6</sup> That report conservatively placed the estimated cost of a fatality at £751,500, of a serious injury at £153,050, of a minor injury at £16,520 and of a "damage only" accident at £3,790.

### Speed

Excessive or inappropriate speed contributes to approximately 40 per cent of fatal accidents- The findings of a survey on tree speeds on rural roads in 1999 showed<sup>7</sup>:

- 29 per cent of cars exceed the 70mph speed limit on motorways
- 52 per cent of cars exceed the 60mph limit on dual carriageways
- 51 per cent of cars exceed the 60mph speed limit on National Primary two-lane roads.

In the year 2000 there were 224,264 on the spot Fines for speeding compared to 177,249 in 1999. In the ten months to October 30 this year, provisional figures are 281,929. Speeding is a human factor, a personal choice. A 60mph collision impact is equivalent to dropping a car from the top of an 11-storey building. That is the choice a driver potentially makes when applying the accelerator. Car crashes are the top killer of young men aged 17 to 24 in Ireland. They accounted for 10.8 per cent of all drivers killed in 1997.<sup>8</sup> Speed was the primary cause in 52 per cent of these collisions. The degree of approval by Irish drivers for the proposition that there be a European-wide requirement that car manufacturers restrict the maximum speed of their cars was 60 per cent compared to the E.U. average of 54 per cent.<sup>9</sup> Yet Irish drivers continue to travel at excessive and inappropriate speeds.

## **Alcohol**

Alcohol impairs driving skills, Alcohol is a human factor, a voluntary act. It is estimated that alcohol is the primary cause of 33 per cent of fatal accidents. At 50mgs of alcohol per 100mls of blood, the risk of a road traffic collision doubles. At the 80mgs concentration it is five-fold. At 120mgs% it is 35-fold and at 200mgs% it is 80-fold. In the year 2000, 10,134 blood, urine and breath specimens from drivers were analysed for alcohol concentration, a 19.6-per-cent increase on 1999.<sup>10</sup> Of the blood and urine specimens submitted, approximately 92 per cent of the alcohol concentrations were in excess of the 80mgs% limit and 62 per cent were in excess of 160mgs. The mean blood alcohol concentration has been around 180mgs% for many years.

Drink-drivers have killed between 750 and 800 people in the past five years. When it was put to them that people should be free to decide for themselves how much they can drink before they drive, 54 per cent of Irish drivers disagreed strongly with that proposition. The E.U. average for strong disagreement was 52 per cent.<sup>11</sup> A survey of 1,190 adults in January 2001 showed that the acceptability of driving after having one drink had decreased from 71 per cent to 35 per cent after screening of the anti-**drink** driving advertisement "Shame".<sup>12</sup>

Drivers' attitudes are against drink-driving. Their behaviour is not. Prosecutions for drink-driving make up a substantial proportion of District Court cases. They are the most hotly contested proceedings by defendants in the Irish criminal legal system. The presumption of innocence is quite properly paramount in Irish jurisprudence. Yet there is a perception that lawyers frustrate the saving of lives by road safety legislation through legal technicalities and manoeuvres within a flexible court system. Fairness must be applied to both parties to the proceedings: the People and the Defendant. Drink-driving is a personal choice and the driver's responsibility.

## **Seat belts**

Seat belts save lives. There is a legal obligation to wear a seat belt in a car. Wearing rates for drivers and front-seat passengers combined was only 57 per cent in 1999.<sup>13</sup> Female driver wearing rates are significantly higher than for males. Only 20 per cent of rear seat passengers wear a belt. When asked whether seat belts reduce the risk of serious injury for drivers and passengers in most accidents, 96 per cent of Irish drivers agreed (E.U. average 93 percent).<sup>14</sup>

At 30mph an unbelted rear-seat passenger continues travelling into the front of the car as a 30mph human missile. Serious traumatic damage to the brain, shearing of major arteries and rearing of organs are some of the typical injuries which the unrestrained cause and suffer. In 2000 there were 59,841 on the spot fines for non-wearing of seat belts

and the provisional figure to October 31). 2001 is 53,563. Belt wearing is a human factor, a personal choice.

## **Human factors and state intervention**

The foregoing represent only a small number of facts and figures drawn from many sources- there are many other facts and figures that could be set out. Poor visibility of pedestrians, inadequate lighting on bicycles, car driver fatigue, simple inattention and carelessness, use of mobile telephones, etc. could be added to the list of human factors in road traffic collisions. What they all have in common is that they are personal choices made about one's own safety and life and those of other road users.

