

**Submission
No 22**

SUPPORT FOR RURAL AND REGIONAL LEARNER DRIVERS

Organisation: Youth Action NSW

Date Received: 13 May 2021



Inquiry into Support for Rural and Regional Learner Drivers



Youth Action's Submission to the Joint Standing Committee on Road Safety

Acknowledgment of Country

Youth Action acknowledges the Traditional Custodians of Country throughout Australia and understands that sovereignty was never ceded. Our office is located upon the land of the Gadigal people and we recognise their traditional and ongoing Custodianship and pay our respects to Elders past, present and emerging.



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About Youth Action

Youth Action is the peak organisation for young people in NSW and the youth services that support them. Our work helps build the capacity of young people, youth workers and youth services, and we advocate for positive change on issues affecting these groups.

It is the role of Youth Action to:

- **Respond to social and political agendas relating to young people and the youth service sector.**
- **Provide proactive leadership and advocacy to shape the agenda on issues affecting young people and youth services.**
- **Collaborate on issues that affect young people and youth workers.**
- **Promote a positive profile in the media and the community of young people and youth services.**
- **Build capacity for young people to speak out and act on issues that affect them.**
- **Enhance the capacity of the youth service sector to provide high quality services.**
- **Ensure Youth Action's organisational development, efficiency, effectiveness and good governance.**

Introduction

Youth Action welcomes this opportunity to make this submission to the Joint Standing Committee on Road Safety's inquiry into support for rural and regional learner drivers. This is an area of importance to young people and the youth sector in New South Wales, which significantly impacts day-to-day life. The state's geography and public transport infrastructure make private transport via car a necessity for many young people in rural, regional and some outer-metropolitan areas.

This inquiry oversees an amalgamation of social, economic and geographical issues, which will require a multi-pronged approach to achieve lasting change. The increased provision of end-to-end driver licencing programs and the modification of requirements for individuals in rural and regional areas form the basis of our recommendations.

To inform our submission, Youth Action surveyed 23 youth workers currently working in regional and rural NSW. Their valuable insights from working alongside young people are incorporated throughout. In addition, Youth Action is aware that the challenges associated with obtaining a licence have a disproportionate impact upon First Nations people. In making recommendations for change, Youth Action acknowledges the unique structural barriers they face and encourages tailored approaches within local communities.

While there are young people in rural and regional areas who obtain their licence with ease, significant barriers exist for individuals with limited access to a car and supervising driver or without the financial capacity for paid lessons. The primary barriers identified by youth workers who spoke to Youth Action included access to a car and driving supervisor and the cost of obtaining a licence, a car, and driving lessons. Literacy and numeracy challenges when taking the Driver Knowledge Test (DKT) were also discussed. Only a minority of youth workers thought that getting to Service NSW or young people having insufficient time made it difficult to obtain a licence.

Youth Action is willing to provide further evidence to the Committee in the future. We may be able to facilitate access to youth workers and young people from rural or regional areas with lived experience of these issues.

Summary of Recommendations

1. That the NSW Government implements recommendations to previous inquiries and the insights from existing research.
2. That the NSW Government explore the feasibility of reducing the 120 hours supervised driving requirement through a restricted program for rural and regional young people to ensure licencing requirements are attainable.
3. That the NSW Government consult with young people to explore whether the Driver Knowledge Test (DKT) is accessible and make modifications where necessary.
4. That the NSW Government investigate funding options for community-based driver licencing programs so that they can provide end-to-end support for young people throughout the entire licencing process.
5. A whole-of-government aim to increase use of alternatives to criminal charges to ensure the driver licencing process empowers NSW young people to attain and retain their licence.
6. That government and non-government organisations place young people's voices at the centre of decision-making processes that impact their lives.

Terms of Reference

a) challenges faced by learner drivers in rural and regional areas to get the required training and experience to obtain a licence

Access and Affordability

The insights from youth workers demonstrate that even a single challenge in a young person's life can make obtaining a learner licence very difficult, for instance, financial hardship or unavailable parents. Many of the existing barriers have been present for a long time, for instance, the "critical shortage of supervising drivers to assist learner drivers complete the required 120 hours of supervised driving", as identified by the Auditor General (Audit Office of New South Wales 2013, p. 1).

