REPORT ON PROCEEDINGS BEFORE

STAYSAFE (JOINT STANDING COMMITTEE ON ROAD SAFETY)

DRIVER EDUCATION, TRAINING AND ROAD SAFETY

At McKell Room, Sydney on Monday, 22 May 2017

The Committee met at 9:00 am

PRESENT

Mr G. Aplin (Chair)

Mr A. Crouch
The Hon. S. Farlow (Deputy Chair)
Ms E. Petinos
Mr T. George

The CHAIR: Thank you for attending this public hearing of the Staysafe Committee. My name is Greg Aplin, I am the member for Albury and Chair of the Joint Standing Committee on Road Safety, better known as the Staysafe Committee. The other members of the Committee who are present are the Hon. Scott Farlow, who is the Deputy Chair; Mr Adam Crouch, the member for Terrigal; the Hon. Thomas George, Deputy Speaker and the member for Lismore; Ms Eleni Petinos, the member for Miranda. The other members of the Committee who have given apologies today are Dr Mehreen Faruqi; Nick Lalich, the member for Cabramatta; and the Hon. Daniel Mookhey.

Today we will be hearing evidence for our inquiry into driver education, training and road safety. We received 76 submissions to our inquiry, and on behalf of the Committee I would like to thank everyone who took the time to let us know their views on this important subject. The submissions came from private citizens, researchers, community advocates, industry and government. They represent the broadest possible cross-section of road users including drivers of all ages, experience and locations; driver trainers, both professionals and volunteers; academics; educators; regulators; and many vulnerable groups including pedestrians, cyclists and motorcyclists. It bodes well for our deliberations that such wide interest has been shown and so many well-informed and passionately argued submissions have been placed before us. We will hold another public hearing next Monday 29 May in the same room. The schedule of witnesses who will appear next Monday has been published on the Committee's website.

Today we will hear from a variety of witnesses including advocates for Indigenous drivers, pedestrians and cyclists, from road safety educators and from the insurance industry. We will also hear from two academic research institutions, two community-based mentoring organisations and professional driver trainers. I now declare the hearing open, and I remind everyone to switch off their mobile telephones.

TRACY HOWE, Chief Executive Officer, NSW Council of Social Service, affirmed and examined

JENNY AMANDA LOVRIC, Indigenous Issues Committee, Law Society of NSW, affirmed and examined

NADINE ANN MILES, Chief Legal Officer, Aboriginal Legal Service NSW/ACT, affirmed and examined

JACK ALBERT BEETSON, Executive Director, Literacy for Life Foundation, affirmed and examined

The CHAIR: I welcome our first witnesses. Do you have any questions about the information that was sent to you or any of our processes today?

Ms HOWE: No.

The CHAIR: Would each of you like to make a brief opening statement?

Ms HOWE: I thank the Committee for allowing the NSW Council of Social Service [NCOSS] to contribute to this inquiry. The NSW Council of Social Service hopes to bring some stories from the grassroots and from the stakeholders we engage with. That is why we have an interest in this inquiry, and we are very pleased to be with our esteemed colleagues who, I guess, will put the meat on the bones in relation to the law as it stands.

Ms LOVRIC: The NSW Law Society thanks the Committee for the opportunity to give evidence. As noted in our written submission, we are restricting our evidence today to the impact of the current driving test and programs and Aboriginal people, with a focus on Aboriginal people living in regional, rural and remote New South Wales. The inequality of access and the results of that access to the driver licensing system are both far-reaching and, as you know, tragic. Our colleagues at the Aboriginal Legal Service, Legal Aid and Community Legal Centres can and will attest to the poor justice outcomes of systemic and inequitable access to the driver licensing system and the resultant social exclusion that that brings.

I note that other organisations, including the George Institute for Global Health, have already drawn the Committee's attention to the terrible injury and loss of life as a result of some of the driver licensing regimes. The justice and health issues are linked. Indeed, the George Institute, through solid research on its driving change program, has linked access to the driver licensing system to employment and social inclusion. Other inquiries, most noticeably the Law and Safety Committee and the Audit Office reports, have already taken evidence on these issues, and good recommendations have been made that are relevant to this inquiry, but sadly action is painfully slow.

I even note that in the Transport for NSW submission to this inquiry they have pointed to the patchy availability of programs to overcome the barriers that have been time and time again pointed out to government inquiries. The barriers are well known, and we will go through them today. These include literacy issues, most notably for adults—and certainly my colleagues here today will attest to that—exclusion from the driving system due to fines and licence actions; access to roadworthy cars and teachers; the burden of 120 hours, which is particularly notable in regional and remote New South Wales; the cost of licences, driving lessons and the tests; and access to identity documents, which is an intractable issue yet to be properly solved. We need sustainable programs and we look forward to the opportunity to bring your attention to more of what we can do to help the Committee.

Ms MILES: I am proud to represent the Aboriginal Legal Service at the hearing today and I am thankful for the opportunity to do so. The Aboriginal Legal Service is an organisation that is community run and has been in existence since the early 1970s, starting in Redfern. We act for Aboriginal people across New South Wales and the Australian Capital Territory [ACT]. The majority of the work that we find ourselves representing Aboriginal people in are criminal law matters. It is true that links have been made in many reports in the past that issues with the driver licensing matters are forcing some Aboriginal people to spend time in custody. Our submission speaks to some of those links, and I am sure the Committee has had the opportunity to peruse a number of different reports making those links.

Professor BEETSON: I would like to acknowledge the Gadigal people, a clan of the Eora nation. I also acknowledge my own people, the Ngemba people of Brewarrina, of north-western New South Wales. It is on their shoulders, my ancestors past and present, that I appear before you today. I want to take a broader approach to the written submission around some of the issues concerning literacy and so on as part of my evidence today. I would like to look broadly at how that is impacting not just on the lives of Aboriginal people but on the life expectancy of Aboriginal people, and also their capacity to be able to work and improve their quality of life by working in the area of road safety. There is a whole range of stuff that goes on up and down the coast, and there will be something happening near Brewarrina soon, where Aboriginal people would

normally be able to assume they may get some employment out of that, but the literacy levels of Aboriginal people are so low that very few people can even get a white card to be employed in the sector, either in construction or in the road industry.

I am mentioning a whole range of stuff here now, purely and simply because, as Aboriginal communities and Aboriginal peoples of New South Wales, we cannot divorce one concept or one idea from another. For thousands and thousands of years everything we did was linked. It was a woven rug that we lived within. Successive governments, over many years now, have tried to compartmentalise how we contribute to these things. We can no longer do that. If this inquiry is going to make any difference, then part of making a difference will be in weaving that rug back together so that Aboriginal people can make sense of it. We cannot prioritise one thing over another; we cannot address one issue without addressing many other issues that are of concern to us. That is how we are as a people. I hope, at the end of this inquiry, some steps are taken towards healing that principle.

The CHAIR: Thank you, Professor Beetson. I will open for questions, and then we will move around the table. One of the themes that pervades your submission and many other submissions is the idea of literacy, particularly for Indigenous peoples. Can you expand on the Aboriginal adult literacy campaign and why it is a success in supporting driver training.

Professor BEETSON: The adult literacy campaign is a model literacy campaign adopted from Cuba. It originated in 1961 in Cuba. It works because Aboriginal people in local communities take responsibility themselves. They are the people who do the teaching in the classrooms. They are the people who do the coordinating and the enrolling. They are the people who socialise and mobilise their communities behind the idea of a literacy campaign. They do this to the point that you have everybody in the community—Aboriginal people and Aboriginal organisations and other services organisations including government, police, probation and parole and so on—are all part of encouraging people to enrol in an adult literacy campaign.

Adult literacy, at the very best in the communities, is 40 per cent low literacy; at worst it can be up to 80 per cent or 90 per cent in some communities. I am talking about adults 15 years and over. Research shows that if you do not have literate parents you rarely get literate children. In fact, you can even drill it down to literate mothers usually equalling literate children. There are a whole range of programs out there encouraging children into school, but that is pretty much pointless if they are going home to illiterate parents or parents with low English literacy. That is how we work. It works purely and simply because the community is given ownership of the campaign.

The CHAIR: One of the biggest issues, as well as education, in many submissions, is the need for greater education. If we focus on education campaigns reaching Indigenous communities, how would you adapt current campaigns to be more effective, both in their content and their delivery?

Professor BEETSON: I do not know that I would, because we have been operating now since 2012, and it has been very successful. Look at the graduation rates in our campaign model. For example, I will refer to the previous intake in Brewarrina. Seventy-eight per cent of people graduated out of that campaign. If you look at TAFE and private providers in the literacy space, or certificate levels 1 and 2, you see that they are graduating 10 per cent of people, at best. So while there is always room for improvement, if you are asking what I would do to improve this model, I think the jury is still out on how we can, because it has such a high success rate.

The CHAIR: Any other comments on that particular thing?

Ms LOVRIC: I think our three organisations have made that point about linking this kind of method of adult education to driver education. Jack's model is very practical. Through the course of their program they use real-life examples of getting letters from Government, understanding what they mean and being able to act on communications and correspondence and information from government agencies. Linking this model of education provision to something like driver education, which is so fundamental, would be a way forward. We would not suggest interrupting the model Literacy For Life is using, but somehow we are trying to enhance access to driver education and successful driving outcomes. We need to link this kind of model which is community based, has huge buy-in from local communities, and is sustainable. That would be a way to link the two together.

The CHAIR: Here is the issue. Many of the submissions refer to the problem of unlicensed driving—your submissions also acknowledge that—particularly in the Indigenous community. I would like to know what strategies you propose to deal with this issue and how you would formulate driver education campaigns to communicate with that type of group.

Ms HOWE: I think we may need to unpick that there is a relationship—not just with the literacy issue but also the fact that there are remote communities where there is poverty and disadvantage. We have to

recognise that in those communities having a drivers licence is a bottom line, just like being literate and children being school ready. We would say that having access to a drivers licence is critical. So, from our perspective this issue is not just around the literacy but also the fact that there is a lot of expense involved and access to those types of services in order to be ready for a licence in the first instance. I think that Professor Beetson is absolutely right. These are very much interlinked issues, and we need to address all of them. I think literacy in its own right—or a better campaign—in itself is not going to be enough.

The CHAIR: Would you comment on attitudes, as well. While we are focusing here on Indigenous issues particularly, this matter of unlicensed driving is across the whole spectrum. We are trying to address it from your particular perspective. I am looking for some ideas.

Ms LOVRIC: The driving system is complex. The Law and Safety Committee is already starting to implement the recommendations of the 2013 inquiry, which looked specifically at unauthorised driving. We see terrible consequences of people being imprisoned because of unlicensed driving. People can drive. They can drive safely, but people are being imprisoned because of repeat offending—secondary offending. One starting point would be to implement the recommendations of that inquiry. That would go a long way towards helping us address that unlicensed driving system, which has seen people imprisoned. We understand that some good steps have been taken but we would like to make sure that that does happen.

I think some of the committee members here were also on that inquiry and supported those recommendations. The unauthorised driving is certainly a particular issue. It is exacerbated in regional and remote areas because of the lack of alternative driving options. In regional and remote New South Wales we do not have public transport corridors, and people are forced to drive. They really are forced to drive. If someone has to take their child to hospital, which is 100 kilometres away, and they are arrested in the course of doing so, that is clearly a poor outcome. As Professor Beetson has said, things are related. We need better public transport access as well as better driving programs. The critical thing about driving programs is that it is a licence to social inclusion. It opens up—it unlocks—the capacity to get a job and to access education, which is otherwise denied to people who live in remote locations.

Mr THOMAS GEORGE: I would like to ask a question about cross-border issues. There seems to be confusion amongst younger drivers in relation to the likelihood of offending on the cross-border issues. I would like to know whether you have raised these issues with licensing and road safety authorities or even, now, the Cross-border Commissioner. Have any of these issues been raised with them?

Ms MILES: The Aboriginal Legal Service included cross-border issues briefly in our submission. It is the case that I am not aware of any organisation raising it with the Cross-border Commissioner, but I would have to take the question on notice, in all honesty, to make sure that it is not the case that that has been done by our organisation in the past.

Mr THOMAS GEORGE: If it comes out that you have raised them, I would like to know about the responses that you have received, because it is a big issue right along our border areas. As the Chair would know, and in the area that I represent, it has created a lot of confusion for everyone—let alone the Indigenous people. I feel that this is something that could be looked at, especially in regional areas.

Ms LOVRIC: I agree that it is an issue. My work is through the Legal Aid Commission. We have had meetings with the NSW Cross Border Commission on a number of occasions, and have raised these issues with the NSW Cross Border Commissioner, who has nodded sagely and agreed that these are issues but, sadly, we have not seen any advance on the issue.

The Hon. SCOTT FARLOW: Professor Beetson, I am very impressed with your program and its success rate. You have indicated in your submission you would be happy to look at ways in which you could incorporate driver education and training as part of that as practical skills. How do you see that potentially working within the remit of your program?

Professor BEETSON: I think it is almost a natural progression because anecdotally 80 per cent of Aboriginal people who appear in court out in those western or rural areas in New South Wales are there because they have no licence. Some of them have no choice, as Ms Lovric referred to earlier because they have to get to town to report for probation and parole and so on. If you go to a town like Enngonia, where our program eradicated adult illiteracy in one go, in one intake, that community might have two roadworthy vehicles. There are only four people in that town that actually have a licence. So anybody else that has to take a sick child, a sick parent, or anybody for any other reason needs to get to town, they are breaking the law. When I talk to the local police officer there he said, "I am happy for them to drive around town, but if you turn left or right on this highway I have got to pinch you."

They are stuck between a bit of a rock and a hard place when one of your requirements to meet your parole obligations is to get to Bourke to report and you cannot go in because either there is no roadworthy vehicle or you will get pinched for having no licence and go back to jail anyway. What needs to happen in places like that is accessibility, and not just having somebody go out and do driver lessons out there. They have to be free, not just for the Aboriginal mob out there but for non-Aboriginal people. They are just as poor as the Aboriginal people in those little western communities. You get west of that Great Divide, people are poor out there. These things need to be made freely available to everybody.

But along with that, you have to ensure people are literate enough and be able to do it. And therein lies this other huge barrier that is not being met. The people I am talking about are people that do not fit within the Australian qualifications framework, certificate levels one to four. We are talking people that are critically illiterate, black fellows, and white fellows if you like, out there that are suffering the same fate. There have been a number of non-Aboriginal people that have come in and joined the classes with us. So this service has to apply across the board. It has to be accessible and it has to be free, otherwise people will choose.

If you are on the dole, very few people are going to be able to say, "Well, I will just allocate $60 a week to a few driving lessons" You just cannot do it when you are battling to feed your family, when you are battling to medicate your family from diseases and illnesses that come about through your abject poverty in the first place. Those are the sorts of things if you are looking for ideas. Purely and simply it has to be provided, it has to be provided regularly and has to be provided freely. That is not just coming from me, that is coming from every magistrate in every town I have worked with who has said what can we do to get driver training in the community. That would relieve them of so much of their workload.

The Hon. SCOTT FARLOW: At present are there any programs that are focused and aimed at Indigenous communities, either operated by government or by any non-government organisations?

Professor BEETSON: There is an organisation called Birrang, which does do some driver training. That is the only one I know of. It does not mean there are not others out there. But the call on Birrang to be able to do what it does is just enormous. I think they have got two cars and from what I know it is the only one operating out in that western/north-western area which is huge.

The Hon. SCOTT FARLOW: Two cars do not go that far.

Ms LOVRIC: There is also the Driving Change program, which I think you have heard of. I understand The George Institute is also giving evidence today, so they can talk about the Driving Change program. In our view, we have seen the successes of that in the communities that we work in, in regional and remote New South Wales. The beauty of that kind of program as well as the Birrang program is sustainability and that presence in the community, which actually really facilitates community buy-in. Part of what they do, it is not simply a driving program, it is a driving program but it helps people through the full journey of their learner driver progress.

It will assist people to firstly be able to get a driver licence, and that includes getting the relevant identity documents. That in and of itself—we can have a whole inquiry just on the birth certificate issue, can I say, just that access to those documents is very difficult. But Driving Change and Birrang indeed as well will assist people to get access to those documents so they can be entitled to apply for a learners licence. They will assist people through the driver knowledge test, which is quite significant, especially for people with literacy issues. They will assist people through that and, very importantly, they will assist people through those requisite hours that people require to get through the graduated licensing system so they can actually start driving.

It is a long process, and that is why piecemeal projects and programs do not work. A program that says we throw money at something for a number of weeks does not work because people take time to go through this system. I think there is a differential between people in remote communities getting that 120 hours up and people in the city who can get those hours up much more quickly. You need someone to assist you, you need mentors, and that is where Birrang and Driving Change indeed is significant. They provide mentors, they get volunteers in the community to come in and say, "I will donate an hour of my time a week to assist someone to get those hours up." That brings with it a whole sense of community infrastructure, sustainability and buy-in, which has been incredibly positive. Sites like Taree, Bourke at the moment has a current Driving Change program, that is Driving Change in collaboration with Birrang. They are doing some great work in terms of getting those programs on the ground.

The government systems, that is a little bit different. My understanding, the Audit Office did a review of Aboriginal driving programs a few years ago and the results of that were that they said it is piecemeal at best, it is uncoordinated. Regrettably, I do not think that has particularly changed. We do hear about this driver licence access program. I have to confess to not knowing enough about it but my perception is it is a bit

piecemeal and people are not aware of where and when and how it operates. If you do not actually have knowledge of the programs that exist then they are not good for anybody.

The Hon. SCOTT FARLOW: Trying to get an idea of the barrier, that 120 hours—I think it was the Aboriginal Legal Service's submission that stated about 0.4 per cent of drivers in New South Wales were Aboriginal licensed drivers compared to 2 per cent of population. Since we have had the hours program come into place, is there any data in terms of Aboriginal licence registrations over that period and whether it has gone down with the introduction of the hours?

Ms MILES: I would have to take that question on notice. Data is something we all struggle to get, and I would be happy to try and do research to see if there is anything more recent addressing that issue.

Ms ELENI PETINOS: Overwhelmingly the discussion this morning has centred around some of the barriers that Indigenous drivers are currently experiencing in trying to get into the system, so forgive me if you feel like I am rehashing something that you have been over. I am trying to get more detailed evidence on the record for the purposes of our report. Any of you who feel like you have something to say on this, do you have anything that you could tell the Committee in terms of the barriers that Indigenous drivers report to people in your organisations when they seek to gain and retain a driver licence? I am referring to things like cultural sensitivities of licensing and training staff, perhaps the lack of access to personal data that they require to go through the system, debt barriers, potentially the over-representation of Indigenous offenders in the custodial system, issues with potentially getting additional Indigenous people into the system to provide the driver education training. Do you have any comments around that?

Ms HOWE: We travel around the State and we go into remote and Indigenous communities, particularly in the Far West, which is why we have a Far West focus in our pre-budget submission. What we are seeing is it is just access. You go into a community, you do not have many vehicles at all, you do not have many people there who already have a licence, and indeed I think the idea that perhaps we need to educate more and the literacy is all important. But what we are actually seeing in these communities is that the communities themselves understand that having access to driving is something that is in their top five things very often, and we do not see that in other areas. That is why you see these piecemeal projects that communities generate, have a little bit of funding for a certain amount of time, then they fall away. This is long game infrastructure.

We would say those Aboriginal remote communities should have an entitlement to access to be able to drive and also up the other end where someone has a criminal record around this and that prevents their wellbeing in education, even getting a job in government, all of a sudden you are knocked out of so many things because you had to drive. We would say that it has to be embedded into the infrastructure, given so many Human Services dollars are invested in Aboriginal communities—we hear this. Have it directed to the place where the communities know they need it, and the communities know these things. They can lead on this and they do, but it is piecemeal, as Ms Lovric was saying.

Ms LOVRIC: I think you have set out the barriers. They are well known; they are well documented. I think the recommendations of the Law and Safety Committee on unauthorised driving has set out these issues quite clearly. I think you have summarised them really well. The access issue is fundamental, particularly in remote locations. I have been out at Brewarrina on one occasion where someone was having some trouble getting a birth certificate and the department was on the phone to the client saying, "Well, you just need to come into Chippendale." This is a reality out in these locations. People do not move, they cannot move, they cannot get down there very easily and it is very expensive to do so. People will try to enter the driver licence system in very good faith but give up, and we have had instances of clients who have ended up in prison simply because they drove or drove again. They could not get through the driver knowledge test; their literacy was not good enough. They had obstructions for getting their correct identity documents.

I think you may be well placed to look at the Bureau of Crime Statistics and the data around particular driving offences. If you look at the back end of those, you will see there are issues around access—access to identity documents, access to literacy programs and access to sustainable programs that support them and their families and their whole community. I think there is an enormous amount of goodwill, and I agree with what NCOSS has just stated, that driving is a very high priority. It is in fact a ticket to social inclusion. It is a ticket to employability. It is a ticket to economic participation. It is a ticket to revival of remote communities. I think we need to be doing our utmost to help put those kinds of programs in place. We do have those examples. We have Birrang and we have Driving Change, but those kinds of programs are reliant on piecemeal funding, short-term funding, a lack of vision. These should be part of the infrastructure in these communities.

Ms ELENI PETINOS: Are you aware of anything being done in other states that has addressed any of these access issues successfully?

Ms LOVRIC: Personally, I am not aware. My understanding through other inquiries is that they are experiencing the same kinds of issues.

Professor BEETSON: Some years ago in Bourke you used to be able to go and do your drivers test orally—just go along and do the test. You did not have to read anything or anything else. People used to front up. I think there are enormous barriers and those barriers are increasing by the day. Every time technology advances, Aboriginal communities, poor communities and people with low literacy are just further marginalised, and more and more barriers are put up to them. Every time you walk into a government department these days it is "Go to myGov, myRTA" or myAboriginalAffairs, for God's sake. Sixty per cent of our mob are not even going to be able to read about it, let alone go over to that corner over there, access the computer, get in there and have a look at it. That is what is being asked of people, so they do not do it. They do not complain about it but they walk out and they are denied access to a service that they, as citizens, are entitled to get.

The 120 hours, how do you do that in a place like Wilcannia? I lived and worked in Wilcannia. I lived on the riverbank in Wilcannia when I worked there for three years. How do you get somebody to drive you around in their car for 120 hours when you are lucky to have a roadworthy vehicle in the town—and those that are busy driving people everywhere they want to go because they cannot get anywhere else. They are going to Broken Hill and back to get basic food supplies. Those things are all absolute obstacles. I agree: Literacy is not everything in this, but you have nothing without it. Who really wants people driving around on the road who cannot read the signs? It is alright having the symbols there and saying, "Well, there's symbols there", but you do not even fully understand them unless you can read and write. It is a critical issue in terms of road safety. If that is what we are here to talk about, let us get real about that.

We should not be looking at this and saying, "Oh, well, we'll be giving something to these rural communities in doing this." This is an investment in those communities. That money will come back in spades, the money that is invested into literacy campaigns and even into people being able to identify symbols. People will get employment as a consequence of this. We are saying that having a licence is one of those things that can get you a job. To get that licence for my people, for Aboriginal people, 60 per cent to 70 per cent of those people cannot read and write well enough to get their licence or get a white card. It all ties in together. If you do not start there, you are not going to get there. But the other side is resourcing people to have vehicles available to do this 120 hours. Some of those people I know out there have driven so many years without a licence that they could be supervising the 120 hours.

Ms LOVRIC: Without a licence.

Mr ADAM CROUCH: Thank you very much for coming in today. Professor Beetson, you mentioned that approximately 80 per cent of Aboriginal people do not hold a licence. You have all related the relationship between the value of literacy and the value of the licence, and that the value of the licence being held in a very high regard. Listening to the conversations about Birrang and driving change, if driver training was linked to literacy programs such as yours, it would effectively be a reward system where people are learning to read and write but at the same time have the ability to work through their licence simultaneously. Could that be done?

Professor BEETSON: That did happen.

Mr ADAM CROUCH: It did?

Professor BEETSON: It did happen in Bourke but, like I say, they have so few vehicles they cannot follow us everywhere. But when we were in Bourke that did happen, so a number of the students that actually went through and graduated out of the literacy campaign then went on and the next thing they did was their driver training. Some of those even went on and got licences. When I said 80 per cent of people, what I was saying was that anecdotally—and this is coming from the magistrates—80 per cent of the people who appear before them in court are there on driving offences, and about 80 per cent of that cohort do not have a licence because they cannot read and write.

Mr ADAM CROUCH: So you can see a direct link between a literacy program and a driving program combined, because they are held in such high regard. The licence is held in perhaps higher regard because it gives you the freedom and the ability to move around and have a life. Combining the two would be a better program. You mentioned the fact that people are coming up before magistrates. It sounds as if retraining opportunities for Indigenous drivers and offenders are almost non-existent, is that right?

