

MCN INVESTIGATION

**HAVE YOU BEEN
WRONGLY
CONVICTED?**

- **THESE GATSO PICTURES SAY THE RIDER IS DOING 46MPH**
- **THE CAMERA PARTNERSHIP ADMIT HE'S DOING 23MPH**
- **THEY CLAIM THE SIGNAL HAS 'BOUNCED OFF THE BUS'!**

NEWS

- 4 New ZX-10RR** Even more mental!
- 6 The Mole** All the latest insider gossip
- 6 Hardcore test** R1200GS's 2000-mile trek
- 7 MCN Says** Don't just accept speed fines
- 8 Hammond** Defending celebrity bikers
- 8 Gus Scott inquest** TT future in doubt
- 9 New Rider** Preparing a new bike
- 10 Ally Pally** Four new BMWs to be debuted
- 12 Czech it out!** Eastern European customs
- 13 GSX-R fault** Oil cooler causes crash
- 16 Products** Revolutionary 'custard' armour!

INBOX

- 18 Readers defend minimotos**

ROAD TESTS

- 20 First rides** Pedrosa's Honda 250 GP bike
- 21 Head to head** Petrol v LPG scooters
- 22 Extreme sports** Hair-raisers revisited
- 24 Sport 600 Kings** ZX-6R v mad new R6
- 27 Techwatch** The importance of coolant
- 28 Why I had to have a** BMW Adventure
- 31 Living with...** Suzuki DR-Z400SM

ADVICE

- 32 Help!** Your technical questions answered
- 33 MCN Guide to...** Fork set-up

MCN LIVE!

- 34 Plum Pudding races** Escape Xmas TV!
- 35 Previews** Enduro, Short track, charity runs
- 35 Expert Rider** Top winter kit preparations
- 36 7 Days** Sort out your biking week here
- 39 Touring** Never run out of fuel again
- 39 Your Tours** 49 US states and Canada, too

SPORT

- 40 MotoGP** Pedrosa's ready for mind games
- 42 Shakey** How a GP star spends his cash...
- 44 Hodgson** First US Superbike test for '06
- 46 BSB** Virgin Yamaha's shock Pirelli deal
- 47 WSB for Max?** He wouldn't, would he?

**Next week's MCN –
on sale on Thursday!**

BECAUSE of the Christmas Bank Holiday, next week's MCN will be on sale on Thursday, December 29 instead of the usual Wednesday.

As you'd expect from the world's best motorcycle weekly, we'll bring you all the latest news, road tests and gossip from the two-wheeled world – including our head-to-head test of the two fastest, most furious sports bikes out there, the ZX-10R v GSX-R1000.

We'll also be showing you first images and information on BMW's top-secret new F-series range. So don't forget to get your next issue of MCN next THURSDAY. For the January 4, 2006 issue MCN returns to Wednesdays.

BY STEVE FARRELL

MCN has obtained photographic proof that Gatso's are so inaccurate that in some cases they can double a bike's actual speed.

So if you've ever received a Gatso fixed penalty speeding notice and pleaded guilty because you assumed the machine must be right, you could have points on your licence you don't deserve.

The photos on the right formed the evidence to be used against MCN reader Bryn Carlyon – until we stepped in.

The digits in the top right-hand corners of the photos are the Gatso's own record of the speed that triggered it and the time elapsed between the two photos. They show the second photo was taken half a second after the first, and that Carlyon's alleged speed is 46mph.

But they also clearly show that Carlyon, a 47-year-old engineer from Mid-Glamorgan, has only ridden over three lines in the road during the half-second interval. The distance between each line is two metres, which means he's travelled no more than six metres in total. Six metres in half a second equals 12 metres per second – and 12 metres per second is 26.8mph.

Unbelievably, that's a modest estimate, erring in favour of the camera technology. If you look closely you'll see that in the first picture Carlyon's rear wheel is already almost over the first of three lines he crosses before the second picture. So he's really moved a shade over four metres between, which puts his real speed at about 18mph.



