

# RUNNING ON EMPTY

Drink-driving law enforcement  
in England

December 2017



IAS

Institute of  
Alcohol Studies

# AN INSTITUTE OF ALCOHOL STUDIES REPORT

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## **Acknowledgements**

The authors wish to thank Lord Brooke of Alverthorpe, David Davies, Executive Director of PACTS, and Sergeant Mick Urwin, Harm Reduction Unit, Durham Constabulary for their guidance and support in the development of this report.

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## FOREWORD

In 2016, I introduced a private members' Bill seeking to lower the UK's drink drive limit from 80 milligrams of alcohol per 100 millilitres of blood to 50 milligrams of alcohol per 100 millilitres of blood. This Bill had a simple aim; to protect citizens and drivers alike from the toll of death, injury and psychological pain that drink-driving causes every year. The Bill passed all stages in the House of Lords, however, it did not have time to pass into the House of Commons. A lower drink drive limit remains a personal priority.

The case for a lower drink drive limit has never been stronger. England and Wales' current limit was set in 1967 and has never been amended. The research originally offered in support of this is now considered outdated. A wealth of fresh evidence has come to light, highlighting previously downplayed risks of driving at our current limit. Countries across Europe have moved towards lower limits. Scotland lowered their limit to 50mg/100ml in 2014, and Northern Ireland are set to enact this change by 2018, leaving England and Wales as an outlier. Support has been demonstrated from charities, road safety organisations, publicans, and the public alike. It would seem we are primed for a change.

Reducing drink drive deaths and casualties have stalled in the UK for half a decade. Despite this, the UK Government remain wedded to their current claim; that enforcement of a drink drive limit of 80mg/100ml is sufficient action. This report undermines the very basis of that argument. While policing budget cuts have hit hard in recent years, clearly this has affected roads policing to a greater degree than other areas of police activity. Enforcement is not what it used to be.

While I recognise that tackling drink-driving will take a multi-pronged strategy – a lower limit, strong enforcement, and public awareness – it is clear that when enforcement is suffering, lowering the limit becomes an even more pressing need. As police are asked to do more with less, we cannot realistically expect the same levels of enforcement seen during previous decades.

Lowering the drink drive limit remains a change polls indicate the British public want. The Government should listen and convert the Bill into an Act. Action is needed now.



*Lord Brooke of Alverthorpe*

## EXECUTIVE SUMMARY

Drink-driving deaths and casualties have flat lined in the UK since 2010 with around 240 deaths and more than 8,000 casualties are reported every year.<sup>a</sup>

England and Wales have one of the highest drink drive limits in the world – 80mg alcohol per 100ml blood.

Evidence suggests reducing this to 50mg/100ml will reduce drink-driving,<sup>1</sup> saving at least 25 lives and 95 serious casualties each year.<sup>2</sup>

Despite this, Government maintain ‘rigorous enforcement’ of the current limit alone will better address this problem.<sup>3</sup>

This position is questionable in light of this report’s findings, which suggest enforcement activity has fallen over the last five years. FOI requests and published data from police forces in England reveal:

- ▶ The number of dedicated Roads Policing Officers **reduced by 27%** between 2011/12 and 2015/16.<sup>b</sup>
- ▶ The average roads policing budget for forces **steadily declined** since 2011/12, from £5.3m to £4.35m in 2015/16, a 17.9% (or £0.95m) loss per force.<sup>c</sup>
- ▶ There were **25% fewer breath tests** in 2015 than in 2011 – a drop of **149,677 breath tests**.<sup>d</sup> If breath testing had been maintained at 2011 levels, **there would have been 260,681** more breath tests performed during this period.