Professor BEETSON: To my knowledge, yes.

Mr ADAM CROUCH: Would you say that they are not effective?

Ms LOVRIC: I think we would need to get some references on that. There are traffic offender programs, which are prevalent, but if we put some more resources into the front end—driver knowledge and

programs and safe driving courses at the front end. With people offending at the back end, I think if you look at the statistics on offending we are not talking necessarily about offences where people are harmed. We are not talking about drink-driving or negligent driving; we are talking about people who are driving without a licence or people who are driving who have never had a licence. They are perfectly good drivers; they have just never managed to actually get the documentation or the wherewithal together to get the licence. I think we have to be cautious about what we are looking at and what the actual issue is.

I think that linking of literacy and driver programs is a good one. We must make sure these programs are sustainable and for the long term. We do not just go in for six weeks and do a program, because that only helps people for a limited time. Having that program in a community, with the added benefit that those sorts of programs employ someone locally to be mentor, again gives employment opportunities in that community. That is why we need something sustainable in the community. The Bourke program that Professor Beetson was referring to is an ongoing program and indeed a collaboration between Birrang, Driving Change and The George Institute, and that program is also working with the courts. They are actually present at court on this day to refer people to that program. That is the kind of program we are talking about that has a whole community approach and that is bringing people through. The fact that they are also being referred to the Literacy for Life program is an added benefit because that assists people going through the program. I think we naturally can see some solutions here but we just need some commitment to see these programs be sustainable.

Mr ADAM CROUCH: To clarify, if their driving licence was part of literacy learning, it could be seen as an incentive and there would possibly be better result, with more people attending the literacy classes to learn how to read and write if they knew that part of the reward was also attaining a driver licence at the end.

Ms LOVRIC: Absolutely; without a doubt. The literacy obstacles, the birth certificate and the identity documents are significant issues in being part of that program.

Ms HOWE: We also need to look at the responses to those who already have criminal records because of their driving offences. We had a roundtable discussion about local solutions for employment with the local member at one community we go to. They made the point that when government invests in services for their community the preference always is to employ locally. However, the locals cannot apply for those positions because they have a criminal record because of driving offences. It becomes this circular nonsense, and we are really not dealing with that end either. It needs to be articulated very strongly that we have communities of willing and able men ready to go—I am talking particularly about men's groups but it also applies to women—who want to go for those jobs. They cannot even get lawn mowing contracts from government because they do not have a drivers licence and they cannot have a criminal record. It is a double whammy.

Ms MILES: I would like to stress a point already made by everyone to the Committee. I refer to the need for any program to be locally auspiced or to involve local people. That is the key to engendering trust on the part of local Aboriginal people. It must be locally based and people from the community must be engaged in the program. That is critical.

Mr ADAM CROUCH: You mentioned the barrier imposed by the 120-hour test. If it were tied in as part of the literacy testing and those hours were accumulated as part of that test, would you suggest that that time be reduced given life experience? A number of these people have been driving for many years without a licence. Would you say that it should be tweaked and be made a little more flexible for people in remote communities because their driving experiences are obviously very different from those in a metropolitan area?

Professor BEETSON: Recognition of prior learning [RPL] is applied everywhere else, why not in this situation where a driving instructor could do an RPL assessment on someone? They are driving around with them and they have an idea of whether they need another 100 hours of experience. They are dying of a heartache every time they do something wrong. At the end of the day, you should apply RPL to this as it is applied elsewhere.

The CHAIR: My question applies to the entire inquiry, and it goes to the differentiation between skills and attitudes. Many submissions discuss the distinction between the skills needed to pass a driving test and the attitude needed to be a safe driver. We have heard from you about the need to be a driver. Are we encouraging people to have a safe driving attitude in our education and training programs? There is a big distinction.

Professor BEETSON: If we are not, we should be. I do not want to keep reverting back to literacy, but when you become literate you make far better choices throughout your life. I imagine it would also affect people's driving. It certainly affects the damage that they do in houses. We know this because we have measured it. It certainly affects people's engagement with the criminal justice system and family violence in a very positive way. If it is affecting that, I imagine it would also affect driving.

The CHAIR: We have talked about penalties, incentives, and unauthorised driving, but we have not talked about attitudes. Do you have any comments to make about any underlying issues? Apart from what Professor Beetson has said about literacy, are there any underlying issues that need to be addressed, and how would you suggest that be undertaken?

Ms HOWE: I think you will always get an attitude of hopelessness in a way when people are set up to fail. What we see is well-meaning, intelligent and amazing people in communities driving without a licence because they have to. They are basically breaking the law knowingly, but what else can they to do if they have to take their child to hospital? We cannot say that that is a poor attitude. That is a hard choice to make as a mother.

The CHAIR: That is one isolated example. There would be many others, and we need to a address them. Do you have any guidance on how to address this issue?

Ms HOWE: I can talk only from the perspective of our submission, which is around seeing the lack of options and access in remote or indigenous communities. I assume that you would get an attitude of "I will have to break the law regardless." The infrastructure is not there.

Ms LOVRIC: This is not necessarily about safety; they are access issues. It might be helpful to look at evidence about the unsafe driving practices to which you are referring. My understanding is that some empirical research has been done on access to courses that should make driving outcomes more safe. In fact, that has not been borne out by the evidence at all. The George Institute's submission talks about programs involving learning hazards, how to address them and so on. In fact, the opposite has been observed in that people now feel better equipped to take more risks because they have done the training. The jury is still out on safety issues. From our perspective, the offences we are referring to are not safety offences; they are all about unauthorised driving. I think the attitude is that if someone is causing harm or damage, or if they are involved in culpable driving, the full force of the law should come down on them. That is not what we are talking about; we are talking about unauthorised driving offences which are causing no harm and which do not have any impact on safety issues.

Professor BEETSON: It is a really interesting question. It gets subjective in that you almost need to ask why a person with that attitude is driving the way they are. If you are driving to escape the police or arrest, your attitude will be very different from that of someone who is driving to the shop to buy groceries. A wide range of things come into play when we talk about driver attitude because there is so much that will impact in that given moment. To be able to impact on those attitudes or reasons for driving with a particular attitude at a particular time, you also need to look at issues around criminality and things like that. It is a much broader question. It is a very interesting question and I would love to be able to answer it, but I cannot. I can certainly put more questions and they can be answered next time you ask.

The CHAIR: Thank you for your comments. Regrettably our time has come to an end. Thank you for appearing before the Committee this morning. We may wish to send you some additional questions in writing, and your replies would then be part of the evidence and would be published. Would you be happy to answer additional questions?

Ms LOVRIC: Yes.

(The witnesses withdrew)

REBECCA IVERS, Director, Injury Division, The George Institute for Global Health, University of New South Wales, affirmed and examined

LISA KEAY, Deputy Director, Injury Division, The George Institute for Global Health, University of New South Wales, affirmed and examined

The CHAIR: Thank you for appearing before the Committee today. Do you have any questions about the information you have been sent and our processes today?

Professor IVERS: No, I don't.

The CHAIR: Would you like to make a brief opening statement?

Professor IVERS: The main focus of our submission was around the fact that we have a strong evidence base for what we understand is the novice driver and older driver licensing system in New South Wales. We believe we have a strong and effective licensing system. It is one of the gold standard systems globally in many ways and I think that is important to notice. From the research we have been doing, we have done quite a bit of work on novice driver research and motor cycle rider training. Dr Keay has done work in older driver licensing, also for the New South Wales Government but also for research on helping young disadvantaged people, particularly Aboriginal and Torres Strait Islander people, access the licensing system, for which there is a great need for further support.

Dr KEAY: My focus has been in the older driver space, which is very complex and it is interesting to be looking at this submission across the life span. People are accepting that there are changes with aging that changes one's driving ability but, unlike the entry into the licensing system one cannot put an age on it. We are very much aware that it is function, not age, that determines one's ability on the road. Similarly, one can learn from the young driver space as well, that we really need to embark on training only if there is an evidence base for it and currently there is not an evidence base to suggest that training of older drivers can make them safer on the road. Echoing Professor Ivers' comments, we do have quite a formal licensing structure for older people in New South Wales and that does give some structure for people to graduate out of driver licensing. Importantly, it provides an avenue for multiple stakeholders to get involved, such as general practitioners [GPs], family members, the jurisdictional control as well.

The CHAIR: Thank you. I would like to follow our previous witnesses. As you are aware, they were representing Indigenous issues relating to driving and whole-of-life training. Can you elaborate on the barriers that Indigenous drivers report when they seek to gain and retain driver's licences? What have been the achievements of the Driver Change Program in overcoming those barriers?

Professor IVERS: The main barriers that young and older Indigenous people highlight—and they have been varied over the years but they tend to come back to issues to do with learning the road rules, to pass the learner driver theory test. So issues to do with literacy and numeracy. During the learner phase, a barrier can be accessing a supervised driver to help them get their 120 hours and access to a car. Often if you are a young disadvantaged person, whether Indigenous or not, and if you are living away from home, having a person with a full licence and a registered car to teach you to drive is quite challenging. They are significant barriers.

Other barriers that emerged during the background research that we did for the program were to do with unpaid fines. Often you will find people who have unpaid fines for other reasons, so train tickets, bicycle helmets, dog fines, mean that they get barred from the licensing system and they are unable to get their learner licence when they want to, which effectively means they cannot then get a job. If a young Indigenous person without any qualifications cannot get a driver's licence because of unpaid fines, it can be difficult to get a job, because a driver's licence is effectively a qualification for employment for somebody who does not have any other skills, if one thinks of working for a council, or as a fork lift driver and so on. It is critically important, particularly when you consider that many young Indigenous people live in rural and remote areas or in transport-disadvantaged parts of the city.

The Driving Change Program employs an Aboriginal caseworker who manages people through the licensing system and helps them with their debt. So, for people who have got debt, if they are on Centrelink, they act as an advocate to put them on a payment plan so they immediately get their licence back. Their licence also means that they are not at risk of ending up in front of a court for driving without a licence.

They also give people access to a supervised driver and a car. So Driving Change has a car as part of the program and the coordinators help find volunteers who give people access to supervised driving hours. Most of the sites will have between five and 20 volunteers who come in and help the young disadvantaged drivers get supervised driving hours up. So, a couple of hours a week to get their hours up, as a parent would do in the

absence of someone else. If they have funding, they also provide some access to professional driving lessons and to the Safer Driving course. Now they can get free access to the Safer Driving course if they are from a disadvantaged population group. The Driving Change Program has been very effective.

One of the comments that clients often make—the people who come to programs such as this are really disadvantaged and going to the Roads and Maritime Services [RMS] centre itself can be challenging. It has been reported to us on many occasions, that there is a lot of, it might not be conscious racism but they are certainly not comfortable places for young semi-literate Aboriginal people to go to and feel that they are being treated with respect. There are certainly comments like that coming back.

Helping people through the system has been an important component of it. When the program was running we had a thousand clients go through it, of which 200 people got a learner licence and another 200 a provisional licence. A reasonable proportion of people also got assistance with obtaining birth certificates and debt repayment and getting their licence reinstated following assessment for debt.

So these kinds of programs are important. What is really important about them though is that they are grassroots community programs that people are feeling comfortable to go into. We have them hosted in community centres, land councils and other places where people are happy to walk through the door. Word of mouth gets around. They will say, "Go and see such-and-such down there, they will sort you out". It is a low-threatening environment that the people are comfortable to move into.

The CHAIR: Obviously we are investigating, as it were, whole-of-life training and a question that crops up in many of the submissions is the relationship to crash statistic reports to better understand the cause of crashes, more detail on road type and examples of age, gender, location, time, driving history, whether solo or accompanied, speed and weather conditions. Do you have any comments on the quality of the crash data we are currently obtaining? And can that be improved to identify any of the reasons that this Committee is in existence to investigate this particular matter?

Professor IVERS: There are issues with the crash data. There certainly are issues with timeliness of the data. Having linked data is critically important because there are a number of different data sources that are key to understanding road crashes and road injury. It is to give us some sense of what the main causes and risk factors are and the context of the crash. Each data set, on its own, does not give one the context or the full picture. So Police crash reports will give a good understanding of what happened at the time of the crash, according to the policeman who went out to report the crash. The hospitalisation data will give information about the injuries that the person sustained and the severity of the injuries that you cannot get from the police data. And there is ambulance data, which again will give you different information about time to the scene and how people get to the hospital and the nature of the injuries they have. Then there is the insurance data and other datasets that might inform you about recovery. Then there is coronial information, of course, where the coroner has investigated a death.

What is critical to us from a research perspective is having access to high-quality linked data in a timely way. I understand that there is a data linkage project going on at the Centre for Road Safety, which is fantastic. That is providing a unique data-rich and context-rich source of data that is going to enhance our ability to understand the cause and context of crashes. It is critical that it is funded and that the dataset eventually be identified and made available to outside researchers to be able to delve into it, because organisation like ours are obviously clearly interested in having a look at those datasets.

Dr KEAY: I agree with Professor Ivers. She has outlined all the different sources of data. The licensing data is difficult to work with, but it is possible. It is a live dataset, and so it has quite a bit of difference to crash events. It has some complexities, and access is absolutely critical. Obviously, it is a different agency that maintains the licensing data compared to other data. Access for independent research will be a very big benefit. I also want to mention that there are changes over time. Police non-attendance at minor crashes since 2014—do not quote me on that date because I might not be exactly right—is going to change the landscape of what we are capturing. I think minor crashes are still of importance, perhaps more so as an indicator of an at-risk group. It would correlate with more severe crashes, so we should not lose the ability to capture those, perhaps particularly for older people. They can have low-speed bingles, and that can pick up problems with the driver themselves. It is just another mechanism to engage with that driver, if there is a minor crash.

Professor IVERS: One other issue that I did not mention is the issue of Indigenous identification in the dataset, which is appalling. That is not an exaggeration; it is grossly underreported. That is partly to do with the fact that it is a voluntary mechanism. For the last five years, when you go to get your licence, you are asked whether you identify as Aboriginal or Torres Strait Islander. People can choose whether they answer that question, and obviously that depends on how comfortable people are. I understand that it is not mandatory for

the person collecting that information to type it in either, and it is several screens into the data entry process. If the person entering the data is busy, that data does not get entered.

That means that when you look at the driver licensing data held by Roads and Maritime Services, you cannot see how many people are Indigenous and have any sense of how accurate that information is. That is really critical for us to understand issues around licensing but also road safety. When you look at Indigenous status in the crash data, you can link back to the licensing data and if you have very poor reporting in licensing then you do not know anything about it in crashes. What you do not want is for police to be asking people at the scene of the crash whether someone is Aboriginal. Clearly there are lots of red flags to that kind of process. We have been working with the data for quite a while, and it is almost impossible to use because it is so poorly reported. It is very variable depending on which registry the person has attended.

Mr ADAM CROUCH: Can you elaborate on the debate concerning the value of advanced driver and defensive driver training courses? Does the research show that additional driver training is not effective for all groups, or only for inexperienced drivers, for example? Is this an area where more research is required for a definitive answer?

Professor IVERS: It is a highly contested space and something that people have been looking at. The community likes the idea of advanced and defensive driver training. The community says, "With all the people I see that are terrible drivers, we should put them through driver training." What the research evidence shows us is that a number of different types of driver training are not effective. The quality of the evidence everywhere has not been incredibly robust, so that is something of importance to note. But there is reasonably reliable evidence that advanced driver training—and that means post-licence driver training or training aimed at novice drivers undertaken in off-road facilities including on skid pans—can be detrimental, certainly to novice drivers.

There is some evidence to suggest that it is not only ineffective but can cause harm. If you think that for any kind of driver training like that, to develop skills you have to do it over and over again for an extended period of time. When you are doing an advanced driver training course for three or five days, you have a limited amount of time to practise those skills. The theory behind why it might increase crashes or poor driving behaviour is that people practise it enough to think that they have the hang of it and they become overconfident. Then they are more likely to put themselves into hazardous situations when they get out on the road. That makes complete sense to me.

There has been evidence about school-based driver education and training. Anything that encourages getting licences early—so teaching kids to drive in schools—again has basically shown no road safety benefits but encourages kids to get their licences sooner rather than later, which increases their exposure and then increases the risk of crashes at a population level. That is not great either. For advanced and skill-based driver training for experienced drivers the evidence is less clear, but there is certainly no evidence that it has benefits, in my view. There is certainly no degree of evidence that would suggest that you might mandate it for people. Again, it is an issue of encouraging people to put themselves into situations that they might not otherwise get into. For certain groups who might be driving in those conditions, such as police or people in the armed services or ambulance drivers, that is a different scenario. In general, at a community level, no.

Dr KEAY: It also comes up in the older driver space, particularly in New South Wales where we have the on-road test you do from age 85. Since it has been modified such that a private instructor can do that test, there is a great avenue for people to do refresher training with that instructor before they get their test. That is happening, but it has not been evaluated so we do not know whether there is any benefit to that. The current test at age 85 is a safe driving test. The failure rate is really quite low. On the population level and considering that there is no evidence that on-road driver training for older people is going to have a great safety benefit, it is valuable for the Committee to look at other areas with older people.

A lot can be done in protecting them in a better car, having people not retire and keep the one car for their whole retirement, which would mean they would be missing out on all the technology that can help people if they crash. Older people recover very badly from a crash, so if they get more severely injured then their recovery is longer. We believe, through the work that we have been doing, that the seatbelt is not being used very effectively by older people. Some stuff could be done there, so although I hate to say there needs to be more work, there needs to be more work in the area. That would include looking at whether people can be trained to take advantage of technology in cars, safer vehicles or using their car more safely.

Having looked at this complex area for a number of years, I do not think that you can hold back the tide of ageing by training someone to be a better driver. Once they are starting to get age-related decline in function, we need to work around that through providing modified licences perhaps, keeping them driving in familiar environments, keeping the family and everyone involved in the process and thinking about their safety in the vehicle and how well they are using a seatbelt and driving a modern car. There are more things that can be done

in the future with technology and semi-autonomous features already coming into the market. I believe that they can have the greatest impact at a community level for our regular older drivers.

Professor IVERS: One trial I did not talk about is one that we recently conducted for VicRoads. Motorcycle riders were requesting the development of a motorcycle rider training course. VicRoads commissioned Monash University Accident Research Centre to develop a new on-road coaching program. It was an on-road motorcycle coaching program based around what we call a low-risk approach, which is not taking people out and showing them how to corner faster; it was about getting them to more reflect on their behaviour and coaching them as they were riding to show them hazardous situations, allowing them time to reflect on their riding behaviour. That is where the evidence suggests we need to go with driver training. That might be a more effective approach. That, in fact, is what the Safer Drivers Course—the one that New South Wales currently has—is based on.

This program was developed and then we evaluated it. We used a randomised control trial. Again, this is highly rigorous methodology—rarely used in road safety, because it is quite hard to randomise people into programs. We could do it for rider training. We had 2,500 motorcyclists. Half of them were randomly chosen to go on the program; half of them did not get it. Then 12 months later we looked at what happened. They have a half-day program, but they have to do a handbook before they turn up and demonstrate some competency before they go out on the road. They are newly licenced provisional riders. We have a look at their riding at three months and at 12 months, and look at their riding behaviour. We also linked that to crash data. There was no reduction in crashes, but we were probably underpowered statistically.

The number 2,500 is a lot but not enough to look at crash outcomes because it is a relatively rare event. After 12 months the riders that were in the intervention group rode more. They rode nearly double the amount of people in the control group. That is not a good thing. A rider training course should not make them ride more. They were more confident. Again, that is not a great thing. You do not want them to become confident—whether it is real overconfidence or they are just more confident riders is had to tell. We do not know whether it is a bad overconfidence or not. They also reported significantly more speeding behaviour.

That is the classic kind of picture that we get from courses. This is where we have to urge caution. We know that these kinds of programs can actually cause harm. We always need to be really mindful. We often think that things like giving people education and training is always beneficial but our job as researchers is to come back and say, "No, you need to remember that you can do harm with programs." We should never implement things without understanding how effective they are in the real world.

Mr ADAM CROUCH: I have a very quick question. Has a similar study—doing the same sort of research—been conducted on younger, school-age drivers to show that a driver education program could increase their chances of being in an accident? Is there any data to relate to that?

Professor IVERS: Some work has been done in Finland.

Mr ADAM CROUCH: But nothing here?

Professor IVERS: No, nothing here. It is very hard to do, as you can imagine, because you need to have a very large sample size. If they are at school, school age or teenagers, you have to randomise them. I think you need 20,000 or 30,000 people to look at crash outcomes, so you need quite a large study size and that is very hard to do. This is where the challenge is. Legislative approaches like graduated licencing is a pretty solid tool because it is implemented pretty much across the board to everyone in the same way. Driver training and driver education is very different because it depends on the person implementing it. I have seen many school-based driver training programs that currently run in schools, run by a number of different organisations.

The challenge is that if the curriculum is not very sound and if the people implementing it do not know what they are talking about, you run the risk of the program being either completely ineffective or doing harm in the same way that any other program may. It is very difficult to run community-wide education programs like that, especially in a contested space like this where there is not really strong evidence. You would want something to have a 30 per cent reduction in crashes if you were using vast amount of taxpayer money to implement such programs in community settings. I just do not believe that the evidence is there.

Mr ADAM CROUCH: But there has been no local research done to confirm that.

Professor IVERS: No.

Ms ELENI PETINOS: Good morning, ladies. Thank you for coming in today. I would like to shift back to older drivers. It is something that I have had quite a bit of community angst around.

Mr THOMAS GEORGE: Just be careful.

Professor IVERS: It depends on the definition of "old", though.

Ms ELENI PETINOS: I have had a lot of community inquiries, and complaints I suppose, around the New South Wales testing regime for aged drivers. I noticed that some of the other submissions have described the New South Wales testing regime for aged drivers as harsh and discriminatory. How would you respond to that proposition?

Dr KEAY: As Rebecca said, we have a system in New South Wales that is quite unique globally. It has come about through motivation with respect to safety. That data stands up very well. There is a safety issue for older people. The crash rate goes up with age. There is an increased rate of crash per kilometres driven and there is also a greater risk of injury. There is motivation to do something in that space. It is very hard when the States either side of New South Wales have different licensing regimes. You are going to get some negative feedback on it.

I think there is a degree of community acceptance as well. There is a vocal minority of people speaking out against this because it is discriminatory because it is based on age. I wish I could quote some data at you. Recently we did some work looking at public opinions but it is not yet finalised. I am just speaking generally about it. In your position, you are going to hear vocal minorities of dissent. We have found people speaking out about strengthening, so there is some sentiment about wanting strengthening of the system for older people. There are different viewpoints from people who come to be that age, as well. People can feel very worried about it at certain ages and then when they come to be that age they can deal with it, perhaps. It is a very controversial space, and I do not really have a clear answer.

I guess there is always going to be some support for the other jurisdictions' positions. There will be some research evidence, and one argument is that if you reduce people's driving by giving them a modified licence, for example, you create this low-mileage bias. They are not driving as much and they lose their abilities. Is that the wrong approach? We come back again to the issue that we cannot compare directly because the jurisdictions are different. New South Wales roads are different to Victorian roads, for example.

Ms ELENI PETINOS: One of the specific complaints that has been raised with me by driving assessors—looking at the same issue but from the other side—is that there is a significant delay in receiving medical experts' reports into ServiceNSW and processing it through the system. That is actually putting additional delay on older drivers when they are going through this process. Is that something that you have received similar information about?

Dr KEAY: No, it is not, so I cannot really comment on that. That is an argument against a complex system: it takes quite a few steps for people. People having to do an annual GP assessment just adds another hoop to jump through to keep your licence from the age of 75 now. The age used to be 80, so that has come down. I think there is quite a high level of acceptance of doing a general practitioner assessment. They can be implemented differently by different doctors but in general they pick up major conditions. I cannot speak to delays in receiving reports through the driver assessors. I am not even aware that they actually receive them. Is that for an occupational therapy assessment?

Ms ELENI PETINOS: Even the medical assessments need to go through to ServiceNSW.

Dr KEAY: Okay, the assessments go from the GPs to Service NSW.

Ms ELENI PETINOS: Yes. My understanding is that at the moment older drivers do not understand that it can go directly from their GP to ServiceNSW, and older drivers feel that they need to physically present and they are having difficulty in doing that additional process. That is causing delays in getting licences renewed.

Dr KEAY: And keeping their licences.

