

**Submission  
No. 72**

## **DRIVER EDUCATION, TRAINING AND ROAD SAFETY**

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**Date Received:** 16/03/2017

# NCOSS

## Submission:

Staysafe Inquiry into Driver Education,  
Training and Road Safety

March 2017

## About NCOSS

The NSW Council of Social Service (NCOSS) works with and for people experiencing poverty and disadvantage to see positive change in our communities.

When rates of poverty and inequality are low, everyone in NSW benefits. With 80 years of knowledge and experience informing our vision, NCOSS is uniquely placed to bring together civil society to work with government and business to ensure communities in NSW are strong for everyone.

As the peak body for health and community services in NSW we support the sector to deliver innovative services that grow and evolve as needs and circumstances evolve.

Published March 2017

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## Introduction

NCOSS welcomes this opportunity to provide input to the current inquiry into driver education, training and road safety. For many people with low incomes, particularly those in rural and regional areas of NSW, the ability to drive is a crucial link to employment, services, community and opportunity.

In respect of the terms of reference for the committee's current inquiry, our submission will address:

- c) The needs of particular driver groups, and
- e) The needs of rural and regional drivers.

In that context, our submission will focus on the needs of Aboriginal people, particularly those living in rural and regional NSW, and highlight a range of issues they face in obtaining driver training and successfully fulfilling the requirements to obtain and retain a driver's licence.

## The importance of a driver's licence in Aboriginal communities

While access to transport is a crucial enabler of opportunity, accessible and affordable transport options are often extremely limited outside of the central metropolitan areas of Sydney, Wollongong and Newcastle. In NSW, an audit office report found that 87% of people in rural and regional NSW relied upon a private vehicle to get to work and important appointments<sup>1</sup>, with that figure even higher in more remote communities.

Transport disadvantage is particularly pronounced for many Aboriginal people. In 2008, 71% of indigenous adults living in rural and remote areas had no access to public transport<sup>2</sup> with more than 15% of those reporting that they could not get where they needed as a result. Figures like this, which are even starker in more remote communities, illustrate the importance of being able to drive, and having legal access to a car. Importantly, there is consistent evidence of a strong link between holding a licence and completing education, accessing health, and even being employed<sup>3</sup>.

While the reliance on private vehicles often results from a lack of alternatives, it is also the case that access to a vehicle plays a particularly important role in enabling Aboriginal people to connect to culture<sup>4</sup>. Beyond the simple reliance upon driving for employment (though this is crucial), driving is also necessary in order to attend funerals, participate in hunting and other key community activities, as well as enabling health, legal, sporting and other basic practical activities. Together, these factors make access to a car a crucial enabler for Aboriginal people living in rural and remote communities, and mean that any limitations to their ability to gain and hold a

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<sup>1</sup> Audit office of NSW. NSW Auditor General Performance Audit. 'Improving legal and safe driving among Aboriginal people. 2013. pp2-3  
<http://www.audit.nsw.gov.au/Publications/Performance-Audit-Reports/2013-Reports/Legal-and-safe-driving-among-Aboriginal-people/Legal-and-safe-driving-among-Aboriginal-people>

<sup>2</sup> AIHW. 'The health and welfare of Australia's Aboriginal and Torres Strait Islander people. An overview. 2011, p26  
[https://www.google.com.au/url?sa=t&rct=i&q=&esrc=s&source=web&cd=1&ved=0ahUKewjZnd6F\\_9HSAhVDNJQKHQ2kDxUQFggqMAA&url=http%3A%2F%2Fwww.aihw.gov.au%2FWorkArea%2FDownloadAsset.aspx%3Fid%3D10737418955&usg=AFQjCNFzKvV-6MstNzTETBzK8S8B4Wxu4Q&bvm=bv.149397726,d.dGo&cad=rja](https://www.google.com.au/url?sa=t&rct=i&q=&esrc=s&source=web&cd=1&ved=0ahUKewjZnd6F_9HSAhVDNJQKHQ2kDxUQFggqMAA&url=http%3A%2F%2Fwww.aihw.gov.au%2FWorkArea%2FDownloadAsset.aspx%3Fid%3D10737418955&usg=AFQjCNFzKvV-6MstNzTETBzK8S8B4Wxu4Q&bvm=bv.149397726,d.dGo&cad=rja)

<sup>3</sup> *ibid*

<sup>4</sup> Holcombe S. Indigenous Australians and Transport: What can the NATSISS tell us? In Hunter, BH, Assessing the evidence on Indigenous socio-economic outcomes. 2006. Centre for Aboriginal Economic Policy research, ANU.

licence compound disadvantage, and can negatively impact health, education and legal outcomes for Aboriginal people.