The requirement to complete 120 hours of supervised driving can be challenging for young people who have limited access to a car or supervising driver. This requirement has a disproportionate impact upon young people from rural or regional areas, especially those from a low socio-economic background.

“The large numbers of hours needing to be completed.”

“#1 barrier is not having a person in their life who can supervise them to get their hours up.”

“High rates of multiple parents working full-time or shift work in the area, not able to facilitate lessons.”

“Not having family / support networks with a car or drivers' licence.”

The associated costs similarly make it difficult for some young people to obtain a licence. Costs emerge throughout the licencing process, from getting the required identification documents to test fees and the cost of driving lessons. For an individual without access to a car and supervising driver, the cost of lessons would be approximately \$6,000 (100 lessons at an estimated \$60 per hour).

“Young people who don't have support with families are unable to access driving lessons due to financial barriers.”

“Young people living in crisis accommodation do not have the money for the testing and licence.”

“Many young people do not have a driving instructor as it is too costly and their parents do not have the time to help them get their hours up.”

“Finances are initially one of the biggest barriers for young people to gain a learner licence. The next that is massive is finding someone who can teach them and provide the assistance to fill out the logbook.”

The NSW Government’s previous *Restricted P1 Provisional Licence Pilot* allowed young learner drivers from Brewarrina, Walgett, Bourke, Broken Hill, Balranald and Hay to obtain a restricted P1 provisional licence after holding a learner's licence for six months and completing 50 supervised driving hours (Ma et al. 2013, p. 2). Driving was restricted to employment, education and medical purposes only (Ma et al. 2013, p. 1). Such an approach acknowledges the necessity of a driver's licence for young people in rural and regional areas.

“If I can assist [a young person] to gain L’s, notwithstanding the cost, there is very little opportunity for them to gain the 120hrs to sit for their P’s.”

“I would change the amount of hours required to complete before transitioning to a provisional licence. As well as this, provide more courses for young people to practice and better understand what the test is for their learners.”

Youth Action supports an expansion of this pilot to regional and rural young people throughout NSW. Youth workers shared concern about the number of hours required to obtain a provisional licence. A reduction in the supervised hours' requirement for rural and regional drivers could increase the number of young people who obtain a learner licence and decrease the number of young people charged with licence related offences. In addition, this would increase the feasibility of utilising professional driving lessons due to lower overall cost and further the impact of government investment in programs assisting individuals to become safe and licenced drivers.

Literacy and Numeracy

For young people who face literacy and numeracy challenges, the Driver Knowledge Test (DKT) and the licencing process can present specific challenges. TAFE NSW currently offers a *Course in Foundational Skills for Learner Drivers*; however, this operates as preparation for the DKT rather than an alternative (2021). Youth Services regularly engage in alternative learning activities to assist young people in preparing for the DKT.

“Low language, literacy and numeracy.”

“Literacy issues, the ability to access DKT handbook... the ability to get to Service NSW to go for a test, access to a computer to do practice tests.”

Solutions to address literacy and numeracy challenges include adapting the Driver Knowledge Test questions to ensure the use of plain English. For instance, the Class C (Car) Licence questions include language such as "impede", "crest", and "quite legal" (Transport for NSW 2021). For instance, these terms could be replaced by "delay", "top of a hill", and "legal".

"Destigmatising support around navigating the confusing language in the DKT. Many young people experience difficulty understanding what the question is being asked of them because they are so confusing and then fail multiple times, which impacts their confidence." support around navigating the confusing language in the DKT. Many young people experience difficulty understanding what the question is being asked of them because they are so confusing and then fail multiple times, which impacts their confidence."

“Difficult to access genuinely helpful support with passing and attending the DKT and then access to driving instructors and cars.”

Identification Documents

Not having access to a birth certificate can be another significant barrier for some young people to obtaining a driver's licence as this is the primary identification document required. A great initiative in this area is by Pathfinders, who operate various programs that seek to improve the quality of life and wellbeing of children, youth and families. Their National Aboriginal Birth Certificate Program provided access to a birth certificate for Aboriginal and Torres Strait Islander individuals who have not had their birth registered or do not have a copy of their birth certificate (2016). Youth Action believes that it is essential for all young people to have access to a birth certificate and that government support to facilitate free birth certificates to young people experiencing financial hardship could help improve this situation.

b) options for rural and regional learners to access driver training opportunities

Youth Workers we spoke with mentioned the success of local driver training initiatives, including the Learner Driver Program operated by Birrang, a regionally based community service provider. They also mentioned the Safer Drivers Course offered by PCYC through their 60 Police Citizens Youth Clubs across the state. However, youth workers identified limitations such as short-term funding and limited capacity, which often means only a small number of driving lessons can be offered. Youth Workers felt they need to be resourced to deliver support to learner drivers long-term. Below are some areas identified that could be suitable for further exploration.