Ms ELENI PETINOS: Yes, and keeping them in the system. You touched on comparatives with other jurisdictions. Do you consider New South Wales to have best practice? Can you make any comments on your report progress and potential findings from the review that you are doing on the age driver restrictions for the New South Wales Government.

Dr KEAY: That is such a difficult question. Systems like this evolve over a period of time, and they have certainly been motivated by key events in New South Wales, perhaps. When there has been a very severe injury and an older person is involved as a driver then that is given as the political impetus to do these things. We have always had aged-based licensing but it has evolved and been fine-tuned over recent years. I think the softening of the licence system in 2008 has probably gone some way to try and get that happy medium. It would take a lot to pull it apart, considering that there is a weight of evidence that there is an increased crash involvement and risk of injury in older people.

What the Government could do would be to provide better support for alternative transport, perhaps. That is a complex area, I know, which needs a lot of investment, but if you are looking at making it difficult for people to maintain a licence then you have to have some good alternatives in place. There is a very large body of evidence showing how people have a lot of negative health outcomes when they lose their licence. They are much more likely to be depressed and restricted in their socialisation and participation and more likely to end up in a nursing home. So it is a big sentinel event in people's lives. If the Government did more to support people so they could participate and see their families—we have built a whole society around everyone having a driver licence until they die really.

It is a big rethink to try and work out how we could support people, particularly in rural and regional areas where we have far less alternatives. I do not think I can make a position about what you should do with driver licensing in New South Wales but I think you could probably enhance the support of the system. I think there have been some modifications recently that have softened it. Certainly these administrative problems that you have raised would be causing substantial problems to older people. Case management would help if people could be helped through the system, but that is another resource issue.

Professor IVERS: The other thing to think about as well is, as Dr Keay says, think beyond driver licensing, think of it as a bigger picture issue. It is the same for young drivers and younger people. They are less likely to get their licence if they have access to public transport and if they are living in a city that is well serviced by public transport they actually do not want to drive, which is great for road safety. Likewise with older driving, planning the retirement from driving much earlier on but from a much earlier age. So starting to think about what your housing needs are, dare I say it, from middle age and younger ages to think, "Where am I going to live? Where is my family and what kind of housing do I need to live in so that I do not have to drive a car?" Because that day will inevitably come. Just trying to shift the conversation away from people believing that it is their right to drive.

Ms ELENI PETINOS: I want to ask one question that is not about older drivers so that no-one can say I have picked on one particular group. I will focus on young and inexperienced drivers this time. Do you have any comments on the current balance between sanctions and incentives, particularly for young and inexperienced drivers?

Professor IVERS: I must say I do not have any really strong opinions about it. I think it is always worth looking at sanctions. A lot of the research evidence is around sanctions rather than incentives, I should say. We know pretty clearly how effective sanctions can be for all drivers but also young drivers. I think it is certainly worth looking at opportunities for incentives such as working with insurance companies and looking at reductions in premiums for safe drivers, but it is a fairly limited space to work in as well. What sort of incentives are you thinking about?

Ms ELENI PETINOS: No specific ones. I was more interested in whether the current regime is too harsh for provisional drivers.

Professor IVERS: I think it strikes a pretty reasonable balance. It comes back to that point that a driver licence is a privilege, not a right and that you have to be able to demonstrate that you can do it. I for one think having seen it firsthand with children in my own family, in fact being threatened with losing their licence when they are on their red Ps for any speeding suspension has been incredibly effective in modifying my son and all his friends' behaviour. I can see it firsthand. I do not even have to speak about it because none of them wants to lose their licence. Those kind of things can be very, very powerful messages and we have very strong evidence for that. I think we could probably do a little bit more research around incentives and how that might also assist to strengthen the system, but I am not overly concerned about that. I think the system is actually working pretty well as it is.

The Hon. SCOTT FARLOW: I was surprised at a lot of the things that were not supported by evidence, and I think you outlined some of them being the misconception of the public. One that you did pick up on was that there were some suggestions that forms of low-risk training following the Scandinavian insight model may reduce crash risk. Can you tell us something about the Scandinavian insight model, and I take it it is not just driving Volvos?

Professor IVERS: You need to put it in the context that it was done in Scandinavia and the research methods were not that great. It was where they introduced this low-risk method and they evaluated it on a pre-post design. From a research methodology it is not actually that strong. This is where the Safer Drivers Course was actually developed from, the one we have currently got in New South Wales. That is the kind of insight model that suggests similar to what we did in the VicRide program, the motorcycling coaching one. If you give people insight into their right driving behaviour they might be encouraged to reflect on what they are

doing and what the hazards are and drive more cautiously. There are classroom-based programs and then some on road.

My only caution about that would be that the evidence is not that great, we do not have strong evidence. I think if you evaluated the safer driving program in New South Wales you would find no evidence that it was effective. I am very confident that you would be unlikely to find an effect here. That is because I think it is implemented really inconsistently across the State. Again, that is coming from comments that we have heard back from people that have done it across some of the other programs that we do that is not an evidence-based approach, but we certainly have heard that on multiple occasions. Also, it does not run for long enough to actually give people a dose that might be effective, if it were effective.

Reflecting on our experiences with the coaching program that I talked about earlier on, the VicRide one with the motorcycle riders, arguably there are similar processes in place for learning to ride and learning to drive, especially when you start thinking about the higher order processes that these courses are delving into. We do not have really high quality evidence that it is effective. I think when the safer driving program was brought in and when New South Wales and Victoria were starting to investigate some of these they did look at putting in place a really large randomised control trial. And again I may not be completely correct on this but I do understand it got pulled dramatically back because of the difficulties in doing such a large-scale trial. I think the thought was it was going to be too expensive and too difficult and the likelihood of success was probably too low. That would certainly be worth pushing, asking questions of the Centre for Road Safety about.

The Hon. SCOTT FARLOW: You outline the use of point-to-point cameras for normal vehicles on country roads because of the high rural and regional crash rates. Of those rural and regional crashes how many actually take place on roads where you would have those point-to-point cameras operating at the moment in terms of our major motorway network?

Professor IVERS: A lot of the crashes do happen on roads away from the point-to-point cameras, that is true, and I cannot tell you exactly where they are. I know the point-to-point camera network is reasonably extensive on a lot of them, but they are on the major arterials that heavy vehicles travel on. But, having said that, people do not necessarily know where they are going to be and when people are travelling on the roads you do have a kind of halo effect or flow-on effect from fixed speed cameras. I think you could also argue that if people assume that there is going to be point-to-point cameras everywhere, then they are going to be driving more cautiously whether they are on a road that has got them or not. In the same way that people are more cautious where, say, in Victoria you know that there could be speed cameras anywhere at any time.

It comes back to that perception of where these things might operate, not actually where they are and whether you are actually going to be caught. That, of course, is the base of all enforcement. Like drink-driving, you have high visibility enforcement of drink-driving. That is why the booze buses operate first thing in the morning because you are going get many, many people seeing them. If you get many people driving up the highways and knowing that there are point-to-point cameras there and having the chance of being picked up by that, hopefully when they go on to the other roads it may have the same effect.

Mr THOMAS GEORGE: First of all, I must declare I do not have an interest in The George Institute. Some of the toughest consultations I have had in my community is to make representations for people who have had their licence taken off them. As you said, they feel as though their whole independence has gone and it has been a terrible shock to them. But to their family it has been the best thing that has ever happened. It has been where individuals have lost their independence. I want to come back to your comments in relation to the advanced and defensive driver training. To hear you say we do not have a uniform course, and sadly whenever there is a tragedy this is the first thing that is turned to by a community. I live in the Northern Rivers at Lismore where there has been a big push for driver training, at schools especially. Everyone has different ideas of what should be taught in these courses.

Mr ADAM CROUCH: The same on the Central Coast.

Mr THOMAS GEORGE: I do not know whether it creates a doubt but it creates concern that we do not have a standard format if we are going to conduct these courses or provide facilities for these courses to younger people. I would appreciate some more comments on that.

Professor IVERS: It is something I have done a lot of work on over the years. I have thought about it very much. I have worked with Rob Wells up there in the Northern Rivers, and I know very well the impact that young driver deaths have. I know the communities have very strong concerns: People want to be able to do something. Driver training and education is always the thing where you go, "It's crazy. You must be able to do that." What we do know, though, is that giving people information does not change into behaviour. It does not translate into behaviour change. We know that fining people does. If you have threatened something that is

important to them, like a driver licence, then people are likely to change their behaviour. We do know that. We have very good evidence of that.

One of the things to think about is we have a very strong graduated driver licensing system for young drivers. It is effective at reducing crash rates for young drivers. We can strengthen it further. We know there are some elements that could be strengthened—for example, if we had passenger restrictions or peer passenger restrictions for the whole of the red P-plate, day and night, not just at night. At the moment we have a night passenger restriction, but if you had one for the first 12 months of the red P-plate it is easily enforceable. On a red P plate, only one peer passenger you would see a substantial decline; and a full night driving restriction in the first 12 months so you cannot drive at night at all unless you are going to work. You might have an exemption for people driving to work or bakers and things like that so that you are not impacting on the trade of young people. You could do some things like that.

You may be able to strengthen it in other ways. There is some evidence—and again it comes from the Northern Rivers—which is from the RRISK program which was run at the high schools up there. These are resilience-based programs. There is evidence from randomised controlled trials in the US that if you take kids at school at, say, ages 14 and 15 and give them training about how to deal with risk-taking behaviour—not road-related risk-taking behaviour but alcohol, drugs, sex—it then can translate into better road behaviours later on. That is because a lot of the crashes that happen are not intentional. It is not because of intentional risk-taking behaviour; it is because young people are distracted, inexperienced and unable to deal with the complexity of the driving environment, their passengers, the music and so on. Those kinds of programs seem to help in that context.

If we were going to do anything, actually embedding those kinds of risk-taking behaviour programs deep into the school curriculum where teachers have a very standard curriculum that they are teaching—and they are educators trained to do that—you are actually more likely to get gains in road safety from those kinds of programs and then continue with our strong graduated driver licensing system. I think it is really important for the Committee to understand about resisting calls for driver training—and not just advanced driver training but any kind of driver training in education—until we have very solid evidence that it is actually effective and it has a reasonable effect size in the same way that we get from graduated driver licensing.

I think what we do need is a consistent approach from people in government and politicians to understand that, because our challenge is always that. People in my own family come to me constantly and go, "Shouldn't we do this?" but you have to keep coming back and saying, "Just telling people things doesn't change their behaviour." The graduated driver licensing system is strong. Again, with those kinds of resilience-based programs I think we would see really good outcomes.

Mr THOMAS GEORGE: In country and regional areas I would love to know the reason that every car that passes you has a P plate.

Professor IVERS: Country areas are where we really struggle in road safety because it is really hard. We do not have good police enforcement because you cannot have police out there on the roads, which is again why I think having a good system of speed cameras in country areas is a great idea. It is cost effective; it does work; it slows people down. People do not like paying large fines. It is a voluntary tax: you do not have to do it—if you are not speeding you will not get picked up. Also making sure that people are driving safe cars. People in rural communities may be more likely to drive less safe cars. They are farmers. They might drive cars that they might be aiming to drive on the farm. They might buy some utes that have fewer safety features. They are going to be at higher risk. They are more likely to get into a crash in a car like that and they are less likely to survive it because the car has fewer safety features and also because they are driving at a higher speed on crappier roads after they have been driving for longer distances.

Addressing some of those risk factors in country areas—drink-driving, speeding, seatbelt use—I mean, it is the basic three you come back to but it is really still important that we maintain effort on those. No-one wants to hear about reduction of speeding. I know that is something that no country MP wants to say to their constituents—"You need to slow down"—because no-one wants to hear that message, but unfortunately that is one of the things that is effective.

Mr ADAM CROUCH: I say it regularly.

Mr THOMAS GEORGE: I can assure you that at most traffic committee meetings at which members of the Parliament represent their electorates there are a lot of moves to reduce the speed limits on some of these country roads. The issue is convincing the authorities to agree.

Mr ADAM CROUCH: And some of the regional roads too.

The CHAIR: Several of the submissions we have received advocated the value of computer-based training. Do you have a view on the use of simulators for both driver training and competency assessment of licensed drivers?

Dr KEAY: For older, younger or everyone?

The CHAIR: Several of the submissions advocate it from the very commencement. We would also like to consider whether there is an opportunity during the course of one's driving career.

Professor IVERS: It is not an area that we have a great deal of experience in. I have never done research with simulators. What I would say from what I have read of simulated research is that the evidence suggests that you might be able to give people better hazard perception skills by training them on simulators. There is no evidence or very limited evidence that that then translates to better behaviour on the roads. It is a transition. You can train people on a simulator and show better outcomes on the simulator. Translating it into better on-road behaviour is the big unknown. Certainly there is no evidence that you could replace any hours of supervised driving for a novice driver with simulated training because there is no evidence that it is going to give you better outcomes when you get onto the road. In terms of competency-based training, I probably would not comment on that because I have not read widely enough of that literature.

The CHAIR: Would it be an advantage to existing licensed drivers to understand some of the developments in technology which they would not otherwise have become accustomed to?

Dr KEAY: I think there is a lot of merit in that. I will also make a comment from the older drivers space. There is this enormous body of literature mapping out all the different aspects of function that are important to driving. Driving is one of the most complex tasks we do: it is thinking, reaction time, vision. It is also important that when we get older these things do change. It is very clear and lots of studies demonstrate it. But the problem is that we are always trying to work out the definitive test of who can drive and who cannot, and there is not a binary categorisation for people. I just wanted to caution against any chasing down the route of finding out some sort of simulator assessment or computer assessment. If we all sat down and did it today, a few of us would be told we are not safe. It is never going to be perfectly predictive. It seems there is this Holy Grail that people are looking for, but it is just not going to happen, in my view.

I also wanted to caution that in a big research study that we did—which was a randomised trial working with older people, looking at their function, educating them, helping them plan to use other forms of transport—an unintended adverse outcome was for increased depressive symptoms. I want to raise that red flag. If you invest at all in any more pointing the finger at ageing and functional loss there is going to be negative consequences and it is not going to be popular. There certainly is not evidence to suggest we can do stuff. I come in with a lot of criticisms rather than solutions, but I think it is a space where there is a lot of emotion involved. We do tend to think, "We could do something. We could train on a simulator, do this in office tests or see if someone's function is lost", but what we need to assume is that with age function does change. Let us start being supportive and thinking of restricted licences and their application. As Professor Ivers has been saying, the licensing system is a solid, easier-to-control system rather than training per se. That is the message from the older drivers space.

The CHAIR: Regrettably, our time has drawn to a close. Thank you very much. We may wish to send you some additional questions in writing, and your reply would form part of our evidence and be published. Would you be happy to answer any such questions?

Professor IVERS: Sure.

The CHAIR: Thank you for appearing before the Committee this morning.

(The witnesses withdrew)

TERESA SENSERRICK, Associate Professor, Transport and Road Safety Research, University of New South Wales, affirmed and examined

SOUFIANE BOUFOUS, Senior Research Fellow, Transport and Safety Research, University of New South Wales, affirmed and examined

The CHAIR: Good morning and thank you for appearing before the Committee today. Do you have any questions about the information you have been sent and the processes today?

Associate Professor SENSERRICK: No.

The CHAIR: Would you like to make a brief opening statement?

Associate Professor SENSERRICK: We hope to present a balanced view on driver education in that it is not a silver bullet; there is no one perfect answer. We want to give a balanced view in response to some of the passionate views put to the Committee. This is a very passionate area involving well-intended and well-developed programs that are hard to implement as intended. We hope we can provide some balance across the whole-of-life spectrum with the various groups we have worked with and given our research over the years.

The CHAIR: I asked the previous witnesses about the value of computer-based training. Do you have a view on the use of simulators for both driver training and competency assessment of licensed drivers?

Associate Professor SENSERRICK: The term "simulator" conjures up very different models and equipment. The early simulators were vehicles you sat in or fractions of them. Other computerised training programs involve only a computer screen. There is a great deal of developing evidence on computerised training and what can be achieved with the better technology that is available today. However, as the Committee heard, there is a missing link. There is evidence that you can train and improve skills. I work extensively with young drivers. It has also been shown that those skills transfer to the way people drive on the road when they instrument their vehicle and watch what they are doing. It shows that you can transfer those skills.

However, we do not have evidence about whether it actually changes their behaviour in the long term; that is, whether it is reducing their crash risk and whether that training has a flow-on effect by reducing crashes. We do not have research or evidence on that area. When there have been studies, they have not shown a link. However, they are often not well designed studies or they are tenuously designed. There can be benefits from education that might be beyond what can be found in police reported crashes. That is where the gap is in the field at the moment; that is, we cannot say that this is the answer.

The most promising area in that respect is in hazard perception training. It is called various things; some might call it "hazard anticipation". It focuses on the whole sequence of where you are looking when you are driving, your search techniques, what you are looking at, and therefore what you perceive, what you choose to do in response, and enacting that behaviour appropriately. There is a lot of promise in that area, particularly looking at young drivers, new drivers and traffic offender programs. There are programs for older drivers dealing with the "useful field of view" approach, which deals where they are looking and what they are doing. There is a suggestion that that type of training can help to improve performance. However, the link to ongoing behaviour and crash risk is missing.

The CHAIR: I would like to follow on with that theme and skill updating or renewal. Many submissions call for mandatory periodic testing. Of course, there are many implications of that relating to practical issues such as affordability and economic impacts. Is there any evidence to support some form of periodic intervention, for example, at licence renewal, that requires drivers to be assessed on their driving knowledge, their capacity, their attitude, and their knowledge of the current modern vehicle and technical developments without that necessarily resulting in a pass or fail?

Associate Professor SENSERRICK: I would add to that list changes in road rules or perceptions of road rules. That is also one thing that comes up. There is also new infrastructure such as roundabout designs. You asked whether there was any evidence. No, there is no evidence as a result of evaluations being undertaken. The real challenge with any education program is what people know, what they are aware of, and what they do when they are driving. This is the challenge in talking about broad-brush programs. Intuitively you would say that there would be a role for updating people and reminding them about road rules, and particularly in respect of sharing the road with different road users. That has been the underlying message in many of the campaigns conducted in New South Wales about looking out for motorcyclists, pedestrians and so on.

The risk with the education factor is when it is about knowledge of rules, technology and so on. There is a role for that, but we do not have evidence supporting it. When it involves education about upskilling and

potentially raising someone's expectation that they might be a better driver if they were to undertake a course, they might believe they are driving better and therefore might accept more risk than they would if they had not done the training. That is the real risk with any skills-based education program.

Mr THOMAS GEORGE: I come from a regional area that attracts many overseas visitors. As a result, there have been a few accidents involving overseas drivers. Is there something we should be doing with regard to the flow of licences from country to country?

Associate Professor SENSERRICK: I have not looked at that issue recently. A project proposal involving that issue is out at the moment, and in particular in respect of Queensland, which has many visitors on the coast. However, I am not aware of any recent research that I could comment on at this stage.

The Hon. SCOTT FARLOW: Your submission outlines that 0.4 per cent of all licence holders are involved in a crash, and 639 are unlicensed. What strategy would you suggest to target unlicensed drivers or is there anything the Government could do in that regard?

Associate Professor SENSERRICK: The challenge is who are they, and there are many different avenues to being unlicensed. Obviously, it can be perceived as someone who has never been licensed. We think that tends to be a small proportion, but we do not really know. The other groups are those who have lost their licence and who may not have passed a reassessment or training to get a licence.

There is some evidence that if you make it impossible for people to get back into the system at all, for repeat offenders or high-risk offenders, and if you just cancel their licence forever that there is a chance they might go on to become an unlicensed driver. Whereas if they have options to go through driver improvement programs or have periods of suspension they are more likely to comply and follow it so that they can get a licence back again. The different strategies to work with different groups will depend on where the unlicensed drivers are coming from. That is just to bring you some statistics.

Resources are desperately needed in the area. Funds are presented as used for training for everybody but it is really a small fraction of people who are in the crashes. There is a good feeling of desire for everybody to be up to date and to know everything but if the ultimate goal is to reduce crashes, it is not necessarily the most cost-effective manner of doing so. It is cost-prohibitive and you are really not going to be getting the outcome you want, in terms of how much it would cost to train everyone. In looking at the statistics, that is where the unlicensed numbers jump out at you. So if you are looking at people coming in when they are getting their licence renewed or at any other stage, you are going to be missing some of those people who are in the crashes and are potentially in one of the highest risk groups.

The Hon. SCOTT FARLOW: In terms of the cost, one of the initiatives you outlined was with respect to targeting some of those high-risk offenders. You outlined resilience training for young drivers, low-cost computer-based programs for traffic offenders and older drivers, for instance. Do you want to walk through some of the evidence behind those programs and how effective they are?

Associate Professor SENSERRICK: I picked them up as a few examples because I did not want it to look like a comprehensive list. But working with young drivers, I can talk to that in some depth initially. The idea of just knowing about road rules and knowing about risk and not doing the risk, that tends to be the foundation of most education and that, on its own, is not effective in changing behaviour that is going to reduce crashes. Because really it is about the strategies and how we translate that information and what can we do if we are faced with that risk and how we respond to that, or how can we avoid the risk in the first place. That is where the resilience training programs are useful.

The one we evaluated was from the Northern Rivers area. That seems to have shown the most promise in the study that both Dr Boufous and I were involved in, with more than 20,000 young drivers in New South Wales. We looked at what programs they had done when they were learners or new drivers and that one just jumped out in the statistics as having a really strong effect. And yet it has been hard to have that sustained and moved on, whereas other lower cost individual programs are proliferating and we do not see evidence of effect from those. The difference with the resilience-based program is just general life skills, managing risk, particularly drug and alcohol, as was mentioned.

There is good evidence in the United States [US] where they have good alcohol and drug funding, so they are putting programs in schools to encourage students to think through their values, think about what they believe in, think about looking out for themselves and their friends, and what skills they can use for negotiating if they are confronted with things in their peer groups, or parents. Other factors are how to manage risk and look out for themselves and others. Even though they are not specifically a driver education program, they are a life skills program. A lot of programs in schools, in health programs and other areas, have this as part of their foundation but it could be beefed up a bit to include some of those driving-type risks in the examples.

These are the programs that are showing the most promise in terms of reducing crash risk for young people, rather than putting them in a car and teaching them about things specific to driving. When one is doing things across entire cohorts, some of the programs have multiple millions of dollars put into those programs, for example in Victoria, to take in all Year 10 students. A lot of these young people are not even driving. They may not even be learning. You might put them through a program of a day at the most and then a couple of years later they are driving. It is a big call to think that will impact on their behaviour.

Whereas the life skills-type programs are drawn out and they tend to integrate into the school curriculum so that students are getting the repeated messages to keep reminding them about their behaviour in general. It is not something they have to remember when they are driving a car one day. And these seem to be the most promising, in my perspective, in terms of an education-focused program, again focusing on strategies, self-reflection and understanding one's beliefs.

The other programs are with parents. Parents often think that young people do not listen to them and do not care about what they say but when one boils it down, most research says that although parents might not be where they are getting most of their information from these days, it is the most trusted information and that just sharing one's values with one's children, they take that on board, even if they do not let you know that. Just basic things such as knowing where your kids are when they are not at home, what they are doing, who they are with and when you expect them home are the biggest factors in reducing a lot of risks for young people in the adolescent stage. Again, this points to a general resilience and life skills phase that is not something that you want to just sit and teach people in an hour or a day. It is more of a generalised program that schools are tackling at one level, that could be beefed up.

The Hon. SCOTT FARLOW: What is the single biggest thing we could do as a government to reduce road fatalities? Would it be that, in terms of a general risk program?

Associate Professor SENSERRICK: I would have to say no. Education is not going to—it is probably the most difficult and complex of all your options. It is a difficult area to work in. I am developmental psychology trained and I think education has an important role as a foundation tool but in and of itself it is not the answer. It is difficult to think of, if you are wanting to address people who have been driving a certain way for a long time and it has become a habit, you can go into a cognitive psychology debate about whether it is conscious or unconscious or what term can be used but a lot of what one does is done without bringing it to purposeful thinking.

It is very hard to correct poor behaviour once it has been developed and it is difficult to overcome that by being educated or understanding the risk. So I do not think, of its own, that education would ever come to the top of the list but it is a supporting tool for all other approaches you might take. In terms of the young drivers coming into it, yes there needs to be education and I think establishing good habits from the very beginning is an area that one can move to. So there is a role for education there but also a role within the system of graduated licensing. The graduated licensing system often gets misconstrued as some sort of punishment system for young people, that they are risk-takers and we will punish them all for the sake of a few. What it is trying to teach is how to manage one's exposure to risk as one develops driving skills.