BRYN CARLYON'S speeding charge was thrown out

The method we used for calculating Carlyon's true speed is the standard method of the Mid and South Wales Safety Camera Partnership – who also issued the pictures.

After presenting our findings to the partnership, we received this statement: "Following the correspondence with the gentleman concerned, the evidence was reviewed and it was established that he was not exceeding the speed limit. We have withdrawn the allegation and a formal apology for any inconvenience caused has been sent."

But, prior to our involvement, the partnership had told Carlyon he'd have to fight the charge in court on December 16.

When Carlyon obtained the pictures, he used them to work out his real speed and phoned the partnership to confirm his calculations.

He said: "The man I spoke to did his own calculations, taking into account my exact position

between the lines in the first picture. He made it 23mph and admitted the reading was inaccurate. He said it was likely the bus on the other side of the road had interfered with the measurement. He was very apologetic and said the charge would be dropped." Yet Carlyon later received written notification he'd have to face the charge in court.

He said: "Before MCN stepped in, I didn't know what to do. I don't condone speeding, and I know I don't ride the way they say I did. How many people get these notices, don't know how fast they were going and just accept it?"

Mid and South Wales Safety Camera Partnership issued 121,353 speeding fines in 2004, more than any other partnership in the UK.

The partnership refused to comment on how it had got Carlyon's speed so wrong, saying: "Our previous statement is the only comment we have."

The most likely explanation for the discrepancy between the camera's radar measurement of speed and the speed calculated from the photos is that, according to experts, radar can produce rogue readings under certain circumstances, including when the target is small or unusually shaped – just like a motorcycle. We revealed in October that no speed enforcement equipment currently in use in the UK has ever been tested for accuracy on motorcycles by the Home Office.

● TRANSPORT Minister Alastair Darling last week announced sweeping changes to how camera fines can be spent, potentially limiting future expansion of the camera network. Watch out for an in-depth look at what it'll really mean for motorcyclists in MCN in the New Year.

HOW YOU CAN PROVE A GATSO IS WRONG

IF you want to check the accuracy of a Gatso speeding charge, you need to get hold of the picture evidence. To help you do that, bike solicitor firm White Dalton has prepared a standard letter to send in reply to a Notice of Intended Prosecution. Download it from www.whitedalton.co.uk

The partnership will either comply and send you the pictures or proceed with the prosecution, in which case you'll receive a summons to appear in magistrates court.

Andrew Dalton said: "In court, say to the magistrate, 'I can't defend myself without seeing the evidence.' If

the prosecution doesn't have them, ask for the case to be slung out."

If the partnership does produce the pictures, ask for an adjournment for you to make your calculations and prepare your defence. If the pictures aren't provided but the magistrate won't sling out the case, ask for time to allow you to obtain them.

Dalton said: "As a strict matter of law the partnership does not have to provide the photos, but since you can't name the rider or challenge the accuracy of the speed measurement without them, the magistrate is likely to recognise a prosecution stitch-up.

As a matter of human rights law you must be able to defend yourself, especially against the state."

Once you have the pictures, you'll need to find out whether the lines in the road are 1.5 or two metres apart. Then use our formula (right) to work out your real speed.

If the Gatso was wrong, and you weren't speeding, write to the partnership explaining your findings and ask for the case to be dropped. If they refuse, you'll have to go to court again. Dalton said: "It's well worth getting legal representation and expert witnesses at this stage."

That's likely to cost around £1500, but if you've got this far you can be reasonably confident of getting your money back. Dalton added: "The lines are the prosecution's secondary evidence. They enable the accuracy of the camera device to be shown. If the prosecution's own photos and the lines in the road show the camera is inaccurate you have raised a very real doubt, well beyond what you need to prove to the magistrates to find you not guilty."

