

# Consequences of negligence and deceit

## Press release

In a recent public inquiry before Traffic Commissioner Kevin Rooney, there was a very clear case of an operator who thought that ignoring prohibitions and trying to mislead the commissioner was an acceptable way to behave.



In November last year, Andrew John Southon presented a vehicle for MOT, only for it to fail on many counts. Whilst vehicles do fail these tests, the problems included a tyre with a deep cut and cords exposed, something any driver should have easily spotted on a daily walk around check. Unsurprisingly, DVSA followed this up with a maintenance investigation and found significant shortcomings.

Mr Southon claimed to the DVSA that he had not been the driver that morning. The commissioner found that it was highly likely he was and had tried to mislead. There was no brake testing and a cavalier attitude to emissions, Mr Southon telling the Vehicle Examiner that “failing on emissions is not a danger to a passenger or other road user”.

Mr Southon also declined to attend the Public Inquiry or provide financial evidence to support his licence.

The commissioner said “he has sought to mislead me in his written submission. Had he attended, he may have been able to provide an explanation, but he has chosen not to. Making a false statement to mislead a Traffic Commissioner is a serious matter. Operator licensing is based on trust. I find Mr Southon no longer to be fit to be the holder of a PSV operator’s licence.”

Mr Southon also had his vocational driving licence suspended for 12 months.

The decision can be found [here](#).

For any further details or enquiries, please contact [pressoffice@otc.gov.uk](mailto:pressoffice@otc.gov.uk)

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