For all drivers, no matter what age, when they transition from being a learner, with a supervisor or an instructor with them, to driving on their own, that is the highest peak in risk that they are likely to face throughout their entire driving lifespan. That is showing that inexperience is the major factor in why there is such a big spike in risk at that time. For young people it is higher than if you are older when one makes that transition and that is where the adolescent development factors come into play. You will have heard people speak about brain development and I do not like to hear that young brains are not developed properly—it is properly. It is an important part of brain development but, as with a lot of developmental processes, they can be over-firing and over-developed before they settle into a good space. And unfortunately, right at the time that we start to drive in this country is when those processes are making it particularly hard to manage distractions. That is one of the factors. Other factors are that they are particularly prone to fatigue and emotional mood swings. All of that unbalanced developmental area is happening at the same time, which makes is much more difficult to manage.

What graduated licensing does is when you are first licensed—and again the highest risk for everyone is driving at night—is to get that experience. When people start to drive, their crash risk drops dramatically in the first six to 12 months. That is due to their on-road experience which is fundamentally different to being a learner. It is fundamentally different to anything you can learn in a simulator or on a computer. You need real-world experience; that is shown for all new drivers. What graduated licensing does is to say that you need that on-road experience, and so it is best to get it in conditions where you are most likely to manage the risk and will not put you in the highest risk conditions. For young people to have other young passengers in their car, it is

particularly high. That is different for other age groups. The idea of graduated licensing is to get that experience without putting you in the highest risk conditions of driving at night with a car full of young people.

It is about managing risks—in fact, it is managing exposure, which could mean reducing your driving. It is not necessarily educative, except that you are learning some sort of skill. We know that over the same time, the longer you have been driving, the more likely you are to get driving offences and to report speeding behaviour. All the things that we adopt as normal, and therefore are more likely to report, are going up but your crash risk is going down. There are some fundamental skills and experience that we are not able to teach. We do not have a package to say, "If they do this, they are going to be better drivers." There needs to be a period when they are learning on the road. We do not have the training to cover that yet. We are looking into it by doing research and trying to identify what is going on, but we are just not there yet.

Ms ELENI PETINOS: I am going to return to the theme of older drivers.

The Hon. SCOTT FARLOW: You have an axe to grind.

Ms ELENI PETINOS: No, they are comparative questions. One of the things raised with me is that the New South Wales testing regime for older drivers can be seen as harsh and discriminatory. The George Institute suggested that perhaps it is a vocal minority. Notwithstanding that, several submissions we have received would agree with the sentiments raised by some of my constituents. How do you respond to the proposition that the New South Wales testing regime for aged drivers is harsh and discriminatory?

Dr BOUFOUS: I will have to share the view of The George Institute because we have done a bit of research in this area. I do not think that what is in place now is somewhat discriminatory. We all know that there is a reality that once you go past 85 your faculties, your skills and the abilities needed for driving get reduced. That is just the reality, and something needs to be done that about that. The regime that is in place—that is, an annual medical examination and at two years testing if you choose to have an unrestricted licence—is not necessarily harsh. While we are talking about older drivers, in terms of driver training and education it is similar to other age groups. There is not enough evidence that shows that it translates into reduced crashes.

We have been involved in a large-scale randomised controlled trial and there is evidence that you can educate older drivers about different ways of planning their retirement by restricting their driving and situations they can try to avoid in order to reduce crashes—for example, driving at night, driving at peak hour and so on, depending on their ability. There is room for education in this area for older drivers, and more needs to be done. Also, there is a need to offer people alternative ways of moving. You want people to restrict their driving but keep their independence, and that obviously involves different ways of transport, being public transport, community transport or incentives to use taxis and so on. You want to help older drivers to make that transition. As I said at the start, the reality is once you pass a certain age—and I am not tarring everybody with the same brush—like 85, there is the reality of abilities being reduced.

Ms ELENI PETINOS: Would you describe the New South Wales regime as best practice? Why have other States not adopted the New South Wales testing regime for aged drivers?

Dr BOUFOUS: I cannot answer the second question because I do not know the reason.

Associate Professor SENSERRICK: When I started my research in this area nearly 20 years ago in Victoria, there had been actuarial studies that showed that if you think that you are in the twilight years, as they like to say, it has probably been decades since you have been tested for anything, besides a medical test perhaps. So the thought of doing a test means that a lot of people choose just to hand in their licence rather than have a test. That can be quite counterproductive to overall health and wellbeing, as was mentioned earlier. It is related to reduced social activity, general functioning, anxiety, depression, and it is a risk factor for earlier death in some circumstances. If you want to look holistically at health, that is not an option you want for people who are able to drive safely and there are other systems in place.

Because of declines in vision and cognitive function, most older drivers find driving in the dark difficult and so a lot of them will not drive in the dark or they will not drive into a city. They manage and regulate their own behaviour to avoid complex systems, but there are those who are perhaps high risk but can fluke a test. Again, we do not have the perfect test in the same way as we do not have a perfect driver education package. You can have false positives as well as false negatives. When that is taken into account, it was not shown that there was any likelihood of a reduction in crashes. That is the bottom line; it is expensive to implement something new, and if there is no evidence that it is going to reduce crashes overall that is why it was not introduced at the time. This is going back a while, but I know it was the case then. But is it the best practice?

Dr BOUFOUS: I do not think that there is strong evidence to say what is best practice in the area, no. But there have been studies which show that regimes such as this have the potential to reduce exposure to crashes.

Associate Professor SENSERRICK: Having a supportive system of transitioning, of allowing driving in restricted conditions that are safe and supporting a transition to not driving when the time comes. That is where the evidence base lies, I would say.

Ms ELENI PETINOS: Both your evidence and the evidence of The George Institute touched on the fact that older drivers should be presented with alternatives in terms of either community transport or increased public transport networks. I have an elderly grandmother who has macular degeneration, so I am going through this process with her now. She has driven her entire adult life but all of a sudden she cannot drive. My family is finding it is not particularly successful in getting her to adjust to changing her lifestyle and having to shift to other modes of transport. The family ends up being her mechanism of transport as opposed to her relying on public transport or community transport links. Is there any evidence that older people adjust to completely changing their lifestyles to incorporate mechanisms that are available or are we encouraged to put in infrastructure around them that ultimately they do not want or feel comfortable using?

Dr BOUFOUS: From the study that we have done, the infrastructure is just not there. The study I was talking about was in the north-west of Sydney. The public transport is not there and the community services are quite low. A lot of the respondents we talked to did not even know about the existence of some community services. I am not talking specifically about your grandmother, but—

Ms ELENI PETINOS: It was just a hypothetical so that you do not think I am picking on a group of people.

Dr BOUFOUS: Sure. Generally speaking, I think the support and the infrastructure is not there. Adding to that, people do not know about what exists. You were asking about whether there were studies that looked at how that works. There has not been much because this is a very new area of research. My understanding, from the study that we have done, is that if the infrastructure and the services are there and people are knowledgeable about them that would be a way of working with older people through that transition. Frankly, I think that is really the only way, apart from, as you said, putting the burden on the family. We have heard that. We have run focus groups and we have heard families talking about how the burden falls on them to pick up the pieces and take people to wherever they want to go and to keep that independence and community involvement and so on. So I think more needs to be done in terms of providing the infrastructure and support around older drivers to make that transition.

Mr ADAM CROUCH: Earlier this morning you probably would have heard evidence given by another group of witnesses that there is currently no Australian research to support the claim that advanced driver education does not assist young drivers. Have you done any research yourselves into advanced driver education for younger drivers—that it either reduces or increases risk of risky behaviour. You mentioned earlier about starting in year 10 for whole-of-life experience. My question is: Do you see a problem with introducing a driver education program through that period? Obviously one day in a driver education course is not enough. Should it be ongoing through students' last couple of years at school? I know this is a long question, but you also mentioned that in the first six months there was a dramatic improvement in driver behaviour. Would you see a benefit in having a driver education program with them taking part during that first six months as well?

Associate Professor SENSERRICK: There are a few things there. It was not an improvement in driver behaviour but crash risk reduced dramatically in the six months. We are trying to get some research up to look at the driving to see why that is. We do not know why that is. Their behaviour is probably getting worse as a cohort overall. Young people are characterised as being extreme risk takers, with speeding and reckless driving. It is really actually a very small proportion of the population. That is not the major risk for getting into crashes, but the obvious and dramatic crashes that they do have get media attention. That might stand out when they are overtaking on a rural road. In fact, that behaviour is evident in all age groups and sub-groups of the population but when you are a new driver it is much more likely to get you into a crash.

We have very high percentage rates—in the nineties—of wearing seatbelts but in any given year in 20 per cent or 30 per cent of the fatalities people were not wearing a seatbelt. That is because the risk of being killed in that crash is much higher. In the same way, the risk behaviour is much more likely to result in a crash. So it is not prevalent and it is not widespread. So it is some skill of management. Only because it is the most researched one, the one that we now know best about is the hazard perception. There is definitely good evidence to show that they can improve skills. When these programs are done comparing young and new drivers compared to experienced drivers, the experienced drivers are much better and the young and new drivers are

worse. But the experienced drivers are not getting anywhere near 100 per cent pass rates on these types of programs either. There is room to upskill generally in hazard perception.

We talk about human error or human factors. We are limited as human beings in what we can see when we are driving in relation to our driving error. Another common thing that you hear is that 94 per cent of all crashes are caused by human error and it is considered to be risk taking. Part of it is that we cannot see around corners and we cannot see around parked trucks. We are not always as good as we think at judging gaps when cars are going at different speeds and are at different distances. I got caught recently. There was an e-bike. I thought, "There is a bicycle up there," then I turned around and there it was, right on top of me. We are just human and those factors contribute to these crashes as well.

We cannot train someone to look around a corner. We can train people to improve their attention and not be distracted, but as humans we are susceptible to those behaviours. A lot of those factors that contribute to crashes are not just about voluntary behaviours and choices in what we do. So, yes, I think that there is a role for education. We need a foundation—knowing the road rules and knowing about vehicle handling, and having techniques to be more aware and be more defensive. You mentioned advanced driver training, and we tend to make a distinction between defensive driver training and advanced driver training. It is not necessary the way that the industry does it. It could all get called advanced. Defensive driver training is about making the driver be aware of how easy it is to get into a crash and to drive in a way that is defensive to avoid being in a crash. Advanced driver training we categorise as being skilful enough to avoid an imminent crash, for example, skid-based training.

Those advanced skills tend to be used with experienced drivers because we are not teaching them from the beginning. I have done my own research with respect to young people and have studied this a lot with respect to experienced drivers as well. They are not related to gains. They seem obvious but they do not tend to roll out. Across the cohort, you do not see a reduction in crashes. For young people it is actually worse. I am sorry for the gentlemen in the room but it tends that with young males in particular you have this miscalibration risk. They think they have developed these skills to avoid the crash and therefore they accept more risk. There have been several studies in Scandinavia and in the US and other areas. In the case of Scandinavia the study was country wide. It was a fairly clear finding.

They have snow and ice on the road for much of the year. They are not allowed to learn to drive with parents or lay people. They can only learn to drive at driving schools. So they brought in a module to teach drivers how to correct when they skid on the ice in order not to have a crash. Very clearly, those particular types of crashes for the young people who were trained in them went up, mostly just for the young males. The researchers thought, "How can this be? It is counterintuitive." But when they did observational studies they could see that if you are not trained and there is a very icy road you might choose not to drive in those circumstances or you might drive very slowly because you are feeling uncomfortable. If you have had training you might think, "I know how to do this, I have had the training," even though it may have been for one day. So you are more likely to accept risk.

I do not want to make it sound like overconfidence or people going out there and speeding but there is a general increase in how much risk you accept, and you have not developed those skills. You might do the training one day and two or three months later you might need to use that skill. Unless you have been practicing it, it will not come quickly. Those advanced skill courses are of particular concern. They are attractive; people like them. They make sense because young people crash because they lose control of their vehicles, so people think that we need to teach them how to gain control of vehicles. It is really tough to tell people who dedicate their lives to doing this that it does not work and that actually it can increase risk for young men if you do it across an entire cohort. There can be individual cases, nervous drivers. I believe there is a role for driver education but if you talk about presenting this across the board, everyone has this training, advanced training is the worst one to gamble on.

Mr ADAM CROUCH: So you would say that in that particular instance, an ongoing defensive driver training assistance would be more successful. You would be making them situationally aware, not "This is how you react in a skid," or "This is how far it will take for your car to break." Ongoing training in those few years when they are getting their licence would be—

Associate Professor SENSERRICK: It is about how to drive to prevent crashes, which might include not driving at all; having strategies to keep out of risky situations; and when you are driving to drive defensively. A lot of that is just keeping attention. All new drivers—it is not an age-based thing—tend to be focused on what is happening immediately ahead. They are not looking far ahead and predicting what is happening. That ties in with those hazard perception skills again. They also tend to drive a little bit closer to the car in front. It is even about getting people to hang back. The further you hang back from the vehicle in front the

more you can see and work out what is going on and the more time you have to react so that you do not get into a crash or avoid a serious crash. There are some basic things that are out there, but again there is no evidence-based program about training them and showing that they are there. If there are going to be driver education things, yes you want to avoid the advanced skill work, you want to go more to prevention, defensiveness and resilience training and maybe avoiding the word "driving" altogether because these are skills that can transfer across a lot of risk behaviours.

Mr ADAM CROUCH: We were given data recently about accident figures. I was shocked to find that the highest accident figures involved people aged between 35 and 55. Statistically they are involved in more accidents—and that is my age group. The George Institute said to hit people with big fines and that deters them from doing that. Could it be something that could be offset where you have two options: (a) you can be hit with a big fine or (b) you can undergo some defensive driver training skills for those people in that age group because statistically they are more likely to have an accident? Do you see a benefit for that sort of program?

Associate Professor SENSERRICK: There have been some traffic offender programs that are based on that premise. You either show good behaviour and you do not have any reoffending and get your points doubled, which sort of exists generally, but also can we train you to be a better driver if you go into an improvement program. They tend to be more education, classroom-type programs or online programs rather than in-car programs. There is some increasing benefit, which are the programs that I mentioned with traffic offenders, with some online programs. Again, the one that I mentioned in the submission was based around those hazard perceptions, those human limitations, what they call the "safety bubble", being aware of your surroundings and driving defensively. There is some increasing evidence that they might be useful but I have not seen them for older driver cohorts. What tends to happen in offender programs is that no matter what offence you get into you are all lumped together in the same program.

What the evidence would suggest, if it is speeding you really need some intensive behavioural change-type program that focuses on speeding. If it is alcohol it might be alcohol dependency, or it might be social lifestyle factors and you need a different type of program. Again, across the board there is not just one easy answer to that and there is not one simple package. There is potential for those programs but they need to be better delineated and targeted at the offences. Certainly, yes, the majority of offences is that middle-aged group and males again. Where the other age groups, the older groups and the younger groups, come in is because it is relative to the number of them with licences. The proportions are very high relative to that middle-aged group, but the number of offences is definitely that group.

The CHAIR: We do have to draw this session to a close. I would like to thank you for appearing before the Committee today. We may have some additional questions, which we could forward to you in writing. Would you be happy to accept those?

Associate Professor SENSERRICK: Yes,

The CHAIR: They would form part of your evidence and be published.

Associate Professor SENSERRICK: Thank you.

(The witnesses withdrew)

(Short adjournment)

MICHAEL HUMPHRIES, General Manager, Australia Driver Trainers Association, sworn and examined

ANTHONY COPE, President, NSW Driver Trainers Association, sworn and examined

The CHAIR: Do you have any questions about the information you were sent regarding today's process?

Mr COPE: No. It was pretty thorough.

The CHAIR: Would you like to make a brief opening statement?

Mr COPE: Listening to the last witnesses, and it was in our submission, the idea of driver training, advanced driver training and defensive driver training always get lumped in together. We feel that it is very important that when we talk about driver training and driver education we do separate what we and our members are doing on a day-to-day basis. Teaching young learner drivers and maybe some older drivers as well is very different to what would happen in advanced or low-risk driver training courses out there on closed circuits and so forth. There is very little evidence to say that what we do is effective as well. There would be a lot of anecdotal evidence but little research into what we do. That is what we would like to see: a bit more research into it.

Mr HUMPHRIES: Thank you for the opportunity to appear today. I think the importance of this hearing will bring out some key misconceptions in the community about the value of driver training. Hopefully we can demonstrate that practitioners of driver education in this State are a group of people who do a very good job and their skills are an integral part of the partnership that is formed during young people's formative years by their learning how to drive. I also hope that we can see some further discussion as to how the licensing process is undertaken in New South Wales with a view to bringing it into this century and into a place where it can have the most effectiveness for those young people and avoid them being hurt on the road.

The CHAIR: I open the questioning by asking: What value do you see in computer-based training? Do you have a view on the use of simulators for both driver training and competency assessment of licensed drivers? That could be something to enhance the work, not to replace it. At a later stage do you see any value in introducing that for drivers who have not been tested for many years?

Mr HUMPHRIES: Certainly for drivers who are undertaking reassessment or retraining, I can see greater value because they have a greater breadth of experience in terms of what they have already experienced on the road and in their driving life. For young people computer training is very useful in terms of black-and-white issues, that is, road law, who gives way, who should be doing what. But young people do not have that breadth of extra circumstances that pop up, and really that is where being in the vehicle counts. Certainly computer simulation training would be an excellent supplementary training aid but, really, young people need time behind the wheel so that they can be exposed to as many circumstances as possible.

The CHAIR: Would you therefore see that there would be a role prior to the on-road activity?

Mr HUMPHRIES: Yes, and in conjunction with it, possibly, as part of that learning syllabus.

Mr COPE: Simulation and computer stuff is good at physical motor control skills, learning how to operate a piece of machinery and learning how to operate a vehicle in some respects. What it does not actually do and what it cannot simulate very well is the motivations behind people taking actions on the road, the behaviours displayed on the road and also the values that might influence that as well. That is a very difficult thing to simulate. It is something that has a massive impact on what we do as drivers, whether we are young, middle-aged or older drivers—the motivational aspect to driving at lower risk and taking action before something occurs on the road. Very difficult to simulate.

The CHAIR: Regarding driver trainer standards, are there adequate mechanisms to monitor the performance of the performance of driver trainers to ensure compliance with professional standards? How would you want to change current regulations?

Mr COPE: Blanket no, I would say first off. We are supposedly a regulated industry but there is actually very little regulation within our industry at the moment, which is a big problem. One of the issues is that it is also market driven. If you have clientele who simply want their learner driver to pass the driving test as cheaply and as quickly as possible there is a market force that says, "You know what? I'm going to provide them with really cheap lessons, drive them around test courses and teach them that test course by rote", and that is a real issue.

There is nothing that regulates that in the respect that pass rates can be looked at, and that person would have a high pass rate. Fantastic, but it does not mean they are a very good instructor and it does not mean they have educated or helped that person to drive safely on their own once they actually pass their licence. There is no follow-up, essentially, from government. As industry associations, we try to help our members develop professionally and provide a better service, but again that is on a voluntary basis, unless they are interested and motivated to undertake any sort of professional development, they just do not do it.

Mr HUMPHRIES: A large problem also exists at the driving instructor entry point. To become a driving instructor you need to undertake a certificate IV level course. The operators that provide the course in New South Wales that hold the deed with the RMS [Roads and Maritime Services] tend to go through a process of proving their capability and the quality of the course they run. Sadly, the course is also offered by several interstate providers, and the RMS will accept their certificates. We have heard of people being away for as little as two or three days and coming back with a certificate IV driving instructor qualification. Having chatted with them, we have found that they spent less than one hour in the motor vehicle. That makes me sad because we do a big job. I have been an instructor for nearly 28 years. When I first got my instructor's licence it involved going down to the motor registry, answering 10 questions, paying the fee, getting a pat on the head and being given a driving instructor's licence. The industry is now more advanced and what we are doing is far too important.

The last witness talked about vehicles, interest in vehicle standards, and how they have changed over the years. I can now hop into a Mitsubishi Lancer—a relatively inexpensive car—but as a provisional driver I cannot hop into another car. I had a Premier HQ with a 253 V8 engine, but the Lancer would take the Premier off at the lights in a cloud of smoke. We are dealing with very different environments in terms of driving and the number of people on the roads. Therefore, the standard of instructors needs to be improved. Unfortunately, catching the plane to Brisbane and coming back with a certificate IV two days later is causing a problem for us.

The CHAIR: That is very interesting. I would love to get back to the issue of non-professional driver trainers as well.

Mr ADAM CROUCH: I have the privilege of living on the Central Coast and I have met some fantastic driver instructors there. You would probably know who they are. They are outstanding and they do a very difficult job in difficult circumstances with very high stress levels. It has become evident to me that there is a lack of research with regard to additional defensive driver training and how it relates to younger drivers. You have highlighted the first weakness from an industry perspective. Would the second weakness be the fact that there is no follow through and no link between having an L-plate, a P-plate and then doing a defensive driver training course? Would you see any benefit in their being linked and working together with driver training organisations to continue that education?

Mr COPE: Again, and this follows on from what previous witnesses have said, one of the issues is that we need a clear definition of "defensive driver training". Not having that is a real problem. The general populace thinks that defensive driver training is learning how to control a skid and getting out of problems when your car is going sideways. Being honest, and anecdotally, I have not had to know how to get out of a skid since I was 19 and stopped driving like an idiot. We have all made it here today because we do not get ourselves into those situations in the first place. If we are to have that conversation about defensive driver training, we need a clear definition.

Low-risk driver training is more the way we are heading. Many of the previous advanced driver training courses involved skid control and so on. Training organisations have changed their business models to deal with more low-risk stuff. That involves learning how not to get into those situations, dealing with fatigue and how higher order skills play a role in driving. Is there scope for that sort of stuff to be used along with what we do in our day-to-day role? Possibly; I do not have a definitive answer. As you said, there is no real research that demonstrates that that would work.

Mr HUMPHRIES: One of the key problems throughout the licensing system is that everything is based on time. The fact that I can live and breathe for 17 years is my major qualification to be allowed to drive. I note the knowledge test questions. I have five kids and I have watched them sit at the computer and learn the answers by rote. Passing a driving test is not that hard. Having just done five lots of 120 quality hours with my kids, I am glad I am at the end of it. In regard to upgrading licences in higher classes, a person can obtain an HR licence and must wait for 12 months to move to the next step. One applicant will take the licence and put it in his pocket and continue working in a bank whereas the other applicant will be working on the roads and gaining and developing his skills. The issue of time is a big flaw.

Continuing education is a big key. I am still an active car instructor and I am also an active heavy vehicle instructor. The comment that I get from my heavy vehicle clients, almost unreservedly, is how glad they are that they came back and undertook training. The common thread is, "How good would this be if we could do

it more regularly". The problem is that it is market driven. They could do it as regularly as they like but it will cost them. Obviously much of their enthusiasm and passion disappears. There is room for it to be done inexpensively by using technology; it can also be done in groups. There are many ways in which people can update and refresh their skills. That should start when they are young so that it becomes an expectation. That would be a great thing.

Mr ADAM CROUCH: You mentioned wanting to do more training. We heard that hitting people with large fines is a great way to teach them not to do something. Would it be better to provide additional training rather than to impose a fine? Would having an incentive to do additional training in lieu of paying a fine improve the system?

Mr HUMPHRIES: The program would need to be structured in such a way that it was not simply a sausage machine. You would have to tailor programs to offender groups; it cannot be one size fits all. Bunching everyone together is ineffective. You could have all of the habitual speeders together and you could explain the implications of their behaviour. That could also be done with habitual drink-drivers and habitual mobile phone users. I am sure someone could develop something to scare those people into line.

Mr COPE: I want to deal with penalty versus incentives. Penalties do not necessarily model the behaviour we would like. New South Wales drivers have 13 points on a full driver licence but we lose only one point if we are caught doing one to 10 kilometres an hour over the speed limit. We know that speeding is still one of the largest behavioural factors contributing to crashes. By changing that points system, we have said that a little bit of speeding is not too bad. In fact, you can get caught speeding up to 12 times before your licence is taken from you. We have said that "Speeding is really bad and that it causes a lot of crashes but we are not going to penalise you very heavily." We are sending mixed messages in terms of fines and so on. An incentive program might work better, and we have that with half-price licences if a driver has had a clean record for a certain number of years. That is good. My wife was very surprised about that when she recently renewed her licence.

Mr ADAM CROUCH: So was I.

Mr COPE: Discounted insurance would also be a big incentive. That then holds over for people like younger drivers. If we find that programs such as the Safer Drivers Course have been effective, perhaps that could be an incentive. They could get cheaper insurance if they had done that course. Admittedly, the review of that course is yet to be done. However, we need to look at that for younger drivers as well as the middle-aged group. As you said, they are having more crashes than younger people.

