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A Safer Nottinghamshire For All



NOTTINGHAMSHIRE
POLICE

From:
Chief Constable

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26 July, 2002

USE OF BLUE LIGHTS IN PUBLIC PLACES BY SERVICE POLICE VEHICLES

This letter is intended to state the now agreed position of the Police Service on the above issue.

In using the expression 'Service Police', I include the Police branches of the Royal Navy (including Royal Marines), Army and Royal Air Force.

In stating this position, I acknowledge that the Police Service has previously taken the view that the use of blue lights in public places by Service Police vehicles is not covered by the Road Vehicle Lighting Regulations 1989 (which I will hereafter refer to as 'the regulations').

However, the growing number of protocols which have been agreed between the Royal Military Police and various Chief Constable's and the recent White Paper on Police Reform which proposed greater recognition of the 'wider police family' have caused us to revisit this position.

Regulations 11 and 13 state only red light can be shown to the rear and restrict the use of flashing lights, respectively, the relevant exemption states;

.....fitted to an 'emergency vehicle' or from any device fitted to a vehicle used for Police purposes'

The use of blue lights by Service Police vehicles has never, as best I am aware, been tested in law and a determination on it is perhaps best established by reference to senior and experienced roads policing practitioners rather than the tyranny of legal experts. Having debated this issue among a range of senior practitioners, I take the view that, given that the Service Police branches

- Are constituted by statute
- Are instruments of the state
- Wear recognisable uniform and drive liveried Police vehicles
- Have a right, if not a positive duty, to patrol in public places
- Have powers of arrest and other police powers which can be exercised in public places,

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they should be regarded as using vehicles on the road "for police purposes".

One of the major concerns about the Police Service taking this position is that an agreement of this point automatically gives Service Police vehicles exemptions under other regulations on issues generally connected to emergency response driving, such as, exceeding Speed Limits and treating Red Traffic signals as Give Way.

The Police Service position on this is that this is a matter for the Service Police branches and I would only remind you of your obligations under the Health and Safety legislation in respect of this issue.

I note your suggestion that this could best be dealt with under a Defence Council Instruction and I wish to indicate the support of the Police Service for such an approach.

I intend to circulate a copy of this letter to all Chief Constables (including non-Home Office forces) and am happy for you now to progress this matter on the basis of this letter.

I would be grateful if you could keep me apprised of your progress on this issue.

Chief Constable