

3.6 The Connétable of St. Helier of the Minister for Home Affairs regarding the legislation and enforcement regime in place to tackle the dangers of mobile phone use while driving: [1(454)]

Is the Minister's assessment that the Island's legislation is sufficiently rigorous and the enforcement regimes significantly robust in tackling the dangers of mobile phone use while driving? If not, what steps will she take to improve them?

Deputy K.L. Moore of St. Peter (The Minister for Home Affairs):

Article 50 of the Road Traffic Law makes it an offence for any person who is driving a vehicle on a road to hold a telephone in any way while the vehicle is in motion. That law falls under the remit of the Minister for Infrastructure and any legislative changes in this regard would, therefore, not be for the Minister for Home Affairs to bring forward. In terms of enforcement, for what I do have political responsibility, I am confident that our current regime is sufficiently robust. Police officers will pursue prosecutions against any individual caught holding a telephone while their vehicle is in motion. This is not a matter for which words of advice might routinely be given. The police ran a road safety campaign in March of this year which focused on mobile phone use and will run a similar campaign again later in the year. The latest figures show that 218 drivers have been prosecuted for this offence in the first 6 months of this year, which is on a par with the previous 3 years.

3.6.1 The Connétable of St. Helier:

Does the Minister think that this is enough? My question is whether the enforcement regime is sufficiently robust. She is quoted in the *J.E.P.* in March, along with the chief officer of the States of Jersey Police, in backing the introduction of U.K. style penalty points system which, I quote: "They say could help tackle the problem of drivers using their phones." The chief officer of the States of Jersey Police described the offence as his biggest frustration and should be considered as seriously as drink driving. Does the Minister still hold that view?

The Deputy of St. Peter:

I would agree with myself, yes. But that piece of work is a matter for the Minister for Infrastructure who is leading that piece of legislation and those changes. I support him in that work and I am happy to work with him to do so. I will not repeat the comments that the Constable has made about the dangers of driving while using a phone.

[10:45]

3.6.2 The Connétable of St. Helier:

Does the Minister support the work of the local charity Hands Off which was started I think 11 years ago which is calling for a change in the law in Jersey to make it illegal to use a phone even if a vehicle is at a standstill? Does she not agree with me that the situation at the moment is ... there is a lack of clarity because people appear to be able to use their phones while their vehicle is, for example, stationary at a traffic light but then as soon as they move off it becomes illegal. Is that not a confusing situation and would it not be better in the Minister's view to have a law which made it simply illegal to use the phone at all while driving and to put it in the glove box would be much more sensible.

The Deputy of St. Peter:

I think the law as it stands is clear because it is very clear whether a vehicle is in motion or not, and I think that the police feel that they are able to robustly enforce that law as it stands. The introduction of mobile phones and the growth of mobile phones has been exponential over the past 20 years, and of course it is an area that continually needs addressing and looking at and

maintaining a sense of modern standards. As has previously been stated, the use of mobile phones whilst driving is akin to drink driving because of the distraction that it causes, and I will continue to look at the issue alongside my good colleague, the Minister for Infrastructure.