While it is clear that a lower limit alone is not an alternative to enforcement, the evidence is clear – a 50mg/100ml limit will save more lives and prevent more casualties than one of 80mg/100ml, with the same levels of enforcement. At a time when police budgets are stretched,<sup>4</sup> frontline officers find themselves performing duties of other services,<sup>5</sup> and forces are asked to do more with less,<sup>6</sup> lowering the drink drive limit offers a cost-effective, compassionate step the UK Government can take to protect the public and relieve pressure on their increasingly embattled forces.

a While deaths fell to 200 in 2015, this had no statistical significance – deaths remained plateaued (Alcohol Policy UK (2017), ‘Drink drive figures: cause for concern in 2017?’ <http://www.alcoholpolicy.net/2017/10/drink-drive-figures-cause-for-concern-2017.html>)

b For forces which responded with five years’ worth of data

c For forces which responded with five years’ worth of data

d For all 39 police forces in England

## BACKGROUND

Fifty years on from the introduction of the drink drive limit and the breathalyser,<sup>7</sup> the UK's flagship anti-drink drive policy has reached a crossroads. Major strides have been made in road safety; thousands of lives have been saved. But since 2010, the number of drink drive deaths has stalled.<sup>e, 8</sup> The Government themselves recognise this problem: as the Department for Transport states, since 1979, when official road accident records began, 'drink-driving deaths have fallen from 1,640 to 200 per year – but that's still 200 too many.'<sup>9</sup>

Today, England and Wales stand apart from all other nations in Europe for having a drink drive limit of 80mg alcohol/100ml blood; other nations' limits are 50mg/100ml or lower.<sup>f</sup> North of the border, Scotland lowered its limit to 50mg/100ml in December 2014, resulting in a 12.5% decrease in drink drive offences in the first nine months, according to Police Scotland.<sup>10</sup> Research suggests that if England and Wales followed suit, this would save at least 25 lives and prevent 95 serious casualties a year, saving £800 million.<sup>11</sup>

It would also be a popular move, backed by a wide range of organisations including the RAC Foundation, BRAKE, the Police Federation, Fire Brigade Union, Royal College of Emergency Medicine and the AA,<sup>12</sup> as well as the public – the 2016 British Social Attitudes Survey found that over three-quarters of people (77%) believe that the amount of alcohol drivers are allowed to drink should be reduced.<sup>13</sup> Public Health England have also concluded that reducing the drink drive limit to 50mg/100ml would see reductions in deaths and casualties.<sup>14</sup> Not only this, but 58% of pub managers in England and Wales were found to support a reduced drink drive limit in survey work earlier this year.<sup>15</sup>

Despite this, the UK Government's position has remained steadfastly against the prospect of reducing the limit, claiming that 'rigorous enforcement and serious penalties for drink-drivers are a more effective deterrent than changing the drink-driving limit.'<sup>16</sup> While enforcement will clearly play a role in any successful drink-driving strategy, the UK Government seem to consider current enforcement levels to negate any need to reduce the drink drive limit.

However, well-publicised cuts to police budgets<sup>17</sup> have led many to question whether such 'rigorous enforcement'<sup>18</sup> is in fact taking place. This report attempts to examine this – have Central Government cuts to police resources impacted on road safety across English constabularies? Is it time to lower the limit?

e While deaths fell to 200 in 2015, this had no statistical significance – deaths remained plateaued (Alcohol Policy UK (2017), 'Drink drive figures: cause for concern in 2017?'

<<http://www.alcoholpolicy.net/2017/10/drink-drive-figures-cause-for-concern-2017.html>>)

f Malta officially still retains a limit of 80mg/100ml, but have recently announced plans to reduce this to 50mg/100ml (Institute of Alcohol Studies, 'Save lives, safer roads, lower the drink drive limit' <<http://www.ias.org.uk/Lower-limit-campaign.aspx>>)

## METHODS

A series of Freedom of Information requests (FOIs) were sent to all 39 police forces in England requesting the following:

1. *The number of Roads Policing Officers within your police force;*
2. *The roads policing budget within your police force, as a total, and as a percentage of your total operational budget;*
3. *The total roads policing budget man hours within your force for the following years (if you do not have a dedicated roads unit please state the man hours for officers covering this function) all covering the (financial) years 2011/12 to 2015/16.*

These data were supplemented through publically available Home Office records of total alcohol breath test numbers carried out per force for the same period.<sup>19</sup>

35 forces replied to these requests. The full dataset with details of all respondents can be found in the appendix.<sup>9</sup> Not all forces were able to respond to every item. Further, to ensure a consistent overview, on any individual question, only police forces who replied with five years' worth of data were included in the final analysis.<sup>h</sup>

Further to data supplied by though FOIs, Roads Policing Officers (RPOs) as a proportion of total frontline officers is calculated per constabulary using frontline officer numbers published nationally.<sup>20, i</sup> Frontline officers are defined by Her Majesty's Inspectorate of Constabulary as comprising 'those who are in everyday contact with the public and who directly intervene to keep people safe and enforce the law.'<sup>21</sup> RPOs qualify under this definition because their enforcement activities are regarded as 'visible to the public'.