## Driver's licences in Aboriginal communities

Despite the importance of access to a car for many Aboriginal people, particularly those in rural and remote communities, there is a significant and concerning under-representation of Aboriginal people with driver's licences:

- Less than half of eligible Aboriginal Australians hold a driver's licence, compared to over 70% of the non-indigenous population<sup>5</sup>
- In 2011 Aboriginal people in NSW represented 0.4% of people with driver's licences, but 2 percent of the eligible driver population<sup>6</sup>
- Only 51% of Aboriginal households have some kind of access to a motor vehicle (personal or communal), compared to over 85% of non-indigenous households<sup>7</sup>
- 38% of Aboriginal people who had held a licence had had their licence disqualified, suspended or cancelled.

These statistics are indicative of the various barriers preventing many Aboriginal people from successfully obtaining and retaining a driver's licence.

## Issues with obtaining and retaining driver's licences for Aboriginal people

The significantly lower rates of Aboriginal people holding driver's licences in NSW is due to initial barriers to obtaining a licence in the first place, as well as factors that impact Aboriginal people's ability to retain a licence.

While the Graduated Licencing Scheme has done much to improve the safety of our roads, it has had a negative impact on Aboriginal people's ability to successfully obtain a drivers licence<sup>8</sup>. The 2013 NSW Auditor General's performance audit highlighted evidence that the GLS had exasperated the following issues that serve as a barrier to many Aboriginal people obtaining and retaining a licence:

- Lower rates of functional literacy and numeracy skills in Aboriginal communities which make navigating the various administrative and application processes intimidating or difficult, and contribute to lower knowledge test pass rates (57% compared to 74% for non-indigenous people). Importantly the pass rates for the other GLS tests are more consistent with non-indigenous populations, suggesting that issues related to the knowledge test can be addressed by better structure and support, and are not a function of the skill or understanding that the process is designed to test.

<sup>5</sup> Audit office of NSW. NSW Auditor General Performance Audit. 'Improving legal and safe driving among Aboriginal people. 2013. <http://www.audit.nsw.gov.au/Publications/Performance-Audit-Reports/2013-Reports/Legal-and-safe-driving-among-Aboriginal-people/Legal-and-safe-driving-among-Aboriginal-people>

<sup>6</sup> Ibid

<sup>7</sup> AIHW. 'The health and welfare of Australia's Aboriginal and Torres Strait Islander people. An overview. 2011, [https://www.google.com.au/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=0ahUKEwjZnd6F\\_9HSAhVDNJQKHQ2kDxUQFggqMAA&url=http%3A%2F%2Fwww.aihw.gov.au%2FWorkArea%2FDownloadAsset.aspx%3Fid%3D10737418955&usq=AFQjCNFzKVv-6MstNzTETBzK8S8B4Wxu4Q&bvm=bv.149397726,d.dGo&cad=rja](https://www.google.com.au/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=0ahUKEwjZnd6F_9HSAhVDNJQKHQ2kDxUQFggqMAA&url=http%3A%2F%2Fwww.aihw.gov.au%2FWorkArea%2FDownloadAsset.aspx%3Fid%3D10737418955&usq=AFQjCNFzKVv-6MstNzTETBzK8S8B4Wxu4Q&bvm=bv.149397726,d.dGo&cad=rja)

<sup>8</sup> Audit office NSW, Ibid

- Administrative difficulties in establishing identity, including difficulty in obtaining necessary identification documents and understanding and completing the required administrative processes. Birth certificates are the main form of proof of identity. Many Aboriginal people, particularly those from rural and remote communities, can experience difficulties obtaining a birth certificate due to:
  - Inability to afford a copy.
  - Being born in another state and having difficulty navigating different agencies.
  - Not having had their birth properly registered with Births, Deaths and Marriages.
  - Having been incorrectly identified on their birth certificate.
  - Not being aware that a certificate of Aboriginality, accompanied by secondary proof identity, is accepted as a valid alternative.
- Issues engaging with licencing agencies or the Police, who are often responsible for delivering licence related services in rural and remote locations.
- Issues with covering the costs of the application process, annual renewals, as well as paying for the related supervision and training.
- Issues arising from the NSW fines enforcement system which links enforcement of fines from a range of unrelated areas (there are over 1200 fines issued in NSW, from those related to voting, to fisheries, public transport, parking, etc) with licencing sanctions. The 1996 Fines Act introduced licence suspension as a sanction for a range of unrelated fines, meaning that people could not only have licences suspended or cancelled, but could be blocked from obtaining a licence, as a result of a range of sanctions for non-driving related offences. While it is difficult to get indicative figures for the number of people blocked from obtaining a licence as a result of fine default, 2011 figures show that suspensions and cancellations of licence for fine default affect three times more Aboriginal than non-Aboriginal people.
- Difficulty accessing a car for the 120<sup>9</sup> hours required in order to qualify. Research suggests that actual access to a vehicle 'to drive', for the purposes of undertaking the requisite hours of practice, is as low as 5-10%<sup>10</sup>. While there is some dispute, even the best figures suggest that Aboriginal people, particularly those in rural and remote areas, have half the rates of independent access to a vehicle compared with non-indigenous people.<sup>11</sup>
- Difficulty accessing a driver with an unrestricted licence who is able to supervise the 120 hours of practice required. A learner driver under the age of 25 needs to be supervised for 120 hours, by a driver with an unrestricted licence. In 2011 there were 2.8 unrestricted Aboriginal drivers per learner, compared with a rate of 13.1 per non-indigenous learner driver, with this rate even lower for those in rural and remote areas.