Utilising Volunteers

Multiple youth workers told us that utilising volunteers to provide driving lessons would be helpful. However, the costs and complexities of setting up these arrangements can make it difficult for organisations to implement. Youth Action supports further exploration into how the NSW Government could support services to overcome these challenges.

“[Our homelessness service has made] attempts to set up a program where willing volunteers would provide driving lessons for young people – the costs are prohibitive.”

“A volunteer program to match up people who have time to volunteer with young people who need a supervising driver. I gather this may be complicated though with insurance etc. But it would be great to have a way of doing it.”

“Access to volunteers or services that are available to assist young people to obtain their driving hours.”

Work and Development Orders

The completion of licencing requirements and the provision of driving lessons could increasingly be offered as part of Work and Development Orders (WDOs). WDO sponsors can provide driving lessons under the "educational vocational and life skills courses" category (NSW Attorney General 2017, p. 16-17). Youth Action supports exploring the possibility of recruiting more driving programs to become WDO sponsors.

Maranguka Driver Licencing Initiative

Between December 2015 and January 2019, the Maranguka Driver Licensing Initiative in Bourke led to 310 people obtaining their Learners and Provisional licence and directly

created employment for ten people (Aboriginal Legal Service (NSW/ACT) 2021). In addition, from 2015 to 2017, there was a 38% reduction in young people proceeded against for driving offences and a 72% reduction in young people proceeded against for driving without a licence (Aboriginal Legal Service (NSW/ACT) 2021).

This resulted from a community-led approach to justice reinvestment working with local services and guided by the Bourke Tribal Council (Just Reinvest NSW 2018). Youth Action feels this could provide the NSW Government with a successful case example to draw upon their place-based, data-driven approach to working with communities.

Youth workers felt that place-based services with sustainable resourcing to ensure continuity of service and familiarity amongst the community are the most successful.

“Having someone willing to teach them for all of the hours required”.

“Up to 20-30 hours of free professional lessons”.

“Free/budget friendly driving lessons which equate to more hours in their logbooks.”

“Government funding to set up driver support programs.”

“Lower cost for driver licence, programs that help with driving test and not just driving lessons.”

It was evident in what we heard from youth workers that holistic support for obtaining a licence is an important consideration. This includes assisting young people in obtaining necessary identity documents, preparing for the Driver Knowledge Test (DKT), driving lessons to get the requisite number of supervised hours and support to retain and progress through the licencing scheme after obtaining a P1 provisional licence.

c) support for rural and regional learner drivers in other jurisdictions

Comparison to the Northern Territory

In the Northern Territory, licencing requirements are more achievable for individuals who find it challenging to afford or access a car, driving instructor and driving lessons. To obtain a provisional licence in the Northern Territory, an individual must hold their learner licence for a minimum continuous period of six months before attempting the practical driving test (Northern Territory Government 2020).

In tandem with the lesser requirements, the DriveSafe Program currently operating in the Northern Territory provides participants with driver education inclusive of learner and provisional licence tests, fees and subsidised driving lessons (DriveSafe NT 2021). End-to-end licencing programs such as DriveSafe deliver immense benefits to individuals and their communities (Ivers & Byrne 2014). While short-term driving programs can fail to produce the desired impact upon local communities, this holistic approach is consistent with youth workers' concerns and ideas shared with Youth Action.

“Young people who have been in the out-of-home care system to have all their lessons paid for to give them accessibility of being able to attain their licence.”

“Making the test free.”

“Subsidised driving lessons.”

“Having RMS and the schools work together to facilitate easier access to learner driver resources.”

“There is a real need for government funding to aid the assistance for young people to have an option to get help with getting hours up... many young people come from poverty so family are unable to assist with this.”