Human nature is such that people will do what they believe they can get away with even when they know the behaviour is anti-social or wrong. There is a balance between personal liberties and State restrictions on personal behaviour. In no sphere is this as apparent or as controversial as in the driving of a motorcar.

The most advanced model of a road safety strategy is the one implemented in Victoria, Australia. In that State, there are the legislative framework and the court structures needed to process a high volume of traffic offences. The Victoria strategy is properly funded and systematically monitored. Random breath testing was introduced in 1976. The major traffic camera programme was established in 1990. Victoria's Transport Accident Commission has been the monopoly provider of personal injury insurance for road traffic crash victims since 1987. The Victoria approach is but one model and it may not be fully applicable in all jurisdictions. However, in the ten years from 1989 to 1998, the fatality rate for road traffic crashes in Victoria was halved.

## **Personal responsibility**

Therefore is the answer to the road death toll an increase in State action? The answer is of course yes - but only in part. This cannot allow a diminution in individual responsibility. The 2000 and 2001 statistics for enforcement by the Gardai show a substantial increase in drink-driving prosecutions and on-the-spot fines for speeding and non-wearing of seat belts. The Progress Reports of the High Level Group on Road Safety show both positive and negative developments in the Government's five-year strategy.<sup>15</sup> The crudest measure of success is that road deaths have fallen since the strategy began. Some targets will not be achieved. Legislative reforms of road traffic law, including the introduction of the penalty points system and more widespread use of breath alcohol testing, are before the Oireachtas at present. Car manufacturers continue to improve on the safety features of vehicles. The National Road Authority continues its extensive road improvement

plans. The National Safety Council produces hard-hitting and imaginative safety campaign advertisements.

However, it is too easy to leave it to the Gardai, the Government, the High Level Group on Road Safety, the National Roads Authority, the National Safety Council, the Courts, etc., and any other organisation of which a driver cares to think. Deaths and serious injuries in road traffic collisions are horrific. A visit to any crash site, accident and emergency department or coroner's court will bring home the reality of ruined lives, horrible deaths and grieving families following road traffic death and injury. The unwanted and unnecessary killing and maiming are due overwhelmingly to human factors, to personal choice. The most upstanding and law-abiding citizen may

make a mistake by speeding, drink-driving or not wearing a seat belt. If he survives, the unintended, foreseeable and consequential death or injury caused will haunt him for the remainder of his life. It will have grave human, financial and criminal implications. For every driver and road user, road deaths and injuries are a personal responsibility. That responsibility should not and cannot be abrogated or shirked. It must be reaffirmed into 2002 and beyond.

**Denis A. Cusack,  
Editor**

<sup>1</sup> Garda National Traffic Bureau, Provisional Fatal Accident Statistics, 2001  
<sup>2</sup> Eurostat, Statistical Office of the European Communities, Luxembourg, 2000.  
<sup>3</sup> Northern Ireland Road Safety Strategy 2001-2010, Department of the Environment (N.I.), Consultation Document, 2001.  
<sup>4</sup> "The Road to Safety: – Government Strategy for Road Safety 1998-2002, Department of the Environment and Local Government.  
<sup>5</sup> *Ibid* at p. 9.  
<sup>6</sup> Peter Bacon, "An Economic Assessment and Preliminary Cost Benefit Analysis of the Government Strategy for Road Safety 198-2002".

<sup>7</sup> National Roads Authority. "Free Speeds on Rural Roads 1999".  
<sup>8</sup> National Roads Authority. "Young Driver Accidents 1997".  
<sup>9</sup> Social Attitudes to Road Traffic Risk in Europe (SARTRE), Part 1 Report on Principal Results, 1998.  
<sup>10</sup> Medical Bureau of Road Safety, Annual Report 2000.  
<sup>11</sup> In 9, *supra*, at pp. 38-39.  
<sup>12</sup> National Safety Council Survey, 2001.  
<sup>13</sup> National Roads Authority, Seat-Belt Wearing Rates 1999.  
<sup>14</sup> In 9, *supra* at p. 89.  
<sup>15</sup> First, Second and Third Progress Reports, High Level Group on Road Safety, Department of the Environment and Local Government, 1999/2000/2001.