



This procedure is part of North Yorkshire Police policy to which all Chief Constable personnel and the functions provided by the Police, Fire and Crime Commissioner are required to adhere.

## **Speed Awareness Scheme Procedure**

### **Procedure Statement**

The aims of this Procedure are to:

- provide clear guidance upon the use of the Speed Awareness Scheme (SAS) in North Yorkshire where the offending motorist is a member of the public.
- provide clear guidance upon the use of the SAS in North Yorkshire where the offending driver is employed by North Yorkshire Police (NYP) as a police officer or as a member of police staff.
- explain the criteria that must be fulfilled before an offending driver may be referred to the SAS.
- emphasise the importance of collating sufficient evidence to proceed with the matter.
- Enhance public confidence and reassurance by educating offending drivers and reducing speed on North Yorkshires roads.

### **Other Documents:**

Microsoft Word - Speed Enforcement Guidance ACPO\_2011 2015\_May 2013\_Internet  
(college.police.uk)

### **Process**

The Scheme operates as follows:

1. All speeding violations captured within the NPCC (ACPO) guidelines for a Speed Awareness Course will be initially considered for a SAS. These violations can be camera detected or roadside referrals by suitably trained Officers.
2. Safety Cameras - Vehicles captured at speeds within speed awareness guidelines on any safety cameras deployed within North Yorkshire, will be identified by the relevant Criminal Justice (CJ) trained staff and passed to the Traffic Bureau (TB). Once in the TB a notice of intended prosecution and driver/keeper enquiry form will be sent within 10 days of the offence to establish the drivers details at the time, and suitability to attend a course.

Information relating to the offences captured is stored on the Startraq and / or PentIP system within the TB.

3. Roadside Referrals – Offenders captured within speed awareness guidelines and where the driver/rider, at the roadside, indicates a willingness to attend a course. Officers issue a Traffic Offence Report (TOR) including a notice of intended prosecution, before submitting that fully completed TOR and any supporting papers to the TB where further checks will be carried out to ascertain the driver / rider’s eligibility to attend such a course.
4. If following further checks the driver/rider remains suitable for a speed awareness course, then they will be offered the opportunity to attend an educational course to deal with improving awareness of speed related matters.
5. Those not eligible will be sent a Conditional Offer of Fixed Penalty.
6. All retraining offers are sent combined with a conditional offer of fixed penalty. If the driver/rider declines a course or opts to accept the fixed penalty, the course offer will be withdrawn. Failure to comply with either the retraining or fixed penalty offers may result in a court summons being issued.
7. If the offending motorist successfully completes the course, then no further action will be taken.

#### Eligibility for Referral (NPCC Guidelines)

Speed Limit (MPH)	Speed Awareness lower level threshold (10% + 2 mph)	Speed Awareness higher level threshold (10% + 9 mph)
30	35	42
40	46	53
50	57	64
60	68	75
70	79	86

A speed awareness course must not be offered to a driver if the offence is in a 20mph limit. There is a specific course designed and offered for offences in 20mph limits. North Yorkshire police do not currently enforce speed in 20mph aside from Community Speed Watch which results in an educational letter.

#### Evidence Gathering in Relation to the Incident

It is important that all the evidence in relation to the incident is gathered for the following reasons:

- The SAS is an alternative to an offer of a conditional fixed penalty. The burden of proof for referral to SAS is the same as that for a conditional offer of a fixed penalty ticket or prosecution.
- Participation on the SAS is at the driver’s expense. They are therefore, in effect, being financially penalised for their offending behaviour. NYP must be able to demonstrate that they are prepared to mount a prosecution if the driver decides to challenge the validity of the decision for referral to a speed awareness course.
- Officers at the roadside must fully complete the TOR and ensure all documents are attached prior to submission to the TB, this will ensure sufficient evidence is captured to process the offence and prepare a court file should the case progress to a Court hearing.