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g Please find appendix at <[www.ias.org.uk/What-we-do/IAS-reports.aspx](http://www.ias.org.uk/What-we-do/IAS-reports.aspx)>

h In some cases, the Metropolitan Police Service were only able to provide data for four years within the period covered. However, whilst these data are not included in any trend analysis, due to the Force's size and prominence these data have sometimes been presented separately for the reader.

i All frontline officer totals are drawn from the same source, however for the years 2011 – 2014 these figures were defined as estimates, and for the years 2015 – 2016 they were defined as actual

# ROADS POLICING OFFICER (RPO) NUMBERS AND MAN HOURS

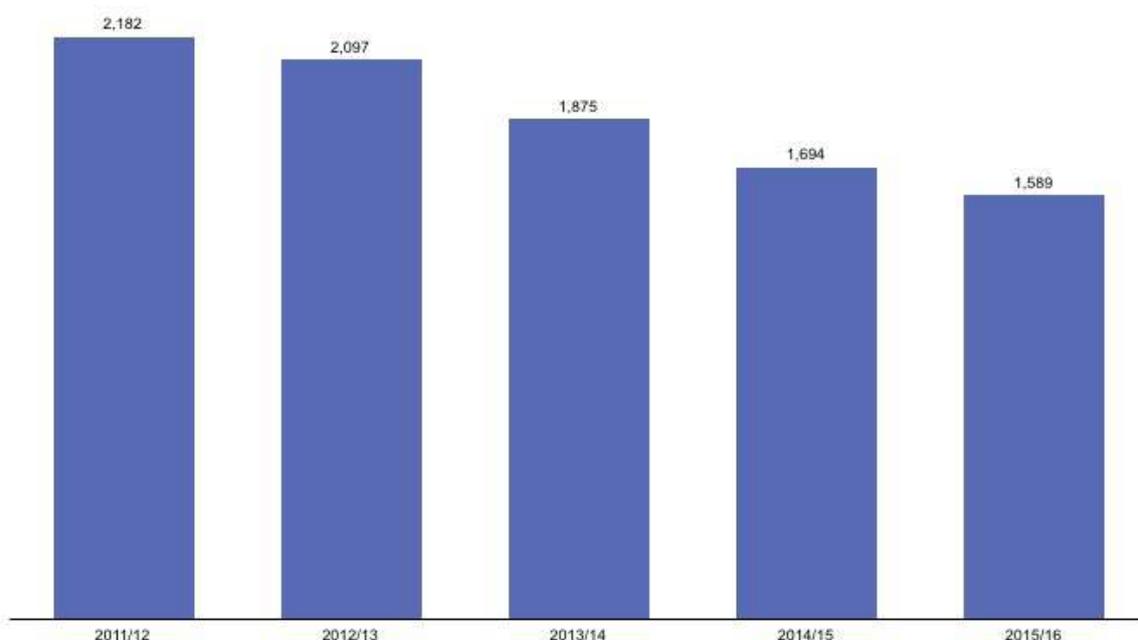
Nineteen police forces responded with five years' worth of data to the request for:

***The number of Roads Policing Officers within your police force covering the (financial) years 2011/12 to 2015/16.***

Between 2011/12 and 2015/16, the total number of RPOs for these forces decreased by over a quarter (27.2%). For some forces, these changes were dramatic, with forces losing as much as 83.1% of their RPOs across this period.

The Metropolitan Police responded to this question with four years' worth of data, from 2012/13 to 2015/16, so are not included in figure 1 below. The number of RPOs for this force over the period increased by 7 to 382, equating to 1.4% of their total frontline officers.

***Figure 1: Total RPOs, 19 forces, 2011/12-2015/16***



As this data indicates, many of the police forces (89.5%) who responded have experienced an absolute drop in RPO numbers. However, further to this, of the forces who reported an absolute drop in RPO numbers, 82.4% also saw the proportion of their total frontline officers dedicated to roads policing fall – by more than 25% in half of cases, and in one instance by 82.8%.