Ms ELENI PETINOS: I have been a little sidetracked by the reference to mobile phones. I was going to ask you about training, but your reference to mobile phones triggered memory of a conversation I recently heard on talkback radio about training versus implementing technology that blocks phone signals in vehicles. How effective do you believe training would be in preventing certain behaviours, such as using a mobile phone in a car? Would it be successful in preventing that behaviour, or is technology the answer?

Mr HUMPHRIES: The use of mobile phones in vehicles is probably one of the most contentious issues. Most young people believe that banning the use of phones in vehicles is an infringement on their rights. They find it very hard to stop doing that. To develop that program designed around mobile phone usage in vehicles could be done easily, and I think it would be effective. However, it needs to be done in such a way that you show clearly the losses that occur. What does travelling for one second at 60 kilometres an hour mean? It means 27.5 metres.

To demonstrate all these things, some of the ads we have seen on television that simulate the eyes being covered for two seconds and the change in what is being seen, they have been quite effective and people have taken that on board. In terms of technology to block phones in cars, there are other functions people use on their phones such as the global positioning system [GPS] maps and the like in order to get where they are going. The other risk is when you have had a single vehicle accident and, for whatever reason, the power is stuck on and you cannot use your phone or maybe you are stuck in the car. I suppose that is not a major consideration. But educating young people about phone usage is one of the big requirements at the moment.

Mr COPE: I think one of the challenges we face in attempting to train people to not use their phones and so forth, is that the behaviours we display, in a car or in life in general, are based on our lifelong values and our world view. If I value my safety and the safety of others over and above everything else, I will not pick up my phone. If I do not really care so much about that and I believe that these things will not happen to me anyway, I am going to pick up my phone—I will look at that text message, I will look at the phone when it pings and things like that. We all feel it, we are all human and have the instinct that, the moment the phone vibrates or the screen lights up, we want to check it. Teenagers are even worse but it is the values we have built

over time that stop us from doing that. That is a difficult thing to train. You can talk to people as much as you like but unless you change those values, you will not get the success you want.

Ms ELENI PETINOS: Still with training but nothing to do with phones any more—

Mr COPE: Older drivers?

Ms ELENI PETINOS: No. I could but I thought I would not do that in this session so I am not age categorising anyone this time. I am going to ask about metropolitan and non-metropolitan driving. I live on the fringe of metropolitan Sydney, so I have grown up in a national park and am exposed to lots of different types of driving on a daily basis. Sometimes I am avoiding animals and cyclists, at other times I am dealing with normal metro driving conditions. Are there differences between the training and education requirements of metro and non-metro drivers, what are they and how should training and education be adapted to address the differences that road users face?

Mr HUMPHRIES: The biggest thing that each of those groups needs is a good dose of what the other one does. I built my business in Griffith and then in Wagga Wagga. I sold my business in Wagga only a few years ago. I am now up in far north New South Wales. I am still dealing with a lot of regional young people. We used to get people, especially in Griffith, coming in with many, many hours in their training records and yet you will come to your first roundabout and they will say, "What is this?" To accumulate 120 hours of driving, if you live two hours from your nearest town, is not hard to do at all. Unfortunately, most of those hours is not giving learner drivers a skill set that is transposable to anywhere else. The difficult thing in this country is that a lot of places are a long, long way away from anywhere.

I have been fortunate in that I have been to America studying the licensing system over there, based mainly on heavy vehicles but also the light vehicle testing model. The good thing in the United States is that there are reasonably sized towns not too far from anywhere, it being a more populous country. So most of the kids, as part of their driving, do get time which they spend in a nearby large town or city. How do you overcome this? The only real way is, you would say to the kids at Walgett and Lightning Ridge, "You need to go to Dubbo and do five hours training in Dubbo". That would probably fix a lot of those issues, in terms : How do I deal with this situation? Can you implement that or is it cost effective? That is a whole massive argument that we probably would not see.

Similarly, young people who might grow up close to the city will have limited experience or ability to deal with long-distance driving, driving at night, wildlife and all the other things that I find second nature because of where I grew up and where I learned to drive. In a perfect world we would put all the kids in a few planes and swap places for a day or a couple of days and say, "This is how it works", and then send them back again. The worst way this is seen to be working itself out is young families going on holiday from Albury and heading to Dreamworld on the Gold Coast. Dad's behind the wheel, the kids are in the car. The furthest dad drives every day, he might be living very close to his workplace, and they do not understand the issues of afternoon fatigue and they do not understand the issues of the wildlife bang on dusk. It can lead to tragic circumstances, as we have seen over the years. There is no easy fix to that one but they are two very different skill sets and they do not transpose well.

Mr COPE: If I could echo that in terms of what one does not have, they need what the other one has. I am a shire person and we are lucky that we have a lot of stuff on our doorstep in that respect but they do learn differently. People in regional areas have often developed some mechanical car control skills from a very early age from driving around the paddocks and things like that. They learn very differently. The challenge for training those people is getting them to integrate with other people on the road. They think that because they can operate a piece of machinery such as a vehicle that they can drive but that integration with everyone else on the road network is the bigger challenge. For the people who live in metro areas, they have already been doing that as pedestrians and so forth. They have already had to integrate with other people on the road, so they learn in a different way. Maybe this is where the question about simulators may have a benefit.

The CHAIR: That is where I was going right now.

Mr COPE: If you have somebody experienced in a country area, the practicalities of getting those people to come to densely populated areas is not feasible. It may be where a simulator could have some sort of benefit in showing how they could integrate some other skills into those different environments.

The CHAIR: Thank you for making that point. That is exactly what I wanted to ask.

The Hon. SCOTT FARLOW: Mr Humphries, I am interested in your point about prerequisites and the main prerequisite to getting a licence being living for 17 years. We have 120 hours. It is not necessarily so much an assessment of skills, it is time and, as you said, it is quite easy to get a licence. I cannot remember

which submission it was in but one raised the issue of the three-for-one discount in terms of professional driver training and the perverse system, so to speak, where there is a view that it is a maximum of 10 hours.

Mr COPE: That was mine.

The Hon. SCOTT FARLOW: Can you explain how you are finding that translating on the ground, whether that is what people are doing to reduce their 120 hours, and also, from both of you, what could be a better system to be employed?

Mr COPE: What we did see prior to the three-for-one coming in in 2009, I think it was, that lesson averages per client to driving instructor were much higher than 10. It depended on who you talked to. Some would say it was much higher than that but generally it was higher than 10. What we have seen since the three-for-one came in is that the learner drivers are only placing value on the 10 driving lessons because they are the only ones they are going to get the bonus credit for. So it has changed their perception a little of what our value to them is. Our value to them is, "Get me through the driving test and get me some extra hours in my log book." That is a bit of a problem for our industry. It is not so much about cutting our business and losing money and things like that, but we have less opportunity to have a positive impact on the driving future of these people because they are seeing us less.

What is the solution to the problem? I am not too sure. In Queensland they did not limit it to 10. You could get the three-for-one for an unlimited number of hours. There are problems with that as well. If you make it unlimited, then that person might only do 30 or 40 hours of actual driving before they can then go for their licence. That is not a solution to the problem. So I do not know the answer to your question in terms of what the solution is, but it is the public perception of how they value our industry and that is a problem for us.

The Hon. SCOTT FARLOW: Then broadly, away from an hours regime and more to a competency regime, do you think that would be a better system or do you think there are elements of our system at present that could be changed to assess competence a lot better than it does at present?

Mr HUMPHRIES: Competency assessment is a great tool. I still think that the regulator needs to be in the position at the final issue of licence. I do not think the car instruction industry is mature enough to be looking at a competency-based model at this stage; we would be inviting issues. However, if we could have part of the assessment conducted by a licensed instructor and get some of the stuff out of the way, so a short exit test, by doing this in a competency-based format you can train a student to a peak performance in terms of what they are going to provide and they will not mind doing that training. It is leading to that outcome for them and it becomes an integral part of the driving process. With regard to 10 hours, Queensland went back to 10 hours because of the abuse of the numbers. Just too many people were pumping through 30 quick lessons, because in Queensland the requirement is 100 hours, and presenting for a test.

The Hon. SCOTT FARLOW: Very few industries say they are not sufficiently regulated, so I commend you for highlighting some of the issues with the industry. We raised the point of people teaching to the test by taking a certain route. For my driver training in Lidcombe, I went around and around the circuit used for the road test. What could we do to change the way that we assess, so that you cannot teach to the test?

Mr HUMPHRIES: They are a cunning mob. I know that when new Service NSW sites have been opened there is a cohort in our industry that will sit in unmarked cars at the gate with their hat and sunnies on and keep following cars around. I am embarrassed to admit that as an industry representative. This is an item on its own in our code of practice. You should not really care where driving test course goes. I do not know where they go in Tweed Heads and I could not care less, yet my students are all passing because they have been educated correctly in how to perform the tasks that are needed.

Unfortunately, there is a sector in our industry that recognise that a sector of customers want nothing more than to pay a small amount of money and drive around and around the test course. Our office in Auburn is on one of the test routes, and you will see one yellow jacket, which will be an RTA [Roads and Traffic Authority] inspector coming past and then there will be eight or nine driving schools sailing along the road behind them. It annoys and frustrates me. I do not know how to regulate around that, short of having 20 different test routes at each centre. It is very hard to build a test route because of the requirements on them. It is hard in some areas to get the three that are required, let alone ideally the 10 or 20 above that. It has been a bugbear since time began, and I do not see an easy answer to that.

Mr COPE: The driving test was overhauled in 2007. It went from about a 15- or 20-minute test to around half an hour, with much more focus on hazard perception and responding to hazards and with less weighting on things like reverse parking and three-point turns. Perhaps the time is right for another overhaul sometime in the near future. In the United Kingdom, for example, a section of the driving test is about independent driving, with a learner driver being marked for following directions by the examiner. At a certain

point the learner driver is given the idea that they have to follow some signs to a particular destination or they have to follow a map. That is independent driving. We do not have anything like that. We do not have any assessment of whether that person is ready and able to drive on their own; that is what the driving test should be. It should be an assessment of whether a person can drive on their own, but we have not assessed that.

The fact that the crash statistics go up significantly shows that we have not actually assessed that very well. I was speaking to somebody years ago about a driving test they had suggested to the New South Wales Government. The test was to look at how a person could get some points back at the end of the driving test if they had lost, say, 10 points off their driving test. If that client was able to say, "I made a mistake at that intersection because I did not check my blind spot" and could identify their errors, that would show more self-assessment and the ability to monitor their driving. I love that suggestion. Whether or not they would still pass the test, I do not know. Perhaps the solution is to overhaul the driving test again.

Mr THOMAS GEORGE: What percentage of driving instructors in New South Wales are members of your associations?

Mr HUMPHRIES: When we look at the combined figures—and that is difficult because some instructors are members of both associations—and the number of licensed driving instructors in New South Wales versus the number of active driving instructors, we note that there is a difference. Some instructors have a licence but do not teach. They renew it every five years but have not done anything with it, but they are a minority.

Mr HUMPHRIES: About a quarter to a third, maybe.

Mr THOMAS GEORGE: How many in total?

Mr HUMPHRIES: Of 4,000-plus in total.

Mr THOMAS GEORGE: We are saying to young learner drivers that if they get lessons from a driving instructor they will get a discount, but we do not regulate the driving instructors to a certain standard?

Mr COPE: Correct, and there is very little incentive.

Mr THOMAS GEORGE: That concerns me.

Mr COPE: Absolutely, and we would like to think that between us we have captured all driving instructors as members and that we could help them with professional development and so forth.

Mr THOMAS GEORGE: And you could have a code of practice.

Mr COPE: But the fact that we only have a quarter to a third of them as members, who are being updated with information, being part of professional development and so forth, is a problem. That is partly because there is no incentive for the other people to become members.

Mr THOMAS GEORGE: Which department regulates you—Fair Trading?

Mr HUMPHRIES: No, RMS.

Mr THOMAS GEORGE: Only RMS?

Mr HUMPHRIES: The legislation is actually held by Transport for NSW.

The Hon. SCOTT FARLOW: What percentage of your membership base are full-time driver trainers and what percentage are part-time?

Mr COPE: That is a question I have not thought about.

Mr HUMPHRIES: I would suggest most, well in the 90s, are working full-time.

Mr COPE: I would have to say about the same for us. There are a few part-timers, but not many.

Mr THOMAS GEORGE: You have said that the industry needs to be regulated to go forward.

Mr HUMPHRIES: The industry is seeking it, too. I have run 12 professional development events this year and every one was filled to capacity. There is no shortage of people wanting to be upskilled and upgraded. We have great attendance at conferences and there is a thirst for instructors to improve themselves. Unfortunately, there is also a cohort that sit below the line and drive around and around test courses.

Mr COPE: The reality is there are market forces behind that. Obviously, if you have fantastic driving instructors in a particular area doing a good job and people who are undercutting them while doing a dodgy job

and not producing a quality driver at the end of that, they are still getting a lot of work. We would like those people to leave the industry or to improve and bring themselves up to the standards we are all seeking.

Mr THOMAS GEORGE: Coming back to older drivers—I have found out why I was reinstated to this Committee: to represent the older drivers—a lot of submissions have described the New South Wales testing regime for aged drivers as harsh and discriminatory. Does your organisation have any thoughts on that?

Mr COPE: The "d" word gets thrown around a lot when we talk about older drivers. My counterargument is: Are we not discriminating against younger drivers as well? We are making it difficult for younger drivers to get a licence and we are restricting them for a four-year period. In that respect, I do not believe it is discriminatory. Previous witnesses have spoken about cognitive ability, vision and things like that. They said that health declines at a certain point, for some people earlier and for some people later. We are identifying a group of people where risk is higher, so we have to address that in some respect.

Mr THOMAS GEORGE: Following on from that, New South Wales is viewed as best practice. Why have no other States adopted it?

Mr COPE: We heard some reasons earlier. I would throw in the idea that it would be political suicide for politicians to support it, given the grey army and the growing number of older drivers in our community. Many of those would view it as being discriminatory and would not support it. Therefore it would not be supported by local MPs. That is one thing. To finish off the part about it being harsh, we also heard that the fail rates are extremely low. I heard from one driving instructor who said, "To fail somebody and take their licence from them they pretty much have to run over somebody, reverse back over them and get out and shoot the person to make sure they did the job." That is the reality. They are not failing their tests. They are not getting their licences taken from them. I cannot remember the last figure I heard but it was very, very low. It is extremely rare for somebody to fail and have their licence cancelled. It is not that harsh in reality.

Mr THOMAS GEORGE: All the cases that have been presented to me have been failed on health risks, not driving risks. How do you overturn a doctor's decision?

Mr COPE: There are large benefits in the system that we have that it encourages them. The fact that they have to have that annual medical check-up is keeping the people in the system and making sure that GPs are aware of their health. By doing that we are at least keeping the GPs up to date with what these people's health is like, by default, as a result of driving assessments.

Mr HUMPHRIES: Bear in mind, too, that if we looked at a whole-through-life licensing project—this was alluded to before—the older driver assessment would just become another step. Bear in mind that people who are now 85 got their licences 70 years ago when there probably was not even a driving test. It was probably a nod, a wink and a handshake and off they went. This is a very big step.

Mr ADAM CROUCH: I have a follow-up question with respect to Mr Farlow's comment about your desire for initial regulation. As an association, what regulation would you want in place to drag up the 30 per cent of trainers that are not up to par, willingly or not. It is an awesome responsibility. You are putting young drivers and some older drivers out there. In some cases it is life-and-death stuff. What sort of regulation do you want to assist you to get those 30 per cent over the line?

Mr HUMPHRIES: We have started a voluntary process which rolls out at this year's annual general meeting. It will be a professional development points structure. It is common in many industries. We believe that there is a lot of education that is relevant to our space. It will not necessarily be presented by us but people may go and do specialist disabled training courses or courses on the use of in-vehicle controls. There is a lot of stuff that is relevant to our space. In terms of renewing an instructor's licence, at present it is a knowledge test. That is all it takes, and you just pay the money.

A lot of people have come through with grandfather rights, with no official qualifications. There should be a period of time for them to bring their qualifications up to the current qualification level. This was done back in the early 1990s. The Roads and Traffic Authority [RTA] at the time basically cleansed the world by flood. They went in with a very hard and fast approach, which did not work so well. Perhaps over a five-year period before the next instructor renewal they should be required to be qualified at a certain level in order to renew. We have taken this on internally. We are doing a lot of internal workshops and we are looking at improving the skills of our people by doing that.

Mr THOMAS GEORGE: Grandfathering is used a lot when industries have been going from a non-regulated industry to a regulated industry.

Mr COPE: Somebody who has been in the industry for 30 years may be a fantastic driving instructor. We are not saying that those people are bad but they have not necessarily upskilled.

Mr THOMAS GEORGE: Some of them would be your members, too.

Mr COPE: Absolutely. And some of them trained me to be a driving instructor. But there has been no requirement for them to bring themselves up to the latest qualifications. There has been no assessment of whether an instructor can teach. There was a final assessment done but there has been no follow-up to that. There are no follow-ups to see whether an instructor can drive. Yes, we do a knowledge test every five years, but to be honest with you I have seen some driving instructors who do not drive very well. There is no assessment of that either.

Mr THOMAS GEORGE: Can I just say that there are some very good teachers out there. We had a daughter who had to do her hours. She went along and had some professional training. The instructor said to my wife, "You can get in the back seat as long as you do not say anything." My wife learned more from that lesson than she had been trying to teach our daughter.

Mr COPE: Supervisor engagement is key to a lot of solid learning for learner drivers. The more we can get supervised in a three-way partnership the more benefit we see. Going back to the driving instructor's thing, when the three-for-one was introduced in 2009, if you look at the Roads and Maritime Services [RMS] statistics in terms of driving instructor licences being issued for the couple of years following that, you can see a significant increase. I think it was because some people thought it would be a goldmine. They thought that all of these kids would come and have heaps of driving lessons because of the three-for-one. So a lot of people came into the industry. A lot have probably left because they did not do a good job or make the quick dollars that they thought they would make. But it did see a large number of driving instructors coming in. As Mick was saying, we had problems with different registered training organisations [RTOs] from interstate so a lot of those instructors would have been of poor quality.

The Hon. SCOTT FARLOW: I want to put a proposition to you in order to tie up a lot of what we have been discussing in terms of the regulation, the three-for-one and the 10 hours. I put to you a proposal, for instance, where you could have a certain standard of driver trainer, maybe certified to either of your organisations or certified to a certain course or the like, which would qualify for more discounted hours than the three-for-one, let's say 15 or whatever it might be. Would that be a good way forward?

Mr HUMPHRIES: We have this on the table at the moment. We were going to bring it to you.

The Hon. SCOTT FARLOW: Excellent.

Mr HUMPHRIES: The driver trainers association in Queensland was recently in a position where it had become very unstable. So we have taken them on as part of our association. They had already developed what they call the master driving instructors course which we have now inherited. I am spending a lot of time, and a fair bit of dough, getting that rebuilt and modernised and brought up to speed in line with the new certificate IV requirements, and what have you. Perhaps if instructors have voluntarily done that level of training there should be an opportunity for another 10 hours at two-for-one or something like that. That would be a real incentive to go with a higher level instructor.

Mr ADAM CROUCH: It would be an incentive for them to increase their training, as well.

Mr HUMPHRIES: Exactly.

The Hon. SCOTT FARLOW: If you could take that on notice and come back to us with the specific details of that course and that proposal, that would be appreciated.

Mr COPE: As a follow on to that, one of the issues that will probably come up is that that may lead to early licences, which can be an issue. Many of the previous witnesses would say that that can be a bit of a problem. Mick and I have not had the discussion about what they are pushing, so this may be news to Mick as well. One of the things that we would be suggesting is not so much that they can get extra bonus hours with one of those quality instructors but that they can only get bonus hours through a quality instructor. The problem at the moment is that the three-for-one system is being rorted by anybody out there. The only requirement for us is that we had to have a structured lesson plan signed by the learner driver and at the end of the lesson to say, "That is what we have taught them and they have agreed to sign off on that." In the seven or eight years that that has been going, I can probably count on one hand the number of people who have been audited for those records. So it is not robust.

The CHAIR: Unfortunately, time is closing very fast upon us. I would just like to close by asking a question that I opened with. That was in relation to driver trainer standards. I would like to ask a question about non-professional training standards and the contribution of parent supervisors and volunteer mentors. What contribution does that make to the work that you do? How are standards maintained? How would you improve

the training offered to non-professional driver trainers given, as you said, there is no upgrading of their skills from the time they get their licence.

Mr HUMPHRIES: I think Anthony hit the nail on the head a moment ago when he talked about the importance of parents being involved in the process. We encourage parents to come along for driving lessons. You can let your wife know that she was not told to be quiet for any reason other than sometimes parents will want to argue with the driving instructor.

Mr THOMAS GEORGE: She understood that.

Mr HUMPHRIES: I have had it happen to me with a parent in the back seat. I say, "Listen, you are paying me to be here to give this advice. Please take it for what it is." Parental involvement is a tie up with the driving instructor and the learner. It also increases accountability and understanding of what the learner is going through.

Mr COPE: We have the parent workshops, the Graduated Licensing Scheme [GLS] workshops, for learner drivers currently. They are great. I attend my local ones all the time. They are good in terms of getting the parents the information they need about filling in log books and how they can step the learning process for their learner driver. But it does not give them a lot of information about their own driving and how they can teach and the process of teaching somebody. Perhaps there is scope for the State Government to work with associations to fund and deliver programs like that. We could perhaps look at doing something for parents of learner drivers. I hate using the word "mandatory", but it may become mandatory for them to attend one of these workshops prior to supervising a learner driver. That would be a tough thing to implement but it would at least show support for those people who are doing the bulk of the work. We are doing the minimal amount of the work; they are doing the majority of it. They need much more support than what they are currently being given.

The CHAIR: Thank you very much for appearing before the Committee today. We may wish to send you some additional questions in writing. Your reply would then be part of your evidence and be published. Would you be happy to respond to such questions?

Mr COPE: Yes.

Mr HUMPHRIES: Yes.

The CHAIR: Thank you very much.

(The witnesses withdrew)

HAROLD SCRUBY, Chief Executive Officer, Pedestrian Council of Australia, affirmed and examined

The CHAIR: Thank you for appearing before the Committee. Do you have any questions about the information you were sent and our processes today?

Mr SCRUBY: Not at all, Mr Chairman, but at the very end of my evidence I would be grateful if you would let me ask you a question.

The CHAIR: We will see if it is within the terms of reference. Would you like to make a brief opening statement?

Mr SCRUBY: Yes, Mr Chairman. Thank you very much for inviting me to this Committee. I think it is a very important subject you are addressing and well overdue. As a representative of the largest and most vulnerable road user group—all of us in Australia—I think we should probably be taking priority in all of this because we are often at the receiving end of drivers who either are disobeying the law or are very poorly trained. This is a great opportunity to have a look at all the anomalies within the law. My view is that the vast number of drivers on our roads do not know a lot of the rules, particularly the ones pertaining to pedestrians, and I will get down to the detail of that later when you are asking me questions. I am not for a minute denying that pedestrians do not behave badly, they do, but when they are hit they are typically double the cost of someone injured inside a motor vehicle to repair and those costs are borne by all of us. There is reason for all of us to be very concerned about pedestrians being hit, apart from the pain, the grief and the suffering. Thank you.

The CHAIR: Many of the submissions we received raised changing road rules as a reason to introduce periodic retraining and retesting. Your council has given support to the government campaign "Top 10 misunderstood road rules" in New South Wales. I would like to get your views on whether you think that campaign was successful and should continue and what priority you place on mass communication and any changes you might add in that respect?

Mr SCRUBY: Probably the most misunderstood road rule pertaining to pedestrians is the rule of turning left and right at intersections. I test this many times. There is a road near where I work and not one driver have I ever seen stop and give way to pedestrians crossing at the refuge. I can name that: it is the corner of Military Road and Young Street. There is a refuge there. I can guarantee you any of us who stepped out, the drivers just do not know the rule. And most drivers think unless there is a pedestrian crossing there that they do not have to stop. The anomaly and the absurdity of that rule—and there are two issues here—Is the rule stupid and/or Do we need better training. I hope all of you understand how this works: when you are actually turning left or right at any intersection a pedestrian has absolute right of way. I guarantee for 90 per cent of people, and it is documented by the National Roads and Motorists Association [NRMA], it is the second most misunderstood rule in the book.