## **The Decision-Making Process**

The decision to offer an offender a place on the SAS is based on a number of factors:

1. Speed captured falls within the NPCC guidelines for referral to a SAS (as per table above)
2. The Driver/Rider expresses a willingness to attend a SAS.
3. The Driver/Rider have not attended a national SAS within the last 3 years or are pending attendance at one.
4. There are no other offences being dealt with by way of a Prosecution resulting from the same incident. (Discretion may be used when dealing with cases involving a minor offence where it is felt that a SAS would be of benefit to the driver).
5. There is a realistic prospect of conviction.

It is incumbent on NYP to ensure the offender is the holder of a valid driving licence for that class of vehicle prior to referral to the Service provider.

## **The Course**

Courses are delivered both virtually and physically. Online courses are accessed via a web link and classroom Courses are held at a number of sites within North Yorkshire and are paid for by the driver/rider. During anytime a classroom course cannot be run then a digital course should be offered if available. They are run by approved trainers and do not involve any driving.

The aims of the course are to:

1. Address drivers/riders' attitudes in relation to excessive or inappropriate speed
2. Balance perceived benefits of speeding to the dangers associated to it.
3. Motivate and encourage drivers/riders to adhere to speed limits at all times.
4. Reduce casualties on our roads by educating drivers/riders of the risks in speeding.

For drivers/riders who live out of the NYP area they will, when booking a course, be given the option of attending at a more convenient location i.e. closer to home/work. Alternatively, any driver / rider who reside in the NYP area but are offered a course by another force area will, when booking a course, be able to select one of the courses with the NYP area.

NYP are not responsible for any negotiations with the offending driver re course dates, fees and other course administration matters. All such matters will be dealt with by the service provider.

## **Emergency Service Drivers (Camera Offences Only)**

Emergency Service Drivers will be dealt with in exactly the same way as a member of the public unless they can demonstrate any exemption. The Traffic Bureau management team or Decision Maker will require information regarding the nature of the incident before deciding on the course of action.

## **Referral where the Offending Motorist is an Employee of NYP**

1. Any employee not on duty will be dealt with in the same manner as a member of the public.
2. Any employee on duty will be dealt with in the same manner as a member of the public unless they can demonstrate any exemption. The Traffic Bureau management or Decision Maker will require information regarding the nature of the incident before deciding on the course of action.
3. If a referral is considered as the most appropriate disposal, then the officer or member of support staff involved will be offered a place on the SAS.
4. Officers/Staff referred to the SAS will be asked to pay the appropriate SAS fee.
5. Cases involving police officers and police staff from other Forces will be dealt with in the same manner as any member of NYP above.
6. Appeals in relation to any member of NYP being placed on a SAS will be sent to the Traffic Bureau manager in the first instance who will then liaise with Head of Criminal Justice.

### **The Service Provider**

The course provider for North Yorkshire is:

TTC 2000 Ltd  
Hadley Park  
Telford  
Shropshire  
TF1 6QJ

Tel: 0845 2704380

The Traffic Bureau Manager is the Liaison Officer for any contact with the supplier.

### **Responsibilities**

#### **Operational Officers/Police Staff**

- Evidence gathering in relation to the incident.
- Engagement with Driver/Rider re options available if speed falls within ACPO. guidelines for SAS.
- Issue a TOR including a Notice of Intended Prosecution upon the driver/rider.
- Completion and submission of relevant documents/paperwork to TB dependant on the outcome of above.

#### **Traffic Bureau Management**

- Process offences captured on safety cameras and identify those suitable for SAS.
- Decision Making on Camera related speeding offences.

#### **Traffic Bureau**

- Review and process offences/documents/paperwork received from either operational Officers, Decision Makers or Traffic Bureau Management.
- Process all correspondence including referrals to service provider.

#### **Prosecution Team - Decision Makers**

- Review any speeding cases referred for prosecution, consider SAS if within threshold and where any other offences are not proceeded with.

**Prosecution Team - Administrative Staff**

- Act upon Dedicated Decision Maker's instructions

**Definition of Special Terms**

<b>CJ</b>	Criminal Justice
<b>SAS</b>	Speed Awareness Scheme
<b>TOR</b>	Traffic Offence Reports
<b>DDM's</b>	Dedicated Decision Makers
<b>TB</b>	Traffic Bureau
<b>NPCC</b>	National Police Chiefs Council