Six forces were able to supply data from 2011/12 to 2015/16 in response to the request for:

***The total roads policing budget man hours within your force for the following years (if you do not have a dedicated roads unit please state the man hours for officers covering this function) all covering the (financial) years 2011/12 to 2015/16.***

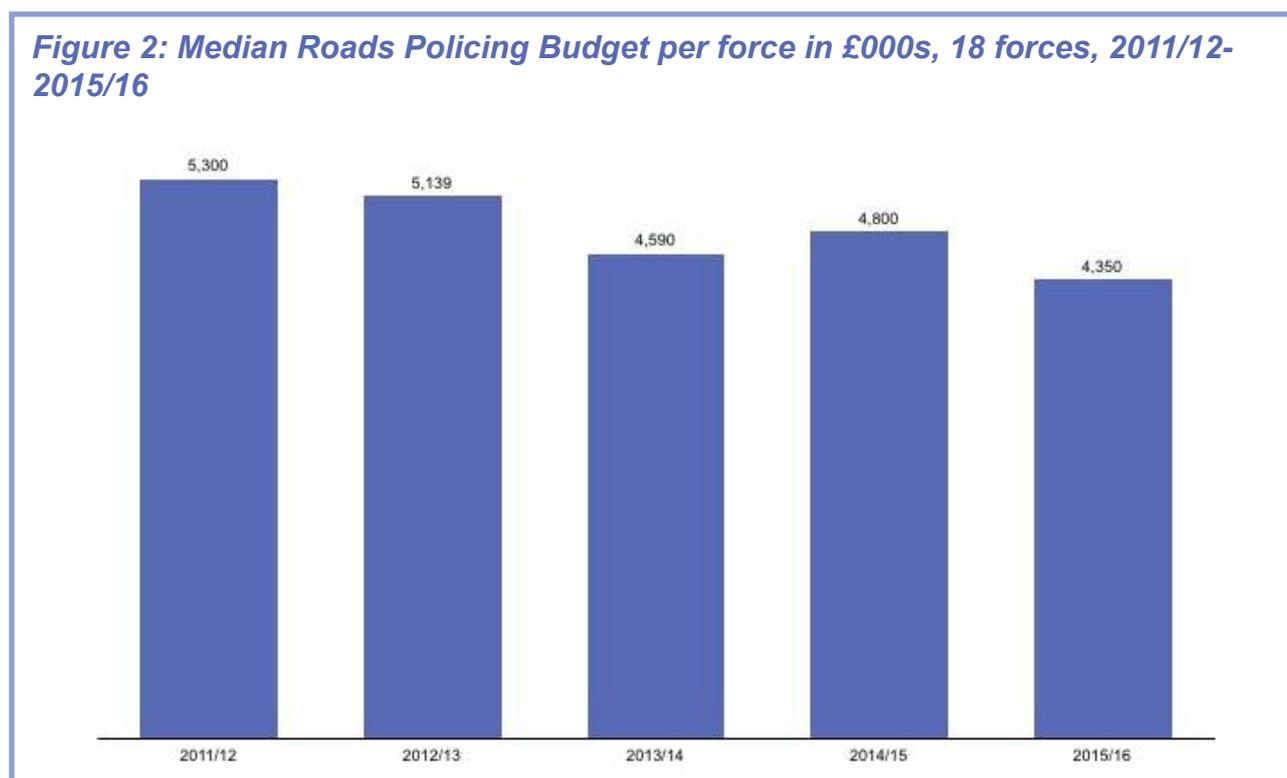
All six saw substantial decreases in the annual man hours for this activity from 2011/12 – 2015/16. The average annual man hours per force for this activity fell from 208,039 in 2011/12 to 157,897 in 2015/16 - a drop of 50,142 hours.