When you think about the vulnerability of pedestrians, when you think about confusion, when there is confusion there is potential for harm and that is why we have either got to clean up laws or we have got to train drivers better. The absurdity of this rule is that as soon as you create another intersection with a roundabout in it the pedestrian loses that right of way. Your subject is not about road rules per se but it gets down to licensing. The absurdity of this rule is that a roundabout actually speeds up motor vehicular traffic. But when a motorist is turning left at a roundabout he or she will be looking to the right to see there is no-one in the roundabout. The pedestrian has nowhere to cross. The pedestrian goes further up the road to cross. The motor vehicles have sped up. But if there were not a roundabout there he or she would have right of way. I guarantee you over 95 per cent of motorists would not know about that rule (a) at an ordinary intersection and (b) at a roundabout.

Taking this a step further, we did some research and I have attached it to my submission: awareness and interpretation of shared zones. Shared zones is a really interesting area. Back in 2002 I went to the former chief executive officer [CEO] of the Roads and Transport Authority [RTA], Paul Forward, and I said most people have no idea what happens in a shared zone, and it relates to a shared path as well. The word "shared" is a real misnomer. It has a connotation of equal rights but it does not. In a shared zone a pedestrian has absolute right of way. Paul Forward agreed with me on this and he wanted to introduce the New Zealand system of the pedestrian priority zone, where there is no confusion. He took it to the National Transport Commission and got knocked back three times. He decided in New South Wales that under the words "shared zone" should be the words "give way to pedestrians" and again "park in marked bays". We did some research; you would all know Professor Raphael Grzebieta and I because of this when we were on the National Road Safety Strategy committee.

We commissioned a company in 2008 to look at what people thought were the rules and regulations and rights and responsibilities in a shared zone. Only 42 per cent of people know that pedestrians have right of

way in a shared zone. The majority, 58 per cent, do not understand this law. This must be a very serious concern to all those involved with road safety. I am coming to the general conclusion—I have the date in here—but the former Commissioner of Police, Mr Moroney I think it was, at the time called for everyone to be retested every five years. I do not think he was saying, "Go out and do a drivers test", but when you go in to get your photo taken and renew your licence every five years why shouldn't we sit down and do tests like this? I got my licence at 17 and in two weeks I turn 70 and no-one has asked me to do another test. I can drive a heavy vehicle and a motorbike. It is absurd to think that we just—I know it is politically difficult, in fact it does not happen around the world a lot but that does not mean it is right just because others do not do it.

Imagine being a pilot of an aeroplane and having the same requirements—I could be flying a plane for that long and never have to do a test. I am saying that the rules are changing. Most drivers do not understand the "keep away from bicycles" law. But certainly I can guarantee you they do not understand give way to pedestrians turning left or right. The pedestrian death toll at the end of last year had gone up 50 per cent on the three-year average. That is not injuries. The road toll costs New South Wales approximately $9 billion per annum. We are not just talking pain, grief, suffering, we are talking pure dollars and cents. I think we could have a major impact on on-road trauma if we were to look at regular retesting. I do not know the laws pertaining to people who have been convicted of dangerous driving or are serial offenders, but it seems to me very clear that when they are getting their licences back they should have to undergo proper testing. That would be a good start and I cannot see that politically that that would be unpopular or that anyone would object to it—anyone but the perpetrators.

I can go through a lot of other regulations. One of the ones that drives me mad as a driver is when you are driving along a main road or a main highway and you come to people coming in at the same time on the access ramp. I would again suggest that 90 per cent of people do not know the difference between access ramps which have broken lines and access ramps that have no lines. I do not know how you feel about that, ladies and gentlemen, but I will guarantee you most people do not know that the one with the broken lines has to give way, because if you watch the behaviour they just push in. Similarly, pulling over to the left when you are in the outside lane—there are just dozens of rules and regulations that people should understand if we want to reduce this horrific road toll.

The CHAIR: Indeed, a couple of submissions refer to that very point. My question went on to ask whether you would change or enhance current campaigning other than via means of mass communication. You have taken us to mandatory periodic testing as one way of addressing those issues. How else would you see the awareness of those rules being communicated more generally?

Mr SCRUBY: There are three Es. Since I have been involved in road safety, for 20 years, it has not changed: education, enforcement and engineering. Most politicians seem to like education. I am not putting you down—we are a national organisation—but education is easy. You do not get a political backlash. What worries me a lot is this new thing that the police do not have to turn up to crashes. To me it is utterly absurd that someone can run into the side of your car, make it a total write-off and, if no-one is injured, the police will not come and no-one gets charged. Who on earth are the people we should be focusing on to be giving demerit points to than people who are causing crashes? Yet 70 to 80 per cent of the time they do not even get a thrashing with a feather. It is utterly absurd; it is all about red tape reduction. That is what it was called.

You can run a red light at 90 kilometres an hour and clean up a family and if no-one is injured no cop will come. You do not get any penalty. How are we going to focus on dangerous driving if we have that absurd anomaly within our system, all to do with keeping police doing other things? Surely the people who are causing crashes have to have more of a penalty than just having to pay their insurance excess. That to me has been one of the worst changes we have seen. I did an FOI on it and I found that most of the senior people in traffic were totally opposed to it, yet it is one of these things that makes the Police Force more efficient. What is the next thing? You dial 000: "We've got a man in the house with a knife." "How long is the knife?" "Six inches." "Oh, we don't attend knifing until they're nine inches." That is what is happening with road safety. That would be one of the things that I think we could do a lot better. Another thing, Chairman, that you and I have spoke about many times and I hope to be able to bring it up at the end is that some of the enforcement systems in this State can be improved dramatically with the flick of a switch—

The CHAIR: We will come to that a little later, because we were talking about the communication aspect. Mr George will continue with questions.

Mr THOMAS GEORGE: What are your thoughts on the older driver situation?

Mr SCRUBY: "Older" I like; not "old".

Mr ADAM CROUCH: "Experienced".

Mr SCRUBY: You can ask me on Sunday week.

Mr THOMAS GEORGE: What you are experiencing is the same as what I am.

Mr SCRUBY: On the back of my business card are the words, "Walking is the first thing an infant wants to do and the last thing an old person wants to give up". That goes back further to mobility generally. I hate to think of the day I do not have a licence. It will be a horrible day because we are in an area where public transport is not that good and I would hate to be thinking that I would be stuck at home. Having said that, I do think we need to focus a lot more on older drivers. I have heard that 25,000 motorists in New South Wales are driving and they have dementia.

My view is that there should be mandatory reporting by doctors—mandatory. But at the moment if you are a country doctor and you start dobbing in older drivers who you think are infirm or incapable of driving you will not have a practice. If it were mandatory they would have to dob in the driver and it would not be unpopular because you could not go shopping for it. That is my main point. I remember when a very close friend got old, she used to drive home by using the centre line. People laughed at it but someone could have—you know what I am talking about. I think the first thing is to get back to that idea because the doctor should be the first person to be able to tell the authorities that this person is not capable of driving a motor vehicle. Why should it be an option? If I were a doctor and it was my—

Mr THOMAS GEORGE: Is that not part of the regime of the medical—

Mr SCRUBY: No, it is optional. I might be wrong, but from when I studied it last it was an option. If I were a doctor and my name was around the country town that I was dobbing in people, they would not go to me. That is the dilemma, the conundrum. I think we have got to try to find—

Mr THOMAS GEORGE: Not at your age but at an older age you have to get a medical certificate and that is what I have been hearing complaints about.

Mr SCRUBY: At what age?

The CHAIR: It is 75.

Mr THOMAS GEORGE: People have been complaining about it—not the doctors but the fact that they have to go and get a medical certificate.

Mr SCRUBY: I have to get the percentages right. I am probably wrong; I am under oath and I have to be careful. The number of crashes caused by older people is incredibly disproportionate to the number of drivers. I think 8 per cent cause 18 per cent of the crashes, something to that effect. I am in road safety. I cannot be a hypocrite. We have got to find ways of ensuring that older drivers can drive safely. Let us assume you are right: What if a 70-year-old has dementia and the doctor has no requirement—or even a 60-year-old? Why shouldn't mandatory reporting be non-ageist? Why should not any doctor who feels that you are not capable of driving a car, whether it be drugs or because the person might be an epileptic—I just think this is something the Committee should really focus on because maybe we do not even have the data in front of us. How long can you keep flying a plane? Is there that much difference?

The Hon. SCOTT FARLOW: I pick up a point in your submission about pedestrians and the mindset of being a pedestrian. Not many people view themselves as a pedestrian, although we are all pedestrians. You made a comment about mobile phone use and the work you are doing with pedestrians, but that is a shared problem for pedestrians as well as drivers. I am interested in that campaign and what you think can be done in terms of mobile phone distractions, which is a new and increasing problem for all of us.

Mr SCRUBY: Did you see the ad—

The Hon. SCOTT FARLOW: I have not looked at the ad.

Mr SCRUBY: We can do that while we are talking. It is 15 seconds, and I hope you like it. I hope you accept the fact that we agree that we as pedestrians believe we are a major problem. Collectively we are a major problem. We are not trying to pretend that this is not our fault. We are a great part of the problem. We have done a lot of advertising campaigns on this, including "Never Let a Mate Walk Home Drunk", and two major press campaigns called "Don't Tune Out".

Video played.

The CHAIR: I note for the record that Mr Scruby played a 15-second video entitled "Don't Tune Out".

Mr SCRUBY: The link is in my submission. I take up the first point: Most people do not think of themselves as pedestrians. That really comes back to the major problem. A recent study done by the Centre for Road Safety showed that very few people think of themselves as pedestrians. That is our problem; we all think it is someone else. That is why we cross the road using mobile phones and why we are behaving very badly. That is why I am making ads like that. We have another one called "Lambs to the Slaughter", which shows humans crossing the road using mobile phones but they all have sheep's heads. We are trying to make fun of the stupidity of that behaviour. Despite that, we are very concerned about it.

As I said in my opening remarks, at the end of last year the three-year average for pedestrian deaths was up 50 per cent, which is by far the highest of all road user groups. I would love to talk to the Committee about another inquiry into pedestrians. I know we had one not long ago, but there are some big issues that we should be discussing. There is an epidemic because of the drugs and alcohol that are being used. No wonder the toll is going up. It is a good point; we do not see ourselves as pedestrians. We must start making people realise that they are and that they are the most vulnerable road users.

The Hon. SCOTT FARLOW: Previous witnesses today have talked about driver education and training and risk taking being one of the fundamental drivers. They talked about being able to alert people to any ways they can reduce risk-taking behaviour on our roads. I assume that that would extrapolate to pedestrians. Do you see any benefit in school programs designed to make people more conscious of risk-taking behaviour and reducing crashes?

Mr SCRUBY: Are you talking about physical driver training?

The Hon. SCOTT FARLOW: They were talking about international programs and programs in other States that are not necessarily focused on driver training but on general apprehension of risk.

Mr SCRUBY: I have taught my two sons to drive—

The Hon. SCOTT FARLOW: The references were very much to drug and alcohol programs.

Mr SCRUBY: I heard the earlier evidence about driver training. I am very much persuaded by the RACV study that I have attached to my submission. The conclusion was that overall the research evidence suggests that most current driving training contributes little to the reduction in accident involvement or crash risk among drivers of all age and experience groups. It is an old report, but I feel it is a bit like learning karate and wanting to show people you can do it. If they go to advanced and defensive driver courses, these kids start to believe they are Fangio. There is a danger in that, and there is evidence to support it.

I do not know whether I am answering the question, but I think the best driver training—I learnt this with my children—is time behind the wheel with a responsible person. If you watch young kids in a car, you realise that they do not have the intuition that we develop as we drive; the more we drive the more we develop intuition about someone five cars ahead stopping. Most young kids look at only the vehicle in front of them. The best way to teach anyone to drive is to give them time on the road under supervision. I would hate to see all these ideas cut back.

One of the worst things that New South Wales ever did—unfortunately it was a Labor government initiative at the end of its term—was to increase the number of demerit points to 13, which no other jurisdiction has done. I do not know why; I think it was an election giveaway or something like that. Why are we out of kilter with every other State and Territory? We also share our demerit points. If you get demerits in Victoria they are added to your licence in New South Wales. Why do we get an extra point?

In New South Wales until then magistrates had had no right to expunge demerit points. Suddenly that was changed with no consultation or anything else—again, it was an election throughway. While magistrates could issue section 10s, which they give away like confetti, they could never expunge demerit points. Demerit points are the bees knees; they make drivers behave better. There are so many anomalies. If people accrue a lot of demerit points they drive more carefully, and there is plenty of evidence to support that. Many people care less about paying fines, especially wealthy people. As I said, demerit points are the bees knees. Why do we have 13 points? Why can't we be on lockstep with the other States?

If you get a penalty in Victoria and you go to court the magistrate might give you a section 10 but they do not expunge the demerit points. You are found guilty of the offence and you may not have to pay a fine but the demerit points remain. If we are looking at driver training, education, and licensing, the way to ensure that people behave on the roads is to let them know that they have a few demerit points. As an aside, in Victoria people who have a first drink-driving offence do not go to court. They are fined approximately $500 on the side of the road and—wait for it—they get 10 demerit points. The magistrate cannot expunge that, so the offender cannot go to court and say that they were not breastfed and get off. Instead, these people get 10 demerit points,

and that means they are on a good behaviour bond for three years. Why are we so lax? Fifty per cent of our first offence drink-drivers are getting a section 10. They do not even have to tell their insurance company about it. I am digressing but it all gets back to good behaviour on the roads. Why are we not focusing on the bad drivers and ensuring that they do not drive badly instead of worrying about the 95 per cent of people who drive well?

Ms ELENI PETINOS: You touched on crashes in your introductory remarks. Do we need to collect statistics on other topics to better understand the causes of crashes?

Mr SCRUBY: Yes.

Ms ELENI PETINOS: For example, do we need more detail about the types of roads, age, gender, location, time, driving history, whether the person was solo or accompanied, speed, weather conditions, and so on? If so, what value do think that would bring?

Mr SCRUBY: You have nailed it. First, police officers are no longer attending crashes, so we no longer get that data. That is a vital point because data is king. We have been bleating for the past 20 years about why we do not receive injury data. For every death there is probably between 10 and 20 seriously injured people. That data is critical in knowing what we are doing. We are starting to catch up. The data used to be two years old, and it is now three months old. The biggest problem is that none of the States can agree on what is a serious injury. Nevertheless, that is a very good point. Secondly, we should look at the insurance data. I would bet a lot of money with the entire Committee that if we were to go back and look at the figures for rear-enders 10 years ago and now they would be at least double. What would be causing that?

Ms ELENI PETINOS: I am guessing you are going to say "mobile phones".

Mr SCRUBY: I do not think you would have to be Einstein. But where is that data? Why are we not getting the Insurance Council of Australia to help us get that data? Data is king. If we can start getting that data, we can then say: How can we stop people using mobile phones? How can we be more effective? I will tell you how you could do it overnight. The penalty for using a radar detecting device in New South Wales—I hope you are all sitting down—is nine demerit points, $1,100 and confiscation of the device. And I think they represent .00001 per cent of any problems. Not that I am advocating them; I am talking about the penalty—nine demerit points, $1,100 and confiscation of the device. What is the penalty for using a hand-held mobile phone? About $400 and three demerit points. Look at the potential for harm. The mobile phone, according to Volkswagen [VW] now, is one of the leading causes of trauma on our roads, not just from pedestrians but from drivers.

Why are we so lax? Why do people get effectively thrashed with a feather when the evidence now is that using a hand-held mobile phone while driving is equivalent to mid-range drink-driving? It is causing so much trauma. A lot of it we have no idea about because the data is just not there. Similarly, we do not know about a lot of pedestrians who have been hit because they are using mobile phones. The data is very hard to find because there is no box for the average copper to tick. So you are right, we need the data. The data will help us decide in future how to attack these problems, whether it is education enforcement or engineering. Just beg for data and push governments, push departments into giving you data. And I think this Government has been very good at it and under Mr Dominello's department there is a lot of data there through Dr Oppermann.

Ms ELENI PETINOS: He is very good at his stuff.

Mr SCRUBY: I don't think anyone here is going to disagree with having good data. How else can we plan what we are going to do? I hope I have answered your question.

Ms ELENI PETINOS: You have. My final question goes to some of the evidence you have provided. I am going to draw the inference, based on some of the things you have said, that you are supportive of what I would consider to be extremely high demerit points being attached to offences.

Mr SCRUBY: No, I did not say "extremely"—relatively.

Ms ELENI PETINOS: You are citing examples of nine or 10 demerit points out of 13, which you have cited with examples from radar detection devices and drink-driving in Victoria. They seem to be the examples that you have used. And you have also indicated previously that you do not consider the fact that judges have the ability to expunge things from people's records as being appropriate in this State. My question is, do you not believe that people make mistakes and whilst this system is intended to deter people from making mistakes, under some of the things which you have inferred to be correct, the people in this State would not have a second chance after they make any mistake at all? So we would be penalising people based on one error. I do not know of any society which does not believe in rehabilitating people or acknowledging that we are human and therefore prone to error. So whilst I support deterring people from committing offences, no-one is

perfect—and I dare say you probably had some demerit offences against your name at some point in time over your driving history in this State.

Mr SCRUBY: I think what you have touched on is interesting. I think the worst word in our road safety vernacular is "accident" because I think 95 per cent of crashes are not accidents, they generally take place when someone has broken the law. There is a soft approach and there is a hard approach. I am not saying that there should not be discretion. I am saying—

Ms ELENI PETINOS: But don't judges have discretion?

Mr SCRUBY: Of course they do.

Ms ELENI PETINOS: And isn't that what you were advocating should not be applied in this State? Are you supportive of discretion or are you not? Because, based on your previous statements, it appears that you do not believe there should be discretion in our system.

Mr SCRUBY: You have confused discretion as it pertains to demerit points versus discretion as it pertains to penalties. Let us say a person has run a red light and they have four demerit points and a $400 fine. I am not saying that the magistrate cannot expunge the $400 fine; I am saying I think the demerit points should stay. That person has gone to court and admitted to going through a red light. Why on earth should a magistrate let them off the demerit points when someone else who has gone through a speed camera has four points?

Ms ELENI PETINOS: What if they were driving through a red light to take a loved one to hospital in an emergency situation? Does a magistrate not then have discretion to apply these things?

Mr SCRUBY: I am trying to consider what happened when he went through the red light and put someone else in the cemetery.

Ms ELENI PETINOS: Did they put somebody in the cemetery or did they just run a red light? That is why people have discretion in the law.

Mr SCRUBY: I do not think "just running a red light" is just. I am saying in other jurisdictions it is working. Victoria tends to lead the country in road safety and I am saying they have a system which keeps people out of court, which is interesting in terms of your argument.

Ms ELENI PETINOS: Well, I am a lawyer so I like courts and believe the process works.

Mr SCRUBY: I totally disagree with you on that. Why clog up courts? When you could have a system dealing with drink-driving, why would you make people go to court?

Ms ELENI PETINOS: Drink-driving is a different scenario but it seems that everything that you are saying implies that all people are bad and if you make one mistake, under your reading of the law, you are out.

Mr SCRUBY: I did not say that at all. That is not right.

The CHAIR: We are pursuing one particular topic with probably no end result other than to determine whether you believe in enforcement over education.

Mr SCRUBY: I believe in all three and I believe all three should have almost an equivalence. Clearly, education is what you are doing today, we are talking about driver education.

Ms ELENI PETINOS: But did you not say that education is the thing that politicians like to market because you have given us value judgements. You have come here and told us what we believe about doing our jobs.

Mr SCRUBY: I did not quite say that.

Ms ELENI PETINOS: You are putting assertions forward. I am going to call you on your stuff as well because you have made assumptions about how all the very good members sitting on this Committee do their jobs and what they believe in without actually giving anyone an opportunity to ask you questions. You came in, in your opening statement, and made assertions about how we and this Government go about doing our jobs and the things that we value for the people of New South Wales. I do not agree with the things you have said and I think it is very rich for you to come in here and tell me what we believe.

Mr SCRUBY: Well, I do not think I did.

Ms ELENI PETINOS: I think you will find in the transcript that you did.

Mr SCRUBY: We will go back to the transcript later but I think you are taking it very personally, rather than having a look at the big picture.

Ms ELENI PETINOS: I think you should be called on the things that you have said.

Mr SCRUBY: What I am trying to tell you is that the pedestrian death toll is the highest of all. I do not know what you are doing about it but I am doing the best I can. I do not know what you have done to try and reduce the pedestrian death toll in this State.

The CHAIR: We will not speculate. We will go to questions from Mr Crouch next.

Mr ADAM CROUCH: Firstly, I have to say in my 26 years of driving I have always worked on the principle of giving way to pedestrians and it has served me well. One thing I would say, unless a pedestrian makes eye contact with me these days I assume that they are not paying attention anyway. Usually they are on the phone or have their headphones on. As a driver, the biggest concern is the fact that pedestrians do not tend to pay as much attention to the roads as they used to. To me, this conversation has been focussing on driver education, older drivers and younger drivers. You would have heard earlier concerns about driver training and lack of regulation in driver training but also the education requirements between metropolitan and non-metropolitan drivers. Do you think that there should be differences adopted between those two different regions? Pedestrian safety in the middle of Albury is going to be very different than it is in the middle of Gosford, for instance.

Mr SCRUBY: You have made a very good point. But a very good analogy is where people argue whether they should have bull bars on their cars because they live in the bush. My point is that people who have bull bars come into town on the weekend. In other words, you cannot have laws or training in New South Wales or Australia because you drive everywhere; your licence is not restricted. Therefore, you should be able to drive a car anywhere, in any condition, on any government road in Australia if you want a licence. That is my view. I think it would be ridiculous to try to create two classes of citizens who could sit for different tests. Are you suggesting for a minute that these people do not go elsewhere for a holiday or do not come into Sydney? It is as silly an argument as saying, "I can put a bull bar on my car because I have a battle with kangaroos." They do not say that they come into the towns every weekend and there are heaps of pedestrians around. That is my point, and I would be very much against a dual licensing system unless, of course—

Mr ADAM CROUCH: Restricted licences are in existence, as you know.

Mr SCRUBY: Yes. I do not like the idea for older people because the highest time you are going to have a crash is within five kilometres of your home and we are giving them a licence to drive within five kilometres of their home. It is almost Monty Python, is it not? It is stupid.

Mr ADAM CROUCH: You have looked at how drivers interact with pedestrians in a metropolitan setting. First thing this morning we heard evidence with regards to remote Aboriginal communities where the majority of drivers are not licensed. There are so many different impediments to them receiving a licence—be it social, be it distance—and so the majority drive without a licence. What do you suggest as a way to deal with that scenario where people in a remote area do not have the ability to pop into their local Service NSW?

Mr SCRUBY: I think I will probably upset people, but I am very right wing on this. I think a licence is a licence. I have been to the Northern Territory. The Northern Territory's death toll ranges between 29 and 18 deaths per 100,000. Ours is around five. If you look at the way they drive and how eight or nine of them will hop on the back of a truck, you could say, "They are in a remote area and they should be allowed to hop on the back of a truck." But they get killed, and a death is a death. To me, it is absolutely absurd that we are bending over backwards to placate one group of people. I think we are all Australians; I do not like the idea that they are Aborigines or anybody else. We are all Australians and we should all be under the exactly the same laws, whether we are in a remote area or in a city. If they do things because they live in remote areas then we have to help them to get into town to get a licence but not say to them that they do not need one.

Mr THOMAS GEORGE: The discussion this morning was to say that they do not have access. In one town they talked about there are two vehicles that are properly registered and available to assist people in getting licences. In other areas they do not have access. That is the reason that they are getting onto the back of a truck, because there is no other means of transport available to them.

Mr SCRUBY: I am sorry if I am too right wing. Certain people here might not like that.

Mr THOMAS GEORGE: No, none of us wants two communities; we are all one.

The CHAIR: We have touched on various means of creating scenarios, as did your video, whereby people are aware of situations, particularly with vulnerable road users. Do you see a role for simulators in assisting driver training and, at a later stage, with licensed drivers?

Mr SCRUBY: Absolutely, and if we are stupid enough to close our eyes to technology, then what is around the corner? We are going to have driverless cars. I watched *A Current Affair* promoting driverless cars last night and I thought that would interest you guys. I did not know that we had legislated for that yet, so that made me raise an eyebrow. We must embrace technology. You learn to fly a 747 or a Dreamliner on a simulator, do you not? Why would we not try that for driving? It would be a great way of teaching people how to drive. Of course, they have to drive in real circumstances as well, but to me technology is the silver bullet. If we want to save lives on the road, technology is the silver bullet.

The CHAIR: Unfortunately we have to draw to a close at this point.

Mr SCRUBY: Can I ask my question?

The CHAIR: A closing question?