## Impact and implications

Barriers to obtaining and retaining a driver's licence represent a significant source of the transport disadvantage experienced by Aboriginal people, particularly those living in rural and remote communities. This disadvantage impacts access to education, training and employment opportunities, and contributes to significantly worse

<sup>9</sup> While there are programs that recognise difficulties arising from the 120 hours commitment, and allow for lower requirements in certain circumstances, they are not widely available, and access to them is restricted and potentially costly.

<sup>10</sup> Holcombe S. Indigenous Australians and Transport: What can the NATSISS tell us? In Hunter, BH, Assessing the evidence on Indigenous socio-economic outcomes. 2006. Centre for Aboriginal Economic Policy research, ANU.

<sup>11</sup> Ibid

health outcomes - including higher rates of transport-related morbidity and mortality in many Aboriginal communities.

Difficulties obtaining a licence also have significant and compounding legal implications for Aboriginal people. Aboriginal people are not only more likely to be blocked from obtaining a licence, but are more likely to face long term legal sanctions, including jail, due to the interaction between the issues outlined above and the necessities of life experienced by many Aboriginal people.

- In 2011, 2,308 Aboriginal people had their licence suspended and cancelled, with more than 50% of these occurring as a result of fine default<sup>12</sup>.
- The rate of cancellation or suspension for fine default among Aboriginal people was 7.8%, three times the non-indigenous rate of 2.3%<sup>13</sup>.
- The rate of imprisonment of Aboriginal people for driver's licence offences (related to sanctions imposed for the non-payment of fines) in 2011, was more than double that for the non-indigenous population, with Aboriginal people representing a disproportionate 28% of the total traffic-related imprisonments<sup>14</sup>.

These figures demonstrate how, when faced with the difficulty of legally obtaining a licence and a lack of alternative means of transport, Aboriginal people are more likely to drive unlicensed, and more likely to face escalating legal sanctions as a result.

## Programs to improve access to driver's licences for Aboriginal people

Over the last decade a range of government and community sponsored programs have attempted to address the factors impacting Aboriginal people's ability to obtain a licence and mitigate the impact of broader changes to the fines and justice system on Aboriginal people.

Analysis of these responses by the Auditor General in their 2013 performance audit suggests that there are a range of program characteristics which are most likely to lead to the best and most genuine long-term impacts. The most successful programs operate 'end to end'. These programs provide support throughout each part of the process, and seek to work with learners to address each of the identified barriers. This support includes:

- Assistance in identifying and clearing any pre-existing sanctions currently acting as a block on applying for a licence (relating from unpaid fines or previous occasions of unlicensed driving).
- Support in obtaining identification documents and completing the administrative processes as part of the licence application process.
- Financial support for the cost of application.
- Support through the learner testing process.
- Provision of access to a car and a qualified driver to supervise the hours of practice required to qualify for a licence.

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<sup>12</sup> Audit office of NSW. NSW Auditor General Performance Audit. 'improving legal and safe driving among Aboriginal people. 2013. <http://www.audit.nsw.gov.au/Publications/Performance-Audit-Reports/2013-Reports/Legal-and-safe-driving-among-Aboriginal-people/Legal-and-safe-driving-among-Aboriginal-people>

<sup>13</sup> *ibid*

<sup>14</sup> *ibid*

- Support through the final testing process and completion of provisional licence.

This report also finds that the most successful programs, and those which last the longest, have a number of common characteristics, including:

- They use and build upon existing community capacity, building towards self-sufficiency of the program.
- They take a holistic approach that is tailored to the specific needs of each student, to support them through the whole process.
- They are innovative and adaptable.
- They effectively utilise connections with the local Aboriginal community.
- They take a 'whole of family' approach to engage the family to support the learner long-term.
- They provide cost concessions to enable participation by those who could not otherwise afford it, and hence stand to benefit the most from it.
- Aboriginal people are involved in all parts of the programme development and delivery, ensuring the programme is responsive to the needs of the local Aboriginal community, strengthens ties with and builds the capacity of that community, and operates with and improves cultural awareness.
- They have a vision towards employment, and use the established networks of the program to improve employment prospects upon completion.