Unfortunately, if you've accepted a fixed penalty in the past, you can't use the same process to appeal.

...IN 60 SECONDS

CUTTING TREE DEATHS

EXPERTS are meeting in London this week to figure out how to cut road deaths and injuries caused by collisions with trees. Figures show bikers as the group of road users most likely to suffer severe or fatal injuries in such cases. In 2003, over 200 motorists were killed, and 900 received serious injuries.

TELL YOUR MP YOUR VIEWS

THE Motor Cycle Industry Association (MCIA) has launched an online service to lobby local MPs about biking issues. Simply fill out the form at www.mcia.co.uk to make your voice heard. See MCN Says, page seven.

AVOID M-WAY FOOD RIP-OFF

The Great Motorway Secret



WANT to avoid high fuel prices and rubbish motorway services food? This new book details 95 supermarkets and stores close to motorways, so you can get cheaper fuel and better food. It costs £6.99 from www.amazon.co.uk.

2006 BSB CALENDAR

THE official 2006 BSB calendar is on sale now with photos by MCN contributors Double Red. It features some of the best photos from last year's series and costs £4.99 plus P&P. Contact: www.britishsuperbike.com



NONE TOO SHARP THIEVES

BRITAIN'S doziest car thieves have been snapped grinning at a Gatso that caught them as they illegally sped by. Dorset police say they were doing 40mph in a 30 zone in a stolen blue Ford Escort last week. It was later burnt out.



PHOTO 1

MCN reader Bryn Carlyon is snapped by a Gatso camera at "46mph"

'How many people get these notices and just accept it?'

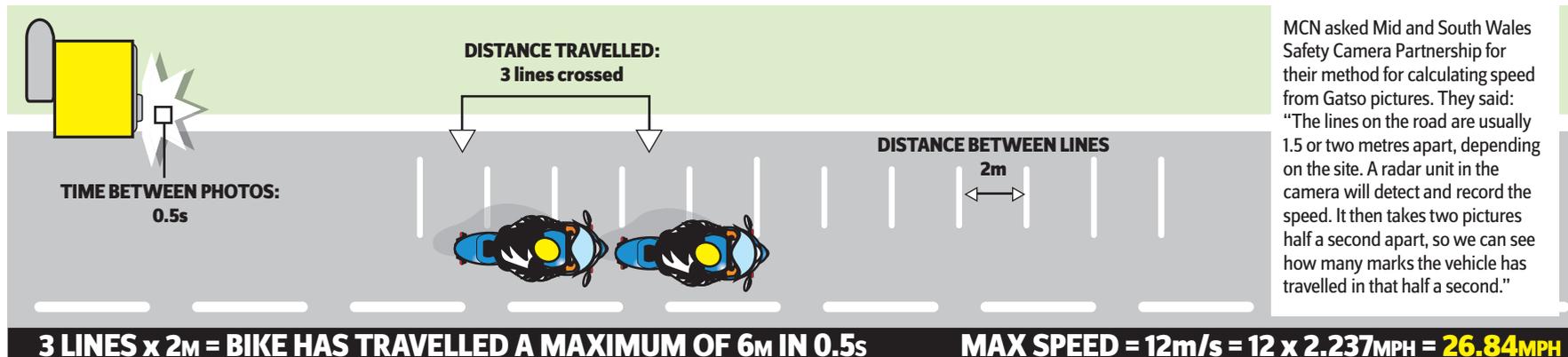
BRYN CARLYON



PHOTO 2

HALF a second later and he's travelled a maximum of six metres; something's fishy...

THE CALCULATION (note the following conversion: 1m/s = 2.237mph)



MCN asked Mid and South Wales Safety Camera Partnership for their method for calculating speed from Gatso pictures. They said: "The lines on the road are usually 1.5 or two metres apart, depending on the site. A radar unit in the camera will detect and record the speed. It then takes two pictures half a second apart, so we can see how many marks the vehicle has travelled in that half a second."