Mr SCRUBY: Yes. Mr Chairman, I have appeared before this Committee for 18 years. I like what you do but I also like to know that you are following up on things. One of the subjects you looked at in May 2015—

The CHAIR: Unless your question refers to the terms of this inquiry I am afraid it is out of order.

Mr SCRUBY: Would you invite me to write to you about it?

The CHAIR: Indeed. Thank you very much for appearing before us today.

(The witness withdrew)

(Luncheon adjournment)

JENNY DAVIDSON, State Coordinator, Driver Education Programs, Police Citizens Youth Club, sworn and examined

JUSTIN HAYES, General Manager, Programs and Activities, Police Citizens Youth Club, sworn and examined

ERIN VASSALLO, Chief Executive Officer, Blue Datto Foundation Ltd, sworn and examined

GRAHAM SPENCER, Chair, Program Advisory Board, Blue Datto Foundation Ltd, sworn and examined

The CHAIR: Thank you for appearing before the Committee today. You indicate that you do not have any questions about the information that was sent to you and the processes today. Would you like to make a brief opening statement? There could be one from the Police Citizens Youth Club [PCYC] and one from Blue Datto if you so desire. If so, you may go ahead now.

Ms DAVIDSON: Thank you very much for the opportunity to appear before the Committee. At PCYC we have quite an interest in driver education and training, and particularly through some of our key programs that we run, which is the Traffic Offenders Intervention Program, and as an approved provider for the Safer Drivers Course and also through our Road Realities program.

Ms VASSALLO: I run the Blue Datto Foundation and we run a program called Keeping Safe for pre-drivers that is aimed at attitudes and changing attitudes and behaviours of both passengers and drivers while they are at the safer stage, pre-driver stage, before they get too confident on their Ps. We are running that program in schools and community groups and looking to move it to apprentices in TAFEs. We are also growing our area of parental involvement in driver training.

Mr ADAM CROUCH: Can I make note that I have met with Ms Vassallo on a number of occasions in my capacity as the member for Terrigal.

The CHAIR: Thank you very much, Mr Crouch, and no doubt your questions will be pointed. I thank you for appearing together today in the group of mentors. When questions are asked unless they are specifically directed feel free to answer or to add to any of the questions. Focusing on self-improvement, how should we encourage drivers to become better drivers? Self-improvement and retraining is elective. How should we encourage drivers to pursue self-improvement and who is responsible for doing that?

Ms DAVIDSON: I think basically the actual view that a lot of drivers hold of their licence is one of a right and not a responsibility. I think the first hurdle there is to overcome that perception, that the licence is a right and not a responsibility. In our submission we came up with a suggestion for an elective program where people could access our Road Realities program on a user pays basis, which would then fast-track them if they were not eligible for the Fair Go for Safe Drivers licence scheme. That is a good way of getting people to think about road safety in slightly different forms than having your licence as a right rather than a responsibility.

Ms VASSALLO: I would echo the right and responsibility. With P-platers I think the statistics are about 30 per cent will actually be suspended while they are on their P-plates. It is very close to that. I think it should not be necessarily a right but a responsibility to have that licence and how we enforce that opinion. Further, in relation to parents and continuing the education, parents often have not been educated in road safety or driving since they got their licence and it would be great to have a program where they could easily access that information before they teach their kids how to drive.

The CHAIR: Given that the evidence is that better driving is a function of experience and attitudes rather than just skills, what emphasis should we be placing on skills training compared with changing attitudes and what role might you see for computer-based training or simulators in that particular delivery?

Ms VASSALLO: My personal opinion it is that the skills that we see that the pre-drivers have, they can learn those skills but their attitudes and the opinions they have towards road safety, they get a little bit too confident when they have the simulators when they go on to the roads, and that is my understanding of what the research says. Mr Spencer may be able to shed a bit more light.

Mr SPENCER: When we are talking about young drivers we can, in fact, if we are looking at the research see that many young drivers have the physical skills to drive. They learn some of that very early, particularly in country areas. Some young people are driving farm vehicles and they feel extremely confident about the physical skills. What we are well aware of, it is the attitudinal skills that need to be looked at. Where the Blue Datto Foundation has taken a different tack is that we have been looking at mentoring and looking at undergraduates from tertiary institutes, looking at whether or not they can assist and mentor.

I agree with what Ms Vassallo is saying, you can get a lot of assistance from parents and it is probably an area where we could spend quite some time in assisting parents because they do a lot of supervision. But I do think that this area of looking to peer mentors is something that has not really been explored. I have certainly spent a good bit of time working in this area but it is an area that I believe this Committee could be very interested in, in seeing how older, more experienced young people can actually talk in a positive way to those who are just beginning to drive.

The CHAIR: Indeed, many of the submissions we received demanded, advocated for mandatory periodic testing, pointing at the absence of continuing professional development and comparing it to other fields. In driving, it is true once the licence is obtained at a relatively young age, in most cases, there is no other testing. How do you see that role being played out in practice when you said you would like to see it occurring? Can you give us some indications of how you see that being delivered, particularly for the trainers who then pass on that attitude and skill to the younger generation?

Ms VASSALLO: Our trainers are actually quite young: they are 21, 22, to train the 15- and 16-year-olds. They are quite often still on their green Ps and still in that training phase. An opinion as to continuing the education: even on licence renewal, even a few snap questions that you have to study for would be better than nothing. But a lot of people are not aware of some of the road rules that have changed.

Ms DAVIDSON: Basically, attitude will overrule skill most of the time. The person can have all the skills in the world but if they are not displaying the correct attitude towards their driving, you are not going to get a safe driver. I think the more choices, the more opportunity, that people have to gain access to education, support, mentoring programs—any sort of thing that sets them as an individual … We cannot have a one-size-fits-all approach here; we need a multipronged approach to be able to instil and change those attitudes. That can be everything from Safer Drivers Course for Learner Drivers for initial learners through programs that the Blue Datto Foundation and others are doing to community-based learner driver mentor programs and, at the other end of the scale, diversionary schemes like TOIP, ITOP and mandatory alcohol. All of these schemes can have a role to play in their particular circumstances where the individual's attitude may go awry, rather than their skills going awry.

Mr ADAM CROUCH: Thank you very much for giving evidence today. Some of the earlier submissions indicated there was no empirical research to show that additional driver education, whether defensive driving or not, provides safer outcomes for drivers. I commend both of you, as I know you work very closely with driving instructors on the Central Coast. From your experience and the courses you both run, do you think that additional driver education, be it defensive driving et cetera, is beneficial and works well as a follow-on from initial driver teaching?

Ms DAVIDSON: It depends on whether it focuses on skills, attitude or both. If you have defensive and advanced driver training courses that are functioning in a skills-based area only, then they are going to be teaching skills that cannot be relied on in a day-to-day environment out on the roads. If it is a combination of skills and attitude, then you have a case that you may get somewhere. If it is based purely on attitude and you can achieve behavioural change in that attitude, then that is your best bet and that is the experience that we have had with the Traffic Offenders Intervention Program and to a certain extent the Safer Drivers course as well.

Ms VASSALLO: I could certainly reflect the same finding from my opinion of what we have seen. When we first started Blue Datto we ran it simultaneously with a simulator, and the attitudes and behaviours from the Keeping Safe program are far superior and predominant in behaviour change. It was a simulator—it was not on the real roads—but they viewed it as a game, and I do not know that that is the best thing. I think if we can influence how they see their right to drive and give them skills as we are doing Keeping Safe to speak up as passengers and to know that that is also a role to play as well as being a driver, that is probably more important than a skills-based and defensive driving course.

Mr ADAM CROUCH: Some of the other evidence given earlier pointed to the fact that, in the first six months of driving by themselves, there was a dramatic improvement in their ability to drive. Do you think that at six to 12 months—you mentioned having questions on your licence—there should be automatic reassessment of driver knowledge, be it online or physically going back into a Service NSW office and answering five or a dozen questions to reaffirm what they have done over the last six months of driving?

Mr SPENCER: I think it is broader than this. One of the things that is not being picked up, even in the questions being asked here, is about the responsibilities that young drivers have. Most young drivers are in fact driving with passengers, and we are not picking up here on the level of responsibility. So when we just test skills we do not bring in what we were talking about before: the whole attitudinal area and the level of responsibility. I think there is a lot of evidence to say that young people are very responsible, and those are the sorts of things that cannot just be tested in a simple test about skills. That is why we are all talking about the

need for there to be conversations among young drivers so that we actually do change their opinions and their culture along with the public campaigns, the enforcement and all those other things that are already there alongside the tests.

Ms DAVIDSON: The largest licence holder group is 30-to-59 year olds. That particular group as a group probably has not had access to professional driver training in any form. They have certainly not gone through the graduated licensing system or the Safer Drivers course. They may have gone through traffic offenders. Then again, that particular group may have just been taught by mum and dad. Their driving test might have been just a run around the block. Is that really a good measure of driver skill? Yet they still hold that accreditation, that licence that says, "I am an okay driver. Roads and Maritime have given me the big tick on this."

Mr ADAM CROUCH: They are also the person spending the most amount of time with a young driver during their 120 hours of assessment.

Mr HAYES: Correct.

Ms DAVIDSON: Correct.

Ms ELENI PETINOS: My first question is directed to the Police Citizens Youth Club because it is about your Traffic Offenders Intervention Program [TOIP]. I understand that your program is claimed to change attitudes and behaviours so, with that in mind, I would like you to expand for the Committee on the success of the program and particularly how you consider this success to be measured.

Ms DAVIDSON: With our particular traffic offenders program, I will say straight out that all our evidence is anecdotal. There has never been an evaluation study done of our review program, which we substantially rewrote in 2012. There has never been an actual review of it. The feedback we get from our participants runs along the lines of two things: "Wow, I wish I'd known this before" and "All drivers should do this course". Looking at it from that point of view, one of the key things that we seek to achieve with TOIP is attitudinal change and I think those particular comments, which we receive pretty much on a universal basis, are good anecdotal evidence to show that we are actually achieving something with behavioural change.

Ms ELENI PETINOS: To pick up on your point about attitudinal change, would I be correct in saying that when people come to you in the first instance, they are perhaps a little bit apprehensive or resistant and then they come out the back end with that sort of feedback, which indicates a full change in their approach?

Ms DAVIDSON: Exactly. We often find that participants initially present to us as being very resistant and reluctant to be undertaking the program—they have been ordered to attend it by the courts and the magistrate—and the other side of the coin is the person might be very embarrassed. They have had a human moment, committed a human error and now they have been asked to go and do this program to perhaps learn something that they probably should have learnt before. We have that mix of reluctance and embarrassment, and as you watch the participants going through the program you see that attitude physically changing. At the end of the program they are saying, "Wow, I wish I knew this before. Thank you so much for this opportunity to give me some information as to why what you are saying is true and giving me the mechanisms for how I can change it and the motivation to do it."

Ms ELENI PETINOS: I understand that the program is currently being reviewed by the Department of Justice and the NSW Centre for Road Safety. Without pre-empting the outcome of that review, do you have any thoughts that you would like to share with the Committee about what outcomes you expect to see in that program review?

Ms DAVIDSON: Certainly. PCYC would really like to see a strong and robust framework for the support of TOIP. At the moment we really do not have a level playing field across all of the approved providers because we are all offering slightly different programs with different durations, different lengths and different content types. What we would like to see is a very robust education-based model in which all providers can deliver TOIP on a level playing field.

The Hon. SCOTT FARLOW: On that point of the level playing field, what would it do? What do you need to ensure that?

Mr HAYES: At the moment, the guidelines are fairly loose around the duration of sessions, the information provided, and which modules must be delivered. It is all fairly loose around recommendations. That means there is great variation in the service delivery by each provider. We would like to see a set program similar to the Safer Driver Course in which the program structure is the same and every approved provider delivers the same content in the same format.

The Hon. SCOTT FARLOW: How many approved providers are there in the market place?

Ms DAVIDSON: There are seven from memory.

The Hon. SCOTT FARLOW: How much variation is there in those programs?

Ms DAVIDSON: It goes from a one-day program through to ours, which is 14 hours, and to Blacktown Traffic Offender Intervention Program, which is delivering seven weeks of training. There is a great variation.

The Hon. SCOTT FARLOW: It all has the same name, but they are very different.

Ms DAVIDSON: They are very different programs.

The Hon. SCOTT FARLOW: I am interested in your views about the content, quality and success of education-based driver programs. I am particularly interested in your views about the optimum years for teaching road safety in schools.

Ms DAVIDSON: The sooner the better. A person starts to learn to drive from being a passenger in a car. A person's attitude to road safety, driving and so on starts as soon as they become aware that they are being driven. It does not start when they get their learner's permit; it starts a long time before that. That should be backed up with school-based learning and perhaps changing attitudes; that is, a child can be given an alternative model to the behaviour that their parents may be demonstrating. That often happens with the Safer Driver Course. At the moment we find that learners start challenging their parents about their bad driving habits and techniques. I am a firm believer in providing as much information as possible through as many different avenues as possible to get the whole message across.

Mr SPENCER: One of the things we know from looking at the entire area of road safety education is that it needs to be continuous. The early years are very important. We looked at the worldwide situation and found that because there has not always been a lot of money for road safety education specifically, it tends to be done in the early years. Then people take a targeted look at other doses. It tends to happen at around year 6 and year 7, and again in the pre-learner driver period. We are really looking at it being continuous, but it needs to be targeted. The specific targeted area that the Blue Datto Foundation Limited has been looking is that pre-learner driver area. There we must look at a different situation because we are dealing with a group of young people who are about to become the safest drivers—learner drivers are the safest drivers.

It is not the time to give huge doses of information about terrible consequences when they are focused on the basic task of learning how to drive. I am talking about the targeted time when they are passengers and when they are in this formative stage. It is our belief that that is where considerable resources should be invested. In countries that are starting to deal well with road safety issues, we see money being invested in this area. It is a very important area. I was involved in the foundation of the Fit to Drive [F2D] Program in Victoria. There has been a lot of discussion between the States about this type of program, which as I said involves peer mentoring. We must recognise the pre-learner driver stage and understand that we have the opportunity to converse with young people before they are in the driver's seat. As I said, they become the safest drivers. Much of our work is done when they are unsafe; that is, when they are by themselves. We know that will happen. Let us invest more resources in the period just before that. To my knowledge, it has not been done systematically across the world yet.

The Hon. SCOTT FARLOW: What changes would you recommend in the New South Wales context?

Mr SPENCER: I would recommend that an investigation be undertaken of the peer mentor process. There is real merit in that. I have certainly been involved in this and I have worked with people in the road safety community. I think you will find that the research exists saying that peer mentoring does work. You are working in a challenging area in schools, because this is the time when young people are going on to year 12. Schools are not always quick to embrace road safety education. It needs to be encouraged in the school system with school principals and people involved in curriculum development acknowledging its relevance and recognising its importance. Some examination of working on the approach to peer mentors is certainly deserved. I believe that it is being picked up in communities across Australia.

The Hon. SCOTT FARLOW: Am I correct in thinking you said in your opening statement that you are looking to move into TAFE?

Ms VASSALLO: We would like to go into TAFE. If we address driver education at the year 10 level, we get students who are about to take up apprenticeships and who would otherwise miss the Cross Roads Driver Education program in years 11 and 12. We would like to offer this course in TAFEs for apprentices. They are

already on the roads; they are driving and they are statistically at very high risk. It would be great to have a program like that in year 10 before they leave school, and to reinforce those messages while they are at TAFE. They do not necessarily have the educational environment that is offered to those who do years 11 and 12.

The Hon. SCOTT FARLOW: Do you think there is a gap at the moment in terms of TAFE compared to schools? Is that what you are trying to address?

Ms VASSALLO: We founded this charity after my nephew was killed three years ago. He was an apprentice and he left school in year 10. He would never have had the education that is available to children who remain at school. There also might be different cultures in different communities about leaving school at year 10, and we should ensure that we address their needs because they are often involved in accidents.

Mr SPENCER: One of the areas that is lacking in research is looking at peer education in terms of young people. Young people are drivers and passengers. The power of talking to passengers is very important at this young age. If we realise that young people are passengers as well as drivers, we have a chance to influence some of the peer pressure. It is an area that certainly needs more research.

Ms DAVIDSON: I would like to add to that. It is not only drivers who are killed in road crashes; passengers are also killed.

Mr ADAM CROUCH: I understand that you would like to see a formal part of the curriculum focusing on driver mentoring at a younger age. Are you talking about year 10 or earlier?

Mr SPENCER: We are talking specifically about year 10. That is the time when there is enormous interest in driving and when peer influence can be very positive.

Mr ADAM CROUCH: You are saying that there should be peer mentoring from year 10 until they leave school.

Mr SPENCER: Yes.

Ms VASSALLO: Because our programs are run by undergraduates, we create an extra level of road safety ambassadors. The peer mentors we have trained are incredible ambassadors for their generation, friends and wider community groups. It is reinforcing the message at year 10 when they are becoming the trainers as well. It is very empowering.

Mr THOMAS GEORGE: I declare that I am a patron of the Police Citizens Youth Club [PCYC] at Lismore. Ms Davidson, with the Traffic Offender Intervention Program, I know you have been out in the regions doing it but what about in the city? Is there any difference in the program or is there anything showing up in the city areas against the regional areas?

Ms DAVIDSON: We deliver exactly the same program, whether it be in the Sydney metro area or in the regional area. Only the format changes. In the regional areas we normally run it over a two-day period, recognising that people need to travel, they may not have a licence and stuff like that, to be able to do it. Typically, in the Sydney metro area we deliver it at two hours a week over six weeks, so it is an evening program. That type of model is not one that can be adequately supported in a lot of regional areas, purely because of the distances and the lack of public transport for people to be able to attend the program. The program that we deliver in both locations is exactly the same.

Mr THOMAS GEORGE: And the result?

Ms DAVIDSON: The result is exactly the same.

Mr THOMAS GEORGE: I was going to pick you up on the same point about TAFE. It is great that you mentioned TAFE because we have been talking about schools and not included TAFE. The students that go to TAFE are probably going to be driving, certainly a lot earlier than the ones going to school, because of their access to TAFE. Especially in regional areas, they cannot catch a bus to TAFE in some cases, whereas to school they do catch a bus. So they will be looking to get their driver licence as soon as they can, where other school students put up with it.

Ms VASSALLO: And they will use it a lot more.

The CHAIR: In the field of communicating with drivers, which is an extension of a lot of the evidence you have been providing, how effective are the current campaigns which communicate with drivers about their responsibilities, the needs of other road users, changing road rules and so on? And how can those campaigns be enhanced to complement the work that you do?

Ms DAVIDSON: Campaigns on educational aspects, changes to road rules and things like that are quite effectively done and in terms of attitude and responsibilities, starting to get there. But we have to look at how we can possibly get the messages of those campaigns across. Trying to do an advertising campaign or marketing campaign that changes attitudes is a little hard because the person can say, quite simply, "It is not applicable to me, I am a safe driver". Unless that person has individual ownership and wants to change, then that change is not going to occur.

Ms VASSALLO: I concur with Ms Davidson.

The CHAIR: Do you identify in the work that you do with unlicensed drivers, which reportedly are a large cohort of those involved in road crashes but are not necessarily captured by any of the programs directed at licensed drivers? Have you any strategies to identify how they can be brought into the system and therefore contribute to safer driving on our roads?

Ms DAVIDSON: We do have quite a few unlicensed drivers attending the Traffic Offenders Intervention Program [TOIP]. It is just accessing that same program but we present exactly the same program to them. TOIP is a multi-level program, so we look at everything from why is drink driving so dangerous? Why is the formulaic counting of drinks so fraught with danger and not able to be relied on? We look at the effect of drugs, mobile phones and other distractions such as fatigue and speed. TOIP is really a holistic program where all the road safety pieces come together, like pieces of a puzzle, to give the educational and experiential basis for the person to know better and to do better.

The CHAIR: I think it is tying together quite a few of the elements you have been discussing here. Staying with unlicensed drivers, how should driver education campaigns be formulated to communicate with that particular group? When we are talking about communications, I think we assume that it is to the people who wish to undertake driving instruction leading to a licence. How about those who have no desire to or are outside the system? How do you communicate with them? Because the ones you are dealing with through TOIP are obviously those who have been identified and referred and are undertaking the program. How do you bring the others into that system? Forms of communication—I am looking for some ideas.

Ms DAVIDSON: I am not sure whether or not you could do that.

The CHAIR: You talked about peers, a very strong persuasive element, do you see a means of extending that, and how would you tease that out?

Ms DAVIDSON: I think by taking a step backwards because we have to look at a person's motivation for driving unlicensed in the first place. They will know the system. Everyone knows the system of the process to get your licence, so the person who is making the decision to drive unlicensed, what is their motivation? Is it financial, that they cannot afford to have driving lessons? Is it because they do not have access to a motor vehicle or a supervising driver? What is the motivation for them driving unlicensed in the first place? If it is a lack of financial means, lack of access to a supervising driver, lack of access to a motor vehicle in which to learn to drive, then that is where your community-based driver mentor programs can come in and assist with that and that would hopefully reduce the incidences of unlicensed driving. The key to this is to go back and look at, or undertake, some form of research or whatever, as to what are the motivating factors for somebody who would know the system, because it is well-known. We all know the process for getting a licence. Why are they not adhering to that?

The CHAIR: That takes us to the element that is underlying this, which is, can unlicensed drivers be identified through the current crash and offence data? You will probably be saying not necessarily, because we are not able to establish that and the reasons, and therefore act accordingly.

Ms DAVIDSON: Yes.

Ms ELENI PETINOS: I think Ms Vassallo was touching on driving simulations earlier?

Ms VASSALLO: Yes.

Ms ELENI PETINOS: One of the things that we have spoken about with other witnesses earlier today is some of the differences between metro and non-metro driving and how to address that, to give people experience in all driving conditions. It was suggested by another witness giving evidence to this Committee that it might be possible to provide simulations of the environment that you are not ordinarily accustomed to. So someone growing up in a metro area would be given time on a simulation in a non-metro area. Do you think that type of use of simulation would be valuable as a tool or do you not believe that simulations are helpful in such a scenario?

Ms VASSALLO: I do not have a great deal of experience with simulators and how they work but I do know that when you are teaching an L-plater to drive, you are supposed to teach them in their car and around their own environment. If you are in a simulator, the driving skills that you need, even in difference of vehicle, in a simulator might be very different to what they would experience on the open road in the country, compared to the metropolitan area.

Ms ELENI PETINOS: Does the PCYC have any thoughts on that?

Ms DAVIDSON: Learning to drive in itself is a multi-sensory experience. It is everything from what you are seeing; what you are feeling, as in terms of the road conditions underneath you; how the car behaves, right through to the processing of what is going on in the environment. I do not think we can get that multi-sensory approach with simulators. They certainly could be a tool in the shed, but whether or not they are a substitute for actual on-road driving experience in a motor vehicle, with a supervising driver—

Ms ELENI PETINOS: I think the suggestion was in addition to, so that they get exposure to other road conditions which ordinarily might not be in their confines because quite often you will travel from community A to B and you might see something along the way that you do not ordinarily see.

The CHAIR: To follow up that point with simulators, we have had submissions that are taking it exactly into the field that you have just described to give people that physical experience. The point made was that older drivers for example might not be familiar with anti-lock braking systems [ABS] and the effects of sudden braking, and so they tend to take their foot off the pedal. The simulator replicates the experience of the shuddering effect, and so some are moving in that direction. Quite a few of these submissions suggest that we consider a greater usage of simulators, not necessarily to replace driver trainers but for learners and experienced drivers who might not have had any training since their early years.

Ms DAVIDSON: In that case I would say that there needs to be an effectiveness study to see whether or not simulators can fulfil the function that you are asking them to do and whether or not the technology and level of the simulator experience is effective in terms of training. Certainly it is not an area of expertise for me.

The CHAIR: We might compare it to the Armed Forces pilots and come up with some research.

Mr ADAM CROUCH: You can take this question on notice. Do you have statistics on how many reoffenders, after doing the Traffic Offenders Intervention Program, do the program again? How many offenders reoffend after doing the course?

Mr HAYES: We will provide you with some information on that.

The CHAIR: Unfortunately time has come to an end. We thank you for appearing before the Committee today. We may wish to send you some additional questions in writing. Your reply would form part of your evidence and would be published. Would you be happy to answer any additional questions?

Ms DAVIDSON: Yes.

(The witnesses withdrew)

ALBERT TERENCE BIRSS, Chief Executive Officer, Road Safety Education Limited, affirmed and examined

BROOKE O'DONNELL, General Manager, Education and Communications, Road Safety Education Limited, affirmed and examined

RUSSELL KENNETH WHITE, Chief Executive Officer, Australian Road Safety Foundation, sworn and examined

The CHAIR: Thank you for appearing before the Committee this afternoon. Do you have any questions about the information that you were sent about the processes today?