The Auditor General also illustrated that the most crucial impediment to the success of programs is the tendency for them to operate at a very small scale, and over a very short timeframe<sup>15</sup>. Without scale and time, it is difficult to form community connections and partnerships, build trust, identify champions and demonstrate results, all of which are crucial for programs to deliver real outcomes. The issue of scale and short timeframe for delivery is compounded by the related issue of uncertainty of funding, and the lack of commitment beyond short term pilots that is the standard practice of Transport for NSW and RMS<sup>16</sup>. Without certainty it is difficult to build skills within the program, build links to broader training and employment, or retain the talent of those delivering the program.

## Driving Change

Driving change<sup>17</sup> is a program developed by the George Institute for Global Health, which initially piloted 12 sites across the state, partnering with local Aboriginal community organisations to deliver 'end to end' support for young Aboriginal people to complete the process and successfully obtain a drivers licence. Since implementation began in 2012, the Driving Change program has registered 994 participants across its sites, and assisted over 400 people to obtain their licence<sup>18</sup>.

Driving Change initially received pilot support from Transport for NSW and RMS (and a number of other funders), but like many other programs of this nature, pilot funding has ended and many of the original sites have subsequently been closed. Seven sites have managed to individually secure funding to continue to operate, but most of this also expires between 2017 and the end of 2018, with no ongoing funding sources currently identified. As outlined above, programs like Driving Change are significantly hampered by having to operate

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<sup>15</sup> Ibid, p50

<sup>16</sup> Ibid, p51

<sup>17</sup> Driving Change <http://www.drivingchange.com.au/>

<sup>18</sup> The George Institute for Global Health [http://www.georgeinstitute.org.au/sites/default/files/documents/driving-change-factsheet\\_0.pdf](http://www.georgeinstitute.org.au/sites/default/files/documents/driving-change-factsheet_0.pdf)



within an insecure funding environment which limits their capacity to build the trust and support of the local organisations that are crucial to its success, and to build and retain the organisational capacity needed to properly support and get the best outcomes for young Aboriginal people.

Yet despite constraints that included insecure funding and under-resourcing (for example, many sites did not have access to a dedicated vehicle) the program clearly achieved positive results. As a result there is widespread support for the structure and success of the program and in a recent report on its *Inquiry into access to transport for disadvantaged people in rural and regional NSW*, the Legislative Assembly Committee on Community Services recommended that the program be continued and expanded across regional NSW<sup>19</sup>.

NCOSS strongly supports the holistic program structure of Driving Change, and the approach it takes to utilising and building the capacity of local Aboriginal Community Organisations. We believe there is significant opportunity for an expanded and securely funded Driving Change program to be rolled out across regional NSW where it would have a significant impact on improving outcomes for Aboriginal people. In our *Investing in Communities 2017-18 Pre-Budget Submission*<sup>20</sup>, we recommended that \$2 million be committed to expand Driving Change and deliver it across 4 sites in West and Far West NSW. We consider this should remain a high priority. In addition, recognising that programs of this nature are most successful with security of funding, we recommend a more comprehensive and sustained implementation of Driving Change across NSW.

### Recommendations

- The NSW Government commit to progressively expanding and implementing Driving Change across the state, in conjunction with local Aboriginal community partner organisations, and supported by a secure source of ongoing funding.
- The expanded, ongoing implementation of Driving Change across the state be done with adequate resources in every site to deliver all elements of the program, including a dedicated training vehicle, and training and capacity building for program staff and local partner organisations.
- An expanded, ongoing Driving Change program be linked to broader diversionary programs for Aboriginal people to help reduce the number of Aboriginal people in the criminal justice system as a result of unlicensed driving and other compounding licence sanctions.
- An expanded, ongoing Driving Change program be linked to other government and community programs focussed on the delivery of training and local employment outcomes for Aboriginal people, to provide the 'end to end' job-linked program that has shown to be most effective.

<sup>19</sup> NSW Legislative Assembly Committee on Community Services. Report 1/56. Access to transport for seniors and disadvantaged people in rural and regional NSW. December 2016. Pp. 25-27.

<https://www.parliament.nsw.gov.au/committees/DBAssets/InquiryReport/ReportAcrobat/6100/Final%20report%20-%20access%20to%20transport%20for%20seniors%20and%20disadvantaged%20people%20in%20rural%20and%20regional%20NSW.pdf>

<sup>20</sup> NCOSS, 2016. <https://www.ncoss.org.au/policy/ncoss-pre-budget-submission-2017-18>