## ROADS POLICING BUDGET

Eighteen police forces responded with five years' worth of data to the request for:

*The roads policing budget within your police force, as a total, and as a percentage of your total operational budget covering the (financial) years 2011/12 to 2015/16.*

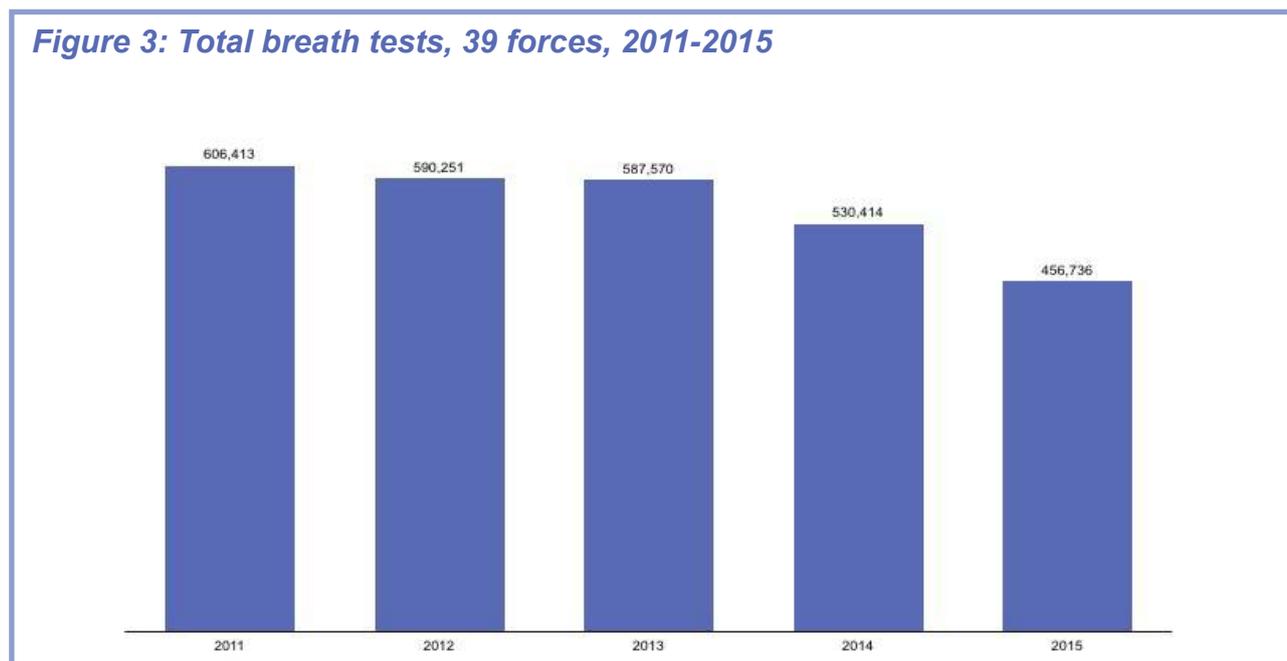
Figure 2 illustrates that the average roads policing budget for each of these forces has steadily declined since 2011/12, from £5.3m to £4.35m in 2015/16, a 17.9% (or £0.95m) loss per force.



Additionally, twelve forces provided data on what proportion of their total budget their roads policing budget was for each year in this period. 83.3% of these forces saw their roads policing budget account for a smaller proportion of their total budget in 2015/16 than it did in 2011/12; in more than half of these cases, by more than 15%.

## BREATH TEST NUMBERS

All 39 police forces in England publish data on the number of breath tests performed each calendar year. Overall, police forces conducted a quarter (24.7%) fewer breath tests in 2015 than in 2011, a drop of **149,677 breath tests**, as figure 3 shows. If breath testing had been maintained at 2011 levels across this period, **there would have been 260,681 more breath tests performed**.



The overwhelming majority of forces – four out of every five (82.1%) – saw their breath test numbers fall; of these, 43.8% saw their breath test numbers fall by more than 30%. Some constabularies saw 15,000 fewer tests performed during this period. Only seven forces saw increases in breath test numbers.

## DISCUSSION

The results presented in this report paint a picture of weakened enforcement for the current drink drive limit since 2011. Manpower and budget directed to enforcement have suffered through this period and expectedly, there has been a substantial drop in roadside breath testing.

Total Road Policing Officers for all responding forces decreased by over a quarter through this period. While fewer forces were able to provide data on annual man hours allocated to roads policing, all forces that did saw substantial decreases – indeed, the average annual man hours per force for this activity fell by 50,142 hours through this period. When considered alongside the sizeable decrease in RPO numbers seen in the majority of constabularies, it would be unsurprising to discover a similar picture across the rest of the country.