Youth Action believes that examples such as the system in place in the Northern Territory and the Maranguka Driving Licence initiative provide alternative strategies for maintaining driver safety whilst also reducing the disproportionately onerous impact upon rural and regional drivers that the 120-hour supervising driving requirement creates. As already discussed, possible options in NSW could be in the form of a Restricted P1 Provisional Licence, which places limitations on driving before graduating to an ordinary P1 Provisional Licence.

e) changes to driver training and testing in New South Wales since Staysafe's 2017 report into driver education, training and road safety, and 2017 report into driver education, training and road safety

Entry into the Criminal Justice System

Youth Action supports a shift from the criminalisation of individuals in rural and remote areas to proactive support in obtaining a licence. Previous findings of the Joint Standing Committee on Road Safety (Staysafe) included that that "targeting unlicensed drivers" was necessary for "improving road safety outcomes" (2017, p. 36). We note that since 2017 there have been consistently high numbers of individuals being charged with licencing related offences and that investment in programs to support young people to obtain their licence could help to reduce the number of contacts with the justice system. Data obtained upon request from the NSW Bureau of Crime Statistics and Research (BOCSAR) identified that from 2017 to 2020, young people under the age of 18 accounted for 6.7% of the average of 2127 charges per year under section 53(3) of the *Road Transport Act 2013* (NSW) for driving when never licenced (2021).

One area of concern that young people and youth workers raised is with fine default, where Revenue NSW directs Transport for NSW (TfNSW) to suspend a driver's licence due to unpaid fine debt, which may be unrelated to driving offences (LawAccess NSW 2020). They felt this can contribute to cyclical problems where a rural or regional young person simultaneously cannot afford to pay off their fine or drive to their place of employment to generate an income. Unfortunately, data did not specify how many offences were committed by young people between the ages of 18-24. However, from 2017 to 2020, an average of 1969 charges per year were made to individuals over 18 under section 54(5)(a)(i) of the *Road Transport Act 2013* (NSW) due to driving when their licence had been suspended under section 66 of the *Fines Act 1996* (NSW) (BOCSAR 2021).

This continues to have a significant impact on First Nations people. Aboriginal and Torres Strait Islander Australians are three times more likely than non-Indigenous Australians to have their licence suspended due to fine default (Ivers et al. 2016, p. 377-378). This data demonstrates the ongoing prevalence of the avoidable pathway from driver licensing challenges towards the criminal justice system.

f) any other related matters.

The Significance of a Drivers Licence to Young People

Youth Action would like to emphasise the critical importance that obtaining a licence has for young people. A licence can act as a 'passport' to education, employment, health services and connection with friends and family. Evidence demonstrates that holding a licence has a significant impact on an individual's ability to engage in employment and education (Ivers et al. 2016, p. 377). For many young people in rural and regional areas, this is often essential.

“Having a licence increases so many opportunities for young people, including being able to get to appointments, job opportunities and much more.”

This is consistent with the emphasis placed by the World Health Organisation upon the role of structural determinants, such as challenges in obtaining a driver's licence, within the “social determinants of health inequities” (2010, p. 5). Inability to obtain a licence and the associated physical isolation has significant impacts upon health, economic and social outcomes.

Young people and the youth sector are eager to contribute to change, and young people have a right to participate in decision-making processes that impact them. They also offer a wealth of lived experience navigating driver licencing processes and the associated impact that holding or not holding a licence can have upon day-to-day life.

Conclusion

Whether or not a young person in rural or regional NSW has access to a drivers licence can have significant flow-on effects to their engagement in employment, education and with friends or family. Unfortunately, a diversity of challenges ranging from not having access to a birth certificate to being unable to complete 120 hours of supervised driving mean that many young people are unable to attain a licence despite their best efforts.

Opportunity exists to ensure that obtaining a learner licence in rural and regional NSW can be affordable and accessible to individuals whilst maintaining the safety of road users and the broader community. Our recommendations seek to improve the experience of rural and regional young people through a combination of changes that could make a big difference to individuals. Some of these recommendations could similarly improve the experience of young people in metropolitan NSW.

Youth Action hopes that this inquiry can lead to a more holistic and collaborative approach between government, young people and their communities to improve outcomes for rural and regional drivers.

