



**Law
Commission**
Reforming the law

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Scottish Law Commission
promoting law reform

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Getting Level Crossings Law on Track

Level crossings present the largest single risk of catastrophic train accident in Great Britain.

In a consultation launched today, the Law Commissions of England and Wales and of Scotland are seeking views on how the legislative framework governing the use, management and, where appropriate, closure of level crossings can be improved and safety risks reduced.

Regulators, owners and operators of Britain's 8,000 level crossings who want to modernise crossings and enhance safety struggle to do so within a framework of laws that are outdated, complex and hard to understand.

The Commissions have examined the legislative framework covering level crossings from the widest angle, reviewing the laws that govern health and safety, highways and roads, land, planning, crime and disability discrimination, as well as railway law. They are keen to hear comments on topics such as rights of way, access to land, signage and disability issues, as well as ideas on how to encourage greater collaboration among those with an interest in level crossings.

The aim is to recommend reforms that will create:

- more efficient and cost-effective ways of operating, modernising and, where appropriate, closing crossings
- a better, more coherent safety regime,
- greater balance between the interests of rail and road users, and
- modern solutions for regulating risk.

Sir James Munby, the Chairman of the Law Commission, said: "It is no longer appropriate that the legal framework for level crossings should be based on 19th century private legislation. We need to find ways of bringing level crossing law into line with modern legislation."

Professor George Gretton of the Scottish Law Commission added: "The law of level crossings may be an obscure branch of the law, but level crossings cause very real problems both for the railways and for road users, vehicular and non-vehicular. Until now the law has never been subject to a general review. This gives us an opportunity to put the law into a satisfactory shape. We very much hope to hear the views of individuals and organisations about what the law should look like in the future."

The Commissions seek responses **by 30 November 2010**. The consultation paper, "Level Crossings", can be found on the Law Commissions' websites at:

http://www.lawcom.gov.uk/level_crossings.htm and
http://www.scotlawcom.gov.uk/html/discussion_papers.php

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Notes for Editors

1. The Law Commission and the Scottish Law Commission are non-political independent bodies, set up by Parliament in 1965 to keep all the law of England and Wales and of Scotland under review, and to recommend reform where it is needed.
2. More information on this project can be found at:
http://www.lawcom.gov.uk/level_crossings.htm, and
<http://www.scotlawcom.gov.uk>
3. Sir James Munby, Chairman of the Law Commission and Commissioner for England and Wales leading on the Level Crossings project, is available for interview.
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