

Associate Professor Teresa Senserrick, opening statement

I thank you for this opportunity to present to the Committee. By way of personal background, I began focusing on road safety research in 1999. With a developmental psychology background, I was particularly interested in addressing some stereotypes about young drivers as wilfully reckless and the lack of understanding of developmental and inexperience issues that contribute to their high rate of crashes and offences. This led to my interest in better ways to approach driver licensing to manage these issues and from there to other groups disadvantaged by driver licensing systems, including Aboriginal and remote communities. I understand the Committee has a copy of my recent presentation at UNSW on the latter, which it will accept as part of my evidence today.

Regarding the terms of reference, I would like to emphasise two points. First, I would like to record my support to allow courts more discretion in relation to the duration of disqualified licence periods but also in relation to the specific sanctions – in particular, to support an approach in jurisdictions such as Queensland and Western Australia that allow for ‘extraordinary licences’ or a restricted licence that allows these drivers to drive for work purposes only during what would otherwise be a fully suspended licence period. There is limited research on this issue but a key study from Queensland in the late 1990s with a cohort of over 1700 drink drivers found that even among this seemingly high risk driver group that those allowed to drive on such restricted licences appeared to have a *lower* rate of recidivism or at least a rate not statistically different from those disqualified.¹

Second, I would like to emphasise the undue burden that linking of non-driving or non-moving violation related offences tied to driver licensing has on disadvantaged groups, with fine default a particular factor in the overrepresentation of Aboriginal people in custody.² Again there is limited research on this issue but studies from the United States show that drivers suspended for such offences have low traffic risks much the same as validly licensed drivers in terms of both offences and crashes, including casualty crashes^{3,4} – with the exception of those who fail to pay their liability insurance.⁴

Therefore, without evidence to show that there is a negative road safety outcome associated with either restricted work licences or persons disqualified for non-driving related purposes, that the Committee can see the value in allowing court discretion to allow individuals, such as Aboriginal people in remote communities with limited other ways to access employment as well as to access basic necessities and health services for themselves and sometimes their wider community, to be able to return to driving as soon as possible and possibly without full suspended licence periods but rather restricted licence periods.

Thank you.

1. Watson BC & Siskind V (1997). The effectiveness of licence restriction for drink drivers. *Proceedings of the Road Safety Research and Enforcement Conference*, 1997, Hobart, Tasmania.
2. Law Reform Commission of WA (2006). Aboriginal customary laws. Project 94. Discussion paper overview. Available at: http://www.lrc.justice.wa.gov.au/files/P94_ACLOverview060206.pdf (last accessed 29 August 2013).
3. DeYoung DJ & Gebers MA (2004). An examination of the characteristics and traffic risks of drivers suspended/revoked for different reasons. *Journal of Safety Research*;35(3):287-95.
4. Eger RJ & Brien ST (2013). Driver's license suspensions: a dilution effect? Available at SSRN: <http://ssrn.com/abstract=2255782> (last accessed August 25, 2013).