References

Aboriginal Legal Service (NSW/ACT) 2021, More Driver Licences Less Driving Offences, viewed 29 April 2021, https://www.alsnswact.org.au/driver_licences#_ftnref1

Audit Office of New South Wales 2013, *Media Release: Auditor-General's Report to Parliament: Improving Legal and Safe Driving among Aboriginal People*, viewed 29 April 2021, <https://www.audit.nsw.gov.au/media-release/improving-legal-and-safe-driving-among-aboriginal-people>

DriveSafe NT 2021, *What is Included in DriveSafe?*, viewed 3 May 2021, <https://www.drivesafe.nt.gov.au/>

Fines Act 1996 (NSW).

Ivers, R & Byrne, J 2014, 'Indigenous Australians need a licence to drive, but also to work', *The Conversation*, September 19, viewed 3 May 2021, <https://theconversation.com/indigenous-australians-need-a-licence-to-drive-but-also-to-work-31480>

Northern Territory Government 2020, *Learner Drivers' Guide*, viewed 3 May 2021, <https://nt.gov.au/driving/driverlicence/getting-an-nt-licence/get-your-driver-licence/pay-a-fee-and-receive-your-learner-driver-licence/nt-learner-drivers-guide>

Ma, A, Rees, P, Warner, W, McLean, J & Higgins-Whitton, L 2013, *Australasian College of Road Safety Conference: Regional Pilot of a Restricted P1 Provisional Licence*, viewed 4 May 2021, https://acrs.org.au/files/papers/69%20Ma_NPR.pdf

NSW Attorney General 2017, *Work and Development Order Guidelines 2017*, viewed 3 May 2021, <https://www.revenue.nsw.gov.au/help-centre/resources-library/gf001.pdf>

NSW Bureau of Crime Statistics and Research (BOCSAR) 2021, *NSW Criminal Courts Statistics 2016 to 2020: Selected sections of the Road Transport Act 2013 (NSW): 53(3); 54(5)(a)(i); 54(5)(b)(i); 54(5)(a)(ii); and 51(1)*, BOCSAR, Sydney.

NSW Legal Assistance Forum 2013, *Submission to the Driver Licence Disqualification Reform Inquiry (Submission No 5)*, viewed 29 April 2021, <https://www.parliament.nsw.gov.au/ladocs/submissions/39343/Submission%205.pdf>

Iver, J, Hunter, K, Clapham, K, Helps, Y, Senserrick, T, Byrne, J, Martiniuk, A, Daniels, J & Harrison, J 2016, 'Driver licensing: descriptive epidemiology of a social determinant of

Aboriginal and Torres Strait Islander health', *Australian and New Zealand Journal of Public Health*, vol. 40, no. 4, pp. 377-382.

Joint Standing Committee on Road Safety (Staysafe) 2017, *Driver Education, Training and Road Safety (Report 3/56)*, NSW Government, Sydney.

Just Reinvest NSW 2018, *New Evidence from Bourke*, viewed 29 April 2021, <https://www.justreinvest.org.au/new-evidence-from-bourke/>

LawAccess NSW 2020, *Consequences of an overdue fine*, viewed 12 May 2021, https://www.lawaccess.nsw.gov.au/Pages/representing/lawassist_fines/lawassist_haveyougot_fine/lawassist_doingnothing_fine/lawassist_consequences_of_enforcement_order.aspx

Pathfinders 2016, *National Aboriginal Birth Certificate Program*, viewed 29 April 2021, <https://www.pathfinders.ngo/projects/aboriginal-birth-certificate-project/>

Road Transport Act 2013 (NSW).

TAFE NSW 2021, *Course in Foundational Skills for Learner Drivers*, viewed 5 May 2021, <https://www.tafensw.edu.au/course/-/c/c/10748NAT-01/Foundation-Skills-for-Learner-Drivers>

Transport for NSW 2021, *Driver Licencing Publications*, viewed 5 May 2021, <https://roads-waterways.transport.nsw.gov.au/roads/licence/documents-forms.html#DriverKnowledgeTestQuestionBanks>

World Health Organisation 2010, *A Conceptual Framework for Action on the Social Determinants of Health*, viewed 5 May 2021, https://www.who.int/sdhconference/resources/ConceptualframeworkforactiononSDH_eng.pdf

