



# National Truck & Bus Driver Trainers Conference

**Anton Balkitis**  
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***Rother Downson Solicitors***



# ROTHERA DOWSON

SOLICITORS AND NOTARIES



**ANTON BALKITIS and LUCY WHITAKER**

  
[keepmeontheroad.co.uk](http://keepmeontheroad.co.uk)



“First class knowledge, not only of the law but also of the industry.”

***Legal 500 UK***

“Probably the most experienced transport firm in the country”. Anton has “a wealth of experience on all aspects of transport law and has achieved excellent results for his clients in regulatory investigations and prosecutions”

***Legal 500 UK***



# Why choose Rothera Dowson?

- **Ranked Number 1 for Road Transport** in the East Midlands by Legal 500 since the category was launched.
- The team “**sets the benchmark nationally for advice in all areas of Transport**” (The Legal 500).
- Described as “**a leading firm for regulatory work**” and a “**first-choice practice**” (The Legal 500)
- According to Chambers UK, “**the lawyers understand the business and are considerate and quick-thinking in their approach as well as being impressive, delivering high-quality work**”.
- Described as “**the main road regulatory player in Nottingham**” and as “**particularly strong on the contentious side and is distinguished by its litigation work for international hauliers**” (Chambers UK)

## Comprehensive legal services to meet all the requirements of your transport business including:

- 'O' Licence Applications
- Representation in Magistrates' and Crown Court
- Coroners' Inquests
- Carriage of stowaways / Civil Penalty Notices
- VOSA Investigations
- Graduated Fixed Penalties
- All driving and road traffic offences
- Employment Law
- Contract disputes / Business Law
- Debt recovery
- Property transactions

# Offences & Prosecutions

- Drivers' Hours and
- Tachographs
- Insecure Loads
- Overloading
- Dangerous Condition
- Vehicle Defects
- Graduated Fixed
- Penalties



## Representation in:

- Magistrates' Courts
- Crown Courts
- VOSA Interviews
- Police Interviews

# What can we learn?

## Training

- ↘ Prosecutions
- ↘ Driver Conduct Hearings
- ↘ Operator Licensing Public Inquiries
- ↘ The Cost to the Business?



# Case Study

## Importance of establishing mirror checks

85 year old man was killed by a HGV after walking out in front of the stationary vehicle

- HGV driver was charged with causing death by dangerous driving
- Prosecution alleged he had failed to check his mirrors properly, resulting in the pedestrian's death
- Driver was able to evidence the training and correct mirror procedure





# Case Study

## Catastrophic consequences of failing to follow training and policy

HGV collided with broken down vehicle on a grass verge of the A5

- HGV driver claimed only distraction at time was vehicle's radio
- Police investigation found use of mobile phone use at time of accident
- Tacho record revealed complete failure to brake before collision
- Driver had failed to follow full, well documented training programme of his employer
- Driver admitted death by dangerous driving and received 5 year custodial sentence



# Case Study

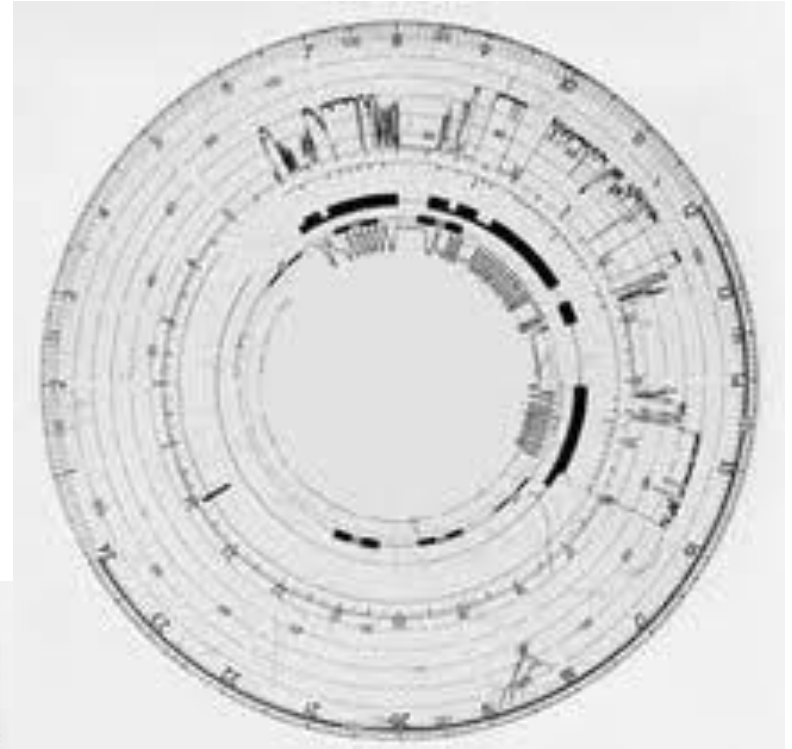
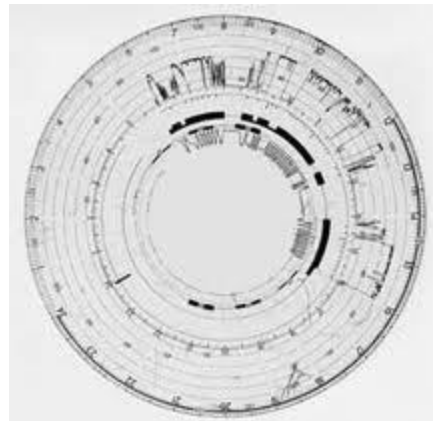
## Documenting Training and Policies

**A reversing HGV in haulage yard crushed another driver leading to a HSE prosecution**

- A truck reversing in a shared haulage yard crushed a driver causing paralysis and brain injury
- The HSE found that despite the yard belonging to two hauliers, neither could show a documented procedure for vehicle movements or evidence employee training for such circumstances
- An Improvement Notice was served
- The companies were fined in excess of £250,000



# False Records



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We're here to help keep you on the road...

How can we Help?	Motoring Defence Solicitors...	Existing Drivers – Save your Driving Licence...	Notice of intended prosecution...	Magistrates Court Summons or Charge...	NEW Drivers – Avoid DVLA revocation of your Driving Licence...
	Commercial Transport Lawyers...	Commercial Operator Licensing & Public Inquiries...	Professional Driver Conduct Hearings...	Vehicles & Stowaways...	Appeals...

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Twitter profile page for @KeepMeOnTheRoad. The header shows navigation icons for Home, About Us, Meet the Team, Fees, Blog, Enquiry Form, Contact Us, and Visit Rothera Dowson. The main content area features a large image of a man in a suit (Anton Balkitis) and a grid of service categories. The right sidebar contains social media icons for Twitter, Facebook, LinkedIn, and Email.

**Anton Balkitis**  
 @KeepMeOnTheRoad  
 Transport Lawyer for Professional Drivers, Goods, Passenger & Ferry Operators, Motorcyclists & Motorists. If it has wheels, I'm on it! Opinions are mine.  
 Nottingham  
 keepmeontheroad.co.uk  
 Joined September 2009

Tweet to Anton Balkitis

Tweets Tweets and replies

**Anton Balkitis** @KeepMeOnTheRoad · Aug 19  
 4,208 miles, 16 days, 9 states, 2 tired bodies, 1 awesome adventure #RoadTrip #Done #BackToBlighty



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