Four of every five forces saw breath tests fall between 2011 and 2016. Nationally, the picture is equally dramatic; more than a quarter of million additional breath tests would be performed if 2011 rates were maintained across this period. Further, the average force budget decreased from £5.3m to £4.35m in 2015/16, a 17.9% (or £0.95m) loss per force.

It is important to recognise, however, that while police budget cuts have affected many aspects of police activity, road traffic policing appears to have been hit harder than police activity more broadly. This is supported by the finding that of the forces who reported an absolute drop in RPO numbers, 82.4% also saw the proportion of their total frontline officers dedicated to roads policing fall. Further to this, 83.3% of forces providing data on the proportional make up of their budgets saw their roads policing budget account for a smaller proportion of their total budget in 2015/16 than it did in 2011/12. As forces are being increasingly overextended, drink-driving enforcement is suffering to a greater degree than other activity. While there may always be limitations to data such as these collected through police reporting and recording, the overwhelmingly consistent downward trends identified suggest that these conclusions are well founded.

These findings may go some way to explain the stagnation seen in drink-driving deaths and casualties of recent years. Research from the United States has demonstrated how loss of officers can see an increase in all road traffic deaths and casualties<sup>22</sup> and research exploring Australian breathalyser activity saw the introduction of road side breath testing reduce fatal crashes and injurues.<sup>23</sup> Similarly, evaluation of Australian drink-driving enforcement campaigns has found them to be 'effective in reducing serious crashes during high alcohol hours.'<sup>24</sup> In light of research such as this, it is unsurprising that the UK has seen no statistically significant improvement in drink-driving fatalities or casualties in half a decade, when the policy lever of enforcement remains – for all intents and purposes – un-pulled.

This work suggests the budget cuts handed down to police forces leaves them unable to deliver the government's preferred policy of 'rigorous enforcement' in a way that will make any improvement to this issue. Offenders are escaping judgement, and as this becomes more apparent to other drivers, the expectation of a swift and certain punishment – dimensions of criminal justice policy identified by the Policy Exchange as key drivers of behaviour change<sup>25</sup> – further fades.<sup>26</sup>

While evidence suggests a successful drink drive strategy comprises enforcement, a lower limit, and public awareness, the Government's current support of the 80mg/100ml drink drive limit rests substantially on a level of enforcement which this report has demonstrated as lacking. This position appears increasingly untenable, and the need to reduce the drink drive limit all the more pressing.

## CONCLUSION

### **Policy recommendation: Lower the drink drive limit to 50mg alcohol/100ml blood**

England and Wales are an outlier in Europe (and indeed, much of the world) with a drink drive limit of 80mg/100ml. Evidence has demonstrated reducing the limit to 50mg/100ml would be a life-saving measure.

### **Policy recommendation: Enhanced enforcement of drink-driving law**

This should include enhanced powers for police to conduct random roadside breath-testing of drivers and the introduction of Mobile Evidential Breath Testing Equipment to avoid delays in testing samples once drivers are pulled over.

### **Policy recommendation: Mass media public education campaigns to ensure understanding of the dangers and penalties of drink-driving**

High profile mass media campaigns are needed to properly communicate drink-driving law, as well as the dangers of drink-driving. These campaigns should be government run, rather than industry partnerships.

The case for reducing the drink drive limit is strong and has been for some time. Not only does international evidence suggest this policy would save lives and money but public, industry, and third sector support remains high.

This report further strengthens this case. While properly funded and staffed enforcement policies will act positively on drink-driving deaths and casualties, this report presents substantial evidence that enforcement is floundering as forces suffer under heavy budget cuts. At a time when police budgets are stretched,<sup>27</sup> frontline officers find themselves performing duties of other services,<sup>28</sup> and forces are asked to do more with less,<sup>29</sup> lowering the drink drive limit offers a cost-effective, compassionate step that government can take to protect the public and relieve pressure on their increasingly embattled forces.

As drink-driving deaths remain unmoved, the question remains: when will government action be taken to address this? As Steve Gooding, director of the RAC Foundation, said:

*'Policy in this area hasn't moved for half a century, but in the face of mounting evidence it increasingly falls on opponents of a limit reduction to defend the status quo, rather than asking those who support a cut to keep making their case.'*<sup>30</sup>

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