Mr WHITE: No.

The CHAIR: Would you like to make a brief opening statement?

Mr WHITE: Yes, thank you. On behalf of the Australian Road Safety Foundation I would like to thank the Committee for this opportunity to present at this hearing. We have been very pleased to provide a submission for the Committee's consideration. I think it is timely that this inquiry is happening at the moment as there is a fantastic opportunity to set a new cultural paradigm in road safety in the way that we probably have not seen in the past. There is also a great opportunity to raise the standards in terms of how people view a licence and what that actually means. If we can raise that bar to take that to the next stage in development, it will be a great opportunity to change not only road safety outcomes but road safety culture generally. We look forward to making a contribution to this hearing.

Mr BIRSS: I thank the Committee for this opportunity. As an organisation we focus on youth road safety education. We see and understand that your review is wide-ranging. Our submission relates to youth road safety education, and we do that as a very significant player in that field in Australia, and particularly in this State.

The CHAIR: I begin by following a question I asked of previous witnesses. The suggestion was made by the witnesses that driver education, as opposed to road safety which is already within the curriculum at schools, begin a little earlier. What are the optimum years for teaching road safety education in schools? Do you recommend any changes to the curriculum?

Mr WHITE: Are we talking about education or training for licensing?

The CHAIR: I would like you to pick the two. My previous question related more to driver education, but the point was made that road safety education begins at a very early age as a passenger. From your perspective, what would you like to see in schools that is pointed more at delivering road safety outcomes?

Mr WHITE: From the foundation's standpoint, our view is that road safety education needs to start at the earliest possible opportunity. Admittedly the curriculum develops and there would be certain things that we would focus on as early as preschool, in my opinion. There are things we could be teaching kids at that level. From an educational standpoint, it is probably the most engaged a parent will ever be in terms of the joint connection as well. I think there is a space within the preschool curriculum that could be utilised and the progression would then stem through so that road safety education continues to a certain degree until they get to years 10 and beyond, when a lot of those paradigms are already set. Our view would be to try to maximise it as early as possible and then when the driver education component starts from maybe years 8, 9 or 10 that would be n integrated process all the way through.

Mr BIRSS: There is tension in the argument too soon or too late. Too soon and it is an academic exercise, which you are unlikely to get students to engage in, for example. Too late and bad habits have been formed. Focusing on where we endeavour to provide the program, it is in later year 10 and during year 11. We are saying what we do and for the reasons supported by the evidence, if you like, at that stage we are focusing on education not just for potential drivers but also for passengers at an age where it is relevant but hopefully not too late, where for drivers bad habits have already intervened. Do you want to add to that?

Ms O'DONNELL: No.

Mr WHITE: I might add to that. One of the things that we have discovered in doing school-based programs around the country is that a young person's use of something like a pushbike has diminished significantly over the past 20 years. If I compare it to when I went to school, it was difficult to find a space to park your pushbike at the bike rack. These days when we go to schools it is often difficult to find a bike rack. What I think needs to be included in this conversation is that, for the first time, young people may be getting

their first road sense experience when they first get a set of keys. So the things that they may have learnt about road safety through cycling—I am not sure about what research is available to reinforce this—is not there. So there is a gap between the road sense that young people may have learnt at the stage of early pushbike riding or pedestrian use and what happens when they get in a car. It would be interesting to look at that, when we are talking about education across the board. I think there is a different curriculum as people get to a driving level but earlier if we had earlier interventions it could start a cultural conversation about road safety.

The CHAIR: That takes us to the delivery of that education. How are the education programs approved and accredited? What training do school teachers receive to deliver those road safety education programs? Would you recommend any changes to the current system?

Mr WHITE: Probably the most critical thing is to make sure there is consistency. The way that that program is interfaced needs to follow along a similar curriculum outline. A lot of those things are in place in various ways. I think we need to look at a more holistic way of ensuring that content is delivered at the same standard with the same passion across the board. I realise that that is a challenge. One of the things that the foundation is steering towards or contributing to is how we set up an accreditation system to make sure that people who are delivering the training are delivering the right message.

Ms O'DONNELL: I would add that that is where having outside resources for teachers to use and to draw on from experts in the road safety arena is important. Teachers are not road safety experts. They come with their own biases. Because they are all drivers they all have experience of years and years on the road. We would say that setting up programs that they can draw on as a resource and a tool to support what they are doing in school is important.

The CHAIR: Thank you. That is exactly the type of information we are looking for. One of the points made very strongly in your submission was in relation to fear based education. Can you expand on the view that fear based education programs are not effective because young people reject those messages. What evidence is there for that?

Ms O'DONNELL: There is an awful lot of evidence that our natural response to fear is to soothe ourselves and tell ourselves "It is not going to happen to me", to reject it and push it away. Certainly there is a delicate balance that needs to be trodden, enough to create a feeling of vulnerability in the young person so that they accept that they are vulnerable to something happening to them but that it is within context and that there are always strategies. Any kind of fear that they may be feeling immediately needs to be turned into competency—something that they can do or strategy and planning so that they can manage the risk.

Mr BIRSS: You are perhaps referring to our submission that made four recommendations, one of which relates to accreditation. That comes back to the comment you made earlier. In relation to what Brooke was talking about, to some extent you can de-emotionalise the whole experience to the extent that it is just another boring exercise, either at school or on the website and so on. So it is a delicate balance, as Brooke was indicating, between getting the emotional juices going, getting the engagement, but not creating a level of fear that causes a shutdown. That is what the evidence says. We seek in an interactive, vibrant, personal way to identify the fact that they are vulnerable and they accept that they are vulnerable, but the emphasis is always on personal strategies and tools for dealing with that vulnerability. As we say in our submission, we reject the fear-based program which says, "Here's blood and guts. This is what could happen to you", full stop. We reject that outright. The evidence is clear: it does not work. Incidentally, it is also unfair—because so what? We create an element of vulnerability— a touch of fear if you like—and then provide tools to enable them to manage that vulnerability.

The CHAIR: I notice that you introduce spokespeople to talk about the aftermath. You prefer to go with that, the dealing with the crisis after the event, as a form of education. That was part of your four-point plan, I believe. You would have people give a clinical point of view to young drivers about the aftermath of being involved in accidents rather than the confrontation that you were outlining.

Mr BIRSS: One element of that is what we would call our Genevieve story. Brooke could mention that briefly. That is answering a question or reaffirming what you are suggesting there.

Ms O'DONNELL: I will just say that we do not have clinical people coming in to talk to them. I think you might be thinking of bstreetsmart. They have doctors in an emergency room.

The CHAIR: Several of the submissions—I think yours referred to it—used the aftermath of those incidents plus the fear that we have been talking about with respect to dealing with the life that you face after an event of that nature. It reinforces a realisation that a better attitude and better road safety behaviour will avoid that outcome.

Ms O'DONNELL: We do have two sessions that touch on it. One is a video where we learn through the stories of her parents and friends about a girl who lost her life in an overtaking crash. The video is eight minutes long and we immediately go into pulling it apart. What happened? What led to that? We do touch on the ripple effect. We have a crash survivor come and talk to them, but again we have a personalisation exercise—what does this mean for me?—so that they cannot distance themselves from it. They cannot just think, "That was somebody else. It wouldn't happen to me." We do touch on that but always within context and always with a plan to strategise.

Mr BIRSS: Importantly, Genevieve was a good girl and a reasonable driver, in other words, a normal person and not, as is so often depicted in this type of fear strategy, a crazy person, someone who drank to excess or made clearly poor choices. In those cases young people can say, "Well, I would never be like that," whether they are or not. With Genevieve—I am just using that as a session concept—we show someone who was a good girl, a good driver. In other words, we are saying, "If you think of yourself in this way, what happened to her could happen to you."

Ms O'DONNELL: We say, importantly, it does not have to—here's how.

Mr THOMAS GEORGE: Some of the submissions argue that the learner drivers should be awarded logbook credits for time spent in accredited road safety programs or even training on bicycles. In addition to time spent with a professional driver trainer, should these reductions in hours of driving experience be permitted?

Ms O'DONNELL: We believe so. Again, the research will tell you that you can learn the mechanics of driving a car in about 15 hours; it is all that cognitive decision-making and strategies—how am I going to handle this situation?—that take time to develop. A program that is focused on helping them strategise and helping them stand up for themselves if they are uncomfortable with peers, all of those things that are not on that regular road to licence, are so important to help keep them safe and are every bit as valid and worthwhile a use of an hour as sitting next to mum and dad in the car and not going so deeply into those conversations. So I would say yes.

Mr BIRSS: We would say yes unreservedly. Very strongly that is our view. In other words, sitting beside mum and dad and driving is one thing, it has a level of value, and professional driving clearly has a level of value, but so does the tougher stuff, which is the higher level decision-making that needs to be made by them. That is the hard thing to get. So we are very strong on the fact that "accredited" programs that address that and identify strategies that will help them make better decisions are a very worthwhile thing to be doing to become a safer driver and should be recognised so as to encourage young people and their parents to take that course of action.

Mr WHITE: I would agree, to a point. I am not sure that reducing the actual hour times is necessarily the way to go. I think if you start to speed up that process the research says that by reducing the number of hours that people spend under that supervision can be problematic. I would agree with Mr Birss, I think there is an important role that parents play. But just as if I was to try to teach my daughter to play golf, I would be a poor coach to send her too. There would be drivers and parents, well-meaning parents and well-meaning individuals maybe passing on incorrect information to young drivers based on their own current beliefs and paradigms. I think that is an issue. I think we have to look rather than at driving instructors, we have to look at a sports coaching mentality, that it is not just these are the rules and that that is the main thing we have to look at.

We have to look at these higher order skills, human factors. Having trained people for more than 27 years, I have found very few that have sat in a car with me that have had anywhere near those things in terms of the human factors, the situational awareness, the visual scanning patterns. Yes, they may know the road rules; yes, they may know the basics of moving a car around. But there is a whole realm of other things which they simply are not aware of. An example I have often used when we have talked to high school students, it is like trying to say to someone, "We are only going to give you a preschool level of education but we are expecting you to perform at a university level with nothing in between." That is the sort of analogy that I think we have to try and look for additional touch points where we can get road safety, not only training and coaching but also messaging across as well.

Ms O'DONNELL: I think it is important to acknowledge that it doesn't all have to be behind the wheel of a car. The New South Wales Safer Drivers Course is already recognising the value of classroom education when it is done correctly. To be able to recognise other programs that can have a wide reach to young people that are quality best practice programs, then it is certainly valid time spent towards safer driving.

The Hon. SCOTT FARLOW: In terms of that classroom point, how does New South Wales compare with other States and what they are doing in the education system in the classroom? Are there things that we can learn from them, and maybe internationally, as to what we could do better?

Ms O'DONNELL: I do not know I can really talk to that. I can tell you that RYDA is in all States, so we do that the same everywhere, and the same opportunities. I do not know that I can really talk to education providers.

Mr BIRSS: Each jurisdiction is somewhat different, and each jurisdiction would generally have a fairly confident view about the right track that they were taking. However, there is commonality right throughout. For example, Tasmania, where most students attend RYDA, is one example at the extreme where the Government have said, "This is a key part of the continuum of learning, therefore we will, through from kindergarten to year 12, bolt this on at this crucial time." What is the crucial time? It is when young people are thinking about driving or riding in cars as passengers driven by their peers. What is different in the various States is probably one of slight degree, I think, than anything that is fundamentally different.

We are engaging quite strongly with the transport agency in New Zealand, for example. They are also looking at this particular aspect, which is what we are also putting to the Minister here. That is as a program we are not a standalone. We need to be a fully effective part of the continuum of learning. How do we get the biggest bang for the community buck? You do that by ensuring that accredited programs are messaging correctly, in other words, with consistent language; and, hugely importantly, because a product or program like RYDA supercharges the enthusiasm and the motivation of students, and crucially empowers teachers, because they now feel confident to go back into the classroom and use what are very good Centre for Road Safety materials in that classroom.

Often the outcome can be highly effective. Why? Because they already have, for example, the interactivity out of classroom. It is interesting: speed and stopping distances where they actually are able to see the effect of different speeds on stopping distances and so on and they take those pictures back into the classroom and they become part of the curriculum. What I would say is what the Centre for Road Safety is doing or starting to do more of is something that we would say is highly important. And that is something which some other agencies are looking at already doing in other States, other jurisdictions.

Mr WHITE: I think the other thing to add to that is how road safety is marketed. It is a whole marketing campaign. In similar ways that we have done things with environment or with health, we have to look at how do we better market road safety. Agreeing with everything Mr Birss has said, how do we then shift community ownership of the issue? Quite often, if you ask people in the street who is responsible for road safety, they will say it is the police or the Government. I think we have to somehow try and engage the community at a separate level because we know those two entities have limitations in what they can do, until the community feel they own it. Again, we have seen that in health, we have seen that in other areas, in environment. If we can give community ownership that then supports government and police activities, and to me that again comes back to a marketing, social responsibility side to complement anything that is happening. As much as anything that happens in the curriculum, I think it is a broader discussion about how do we effectively re-market road safety in a way that is going to create community engagement.

The Hon. SCOTT FARLOW: In terms of the submission you put forward I think the most striking thing for me was the graph you had of L-platers and accidents, red Ps and then the decline. With your program, perhaps it is best to look at Tasmania potentially where RYDA is in all schools. Has that seen any drop-off in the rate of red P accidents and the like?

Mr BIRSS: We could come back to you with that data. We do not have it, no. What is interesting about it though is the capability of that driver has not changed overnight going from L to P. What has changed? Mum or dad is not sitting there. So therefore what has changed? It is attitude, isn't it? Probably in large measure. Attitude has changed. That is why, to Mr George's question, this area of cognition is so crucial: not only that I have got skills but I have got tools so I can actually execute, I know how to do this. What we hope for and we expect from best practice products is at that moment when this young person is about to make the decision that strategy resonates. And now because we have been providing the program for over a decade, in fact 16 years, we can talk to even ministerial staffers and say "Yes, we have been to RYDA and there has been occasions where I have been in a tricky position, I have not thought about it, it has just come into my mind." That is one of the things that is so crucial.

You can get that fairly easily, but it is how we get that. That is what a program like ours is about, which should be supplementing through the whole process that is happening in schools. I agree with Mr White there, that social driving, social responsibility is one of the crucial elements that should be part of the scene and

certainly what we push back into schools with our collegial relationship with hundreds and hundreds of schools, the sense of social driving, social responsibility. It is my responsibility, it is also yours.

Mr THOMAS GEORGE: I was going to make the statement that in country and regional areas every car that seems to pass you is a P-plater. It is very sad.

The Hon. SCOTT FARLOW: One of the earlier witnesses talked about the 3 Es—education, enforcement and engineering—and said that perhaps we side a little bit too much on education. We had a bit of debate about that. Earlier this year the Federal Minister talked about engineering and having safer cars. I would be interested in your views about the benefits of education. I know it is all a mix in terms of enforcement, education and engineering when it comes to having safer roads and better road statistics. What do you say is the benefit of education fundamentally and, regarding the Government's dollar, why should we be putting more into education than anything else?

Mr BIRSS: Could I turn the question 180 degrees and say imagine if your son or daughter were asked to drive without any education or any advice. It is an utter nonsense. In other words, as a society we believe in education. If we get the declensions wrong in German, the ramifications are not so bad as potentially getting advice wrong in road safety education. That is potentially horrific. I am happy to go further with the question but for me if there is an absence of education, that is not a fair go for our kids. It is a ridiculous proposition, in fact. However, what is appropriate is effective education—in other words, as I mentioned before, getting the best bang for the buck.

That is why we as an organisation have tended in our submission to say there should be some form of accreditation. Why? There are hundreds of programs which we come across throughout Australia and New Zealand and all of them are well-intentioned and often led by, sadly, grieving parents. But in this subject, that is not good enough. It may help assuage their feelings. I absolutely identify with that because we see a lot of people in that position, sadly, but what is crucial is that we have products and programs that are best practice and who best to identify that, really?

It is the Government, the government guidelines, which the Government has. I would say next, "For goodness sake, Government, now enforce these." That is a practical issue. How do you enforce that? One way you do not enforce that is by in some way supporting products and programs that clearly do not meet best practice. That really is a betrayal of trust of the community and of schools and parents because the community is not able to make effective judgements about what is a good program and what is not. It is not able to do that and that is where it needs more guidance, more help, from government in our view.

Ms O'DONNELL: I would add on the importance of education that, while there are safer cars and safer roads, the safer cars are at the moment being driven by people who still have to make choices and who still need to be educated on those choices, and a lot of those safer cars are coming with more and more distractions and gadgets in them. I think education is still absolutely key.

Mr WHITE: I would agree with that. I think if you look at the last Federal budget, whilst there was some there for education, the vast majority was for road and infrastructure upgrades. Again that is equally important but I think in the share of how the money is divvied up—in fact, in every single road safety strategy I have ever looked at—education has been the last thing on the list. Everything else is from an engineering background. I am not saying that is not important but to take Ms O'Donnell's point, even as autonomous cars start to head towards us, the engineers actually believe there is going to be more need for education about the systems.

How do we integrate those systems into the norm? The need for education is going to be far greater. I think that from what the previous two speakers have said we do not spend enough on education and certainly on the quality of education. I think that is a big part. It has been too far skewed to an engineering solution only. There is no doubt that since the 1970s the road toll has come down because of those things, but as tolls start to increase pretty much across the nation you need to start to ask: What is the next thing to come? To me, education is the next thing.

Ms ELENI PETINOS: Touching on what you have just said, for the elimination of any doubt for anyone reading this transcript and given the statements made by a previous witness, would you agree that there is a role for education by the Government in this space to ensure that we are addressing driver education training and ultimately road safety? Representing your organisations, are you confirming that there is a very important role for education to play in this space?

Mr WHITE: Absolutely, beyond any shadow of a doubt. I think we are kidding ourselves if we do not do that. You will not engineer the problem out of the system. Education is a critical thing. As I said, even as autonomous cars and systems start to get integrated—I think I heard from one of the previous witnesses that we

still find that with even basic systems like ABS brakes people have no idea how they actually work, let alone some of the autonomous systems that are actually on vehicles.

Mr BIRSS: How could there not be a role for government in education? How could there not be a role for government in road safety education, which deals with life and death? The answer is yes from me.

Mr WHITE: It is a yes from me too.

Ms ELENI PETINOS: Based on your evidence, it sounds as if you are saying that whilst there has been a role for education thus far you think it has not been our main priority in terms of the three Es.

Mr BIRSS: You could come back to the investment of dollars. That is self-evident, maybe. On the other hand, I would say that potentially you could argue—I think fairly—that the investment in education has not always been best spent, but that is a judgement.

Mr WHITE: I would say, as I have mentioned before, if you look at the disproportionate amount of funding that has gone towards education compared to other countermeasures, I think there is a role for that definitely to be increased without a shadow of a doubt.

Ms ELENI PETINOS: The Committee has put this question to other witnesses. Looking at the differences between metropolitan and non-metropolitan environments for road users, it would appear that the training and testing available for road users at the moment does not differentiate between road users in each different environment. Another witness put it to us that if you are a road user in a metropolitan environment, to supplement that gap and make you familiar with an alternative environment, a simulator of a non-metropolitan environment is potentially something that might be helpful to be integrated into your training at some point. Do you believe that there is potentially a role for simulation of a non-preferred environment for road users?

Mr WHITE: In my view, simulation is never meant to replace in-vehicle training but, in the absence of being able to experience some of those things, there is definitely a role that simulation or virtual reality could implement. Again, in the absence of doing anything else, VR or simulation would allow us to conduct training and education programs in a cost-effective and multidimensional way that is currently not being done. If we draw comparisons between aviation, medical or other industries, quality simulation is actually used extensively.

We have been using stimulators in our program since 2007. We found them, as an education tool in the absence of being able to get someone in a vehicle, an outstanding education piece for us even if it is to educate around distraction or impaired driving. The consequence of driving in a rural environment, for example, is another great one because the situations are different. As I said, I have always been of the view that simulation technology has a huge role to play and I think that is something that is untapped. It has been explored in certain places but I think there is a huge role that it could play as a cost-effective means of delivering uniform education across the State where the access to and quality of the training is important.

Mr BIRSS: We are currently looking at that and we currently do not have an informed view. But we would be prepared to say that there is no comparison between reality and simulation. That said, if there is no option, then simulation is perhaps a second prize where a second prize is better than no prize. What we would be concerned about is the leakage from the opportunity for face-to-face engagement and simulation—in other words, it is easier potentially to engage a simulation rather than take the bigger step of reality. We are looking at that. Our view is not yet fully formed.

Ms O'DONNELL: I think there is also a role for education to help parents understand the importance of filling that 120 hours properly, getting them out into different situations and getting young people to understand the importance of filling that 120 hours properly.

Mr WHITE: Properly.

Ms ELENI PETINOS: The context of the Committee's earlier discussion was that I grew up in a national park, so I had the benefit when I was learning to drive of rural and regional driving, dodging animals and driving in the dark with no streetlights and around lots of bends. I live on the fringe of Sydney and have also driven in densely populated areas, with stop-start traffic lights, roundabouts and so on. They are the driving conditions we would associate with living in a city centre. We were talking about the fact that some drivers do not necessarily have exposure to these things and then jump into a car and drive for three hours and end up in a completely unfamiliar area that they are ill-equipped to tackle. Do you think we need to fill that gap for drivers, is the current program—which lets people train in their local environment, to do 120 hours and to pass the test—sufficient, or do we need to look at broadening that experience before a driver sits the test?

Mr WHITE: You have touched on a very interesting point. Kids brought up in a country environment drive a vehicle differently. They are better at determining the dynamic feel of the car and they are used to

looking further down the road. Kids from the city may have a better understanding of the road rules and they may be more focused on wearing seatbelts and not speeding. There is no doubt that the more we educate people about those different environments the better. The challenge for any State is determining how they do that consistently and how they establish a standard. Again, we do not have to go far out of the central business district or the metropolitan area to have a very different environment. Simulation could play a role in that area to provide experience about the sorts of things they could encounter.

Mr ADAM CROUCH: It has been suggested that the Committee look at tailoring licences for a country or a metropolitan driver. For instance, if a country driver comes to the city, they would be required to stick to a certain speed because they are unfamiliar with that territory, and vice versa for city drivers going to the country. A kid who learns to drive on the North Shore who drives to Broken Hill on a holiday might face some limitations. Would that be helpful?

Mr WHITE: It has to be done holistically. I was born in regional Queensland, but I now live in the Brisbane metropolitan area. If you tailor something to one area, you might impact on someone because in the first job they get they would face that situation. Having a licence that is skewed to one region could be problematic. You would have to look at how you extend that experience to cover all those aspects. It is about covering the what-if scenario. Unfortunately there was a tragedy on the weekend where a young lady pulled over on the freeway. When we are talking about the education, those what-if scenarios do not attract anywhere near enough attention. When something unexpected happens, people panic and stop their car as quickly as possible without making a broader risk assessment and determining whether that is the best place to pull over. When we talk about training, they are the broader things we need to encompass. That breakdown could happen on a country road heading to Bathurst.

When we look at how we deal with the next phase of education, we must focus on situational awareness and take into account human behaviour beyond a basic understanding of moving the car and the road rules. We must start looking at higher order skills. The challenge we face with driver education is that if we try to implant a notion when someone is still trying to grasp the fundamentals of vehicle movement they will not absorb it because they are too focused on the mechanics of driving. That goes back to the spike that occurs when the L-plate driver moves to a P-plate. All of a sudden you have gone from someone sitting with you and another pair of eyes focusing on basic movements to being alone and starting to explore other situations. That is why crash rates go through the roof when drivers get their P-plates.

Mr ADAM CROUCH: You mentioned Tasmania having mandatory driver education in schools. At what year level does that start?

Ms O'DONNELL: It begins in year 10.

Mr ADAM CROUCH: You will come back with data about that. One of the earlier discussions was about starting that education at year 8. That is very valuable information. The school curriculum has so much else, but we wait until kids are in year 10 before we address the fact that in two years or less they will be driving a car. There is a potential information overload. You mentioned education not getting its share of funding. We have had four fatal accidents on the Central Coast in the past 12 months. The instant response is to blame the condition of the roads. However, in every instance the accident occurred due to pilot error, not the condition of the road. You say that we should start this education earlier and that we should take a holistic approach from year 10 or earlier.

Mr WHITE: The other thing we have often advocated is, how can we look at a way to potentially incentivise people to get better? Maybe if the current licence level stays as is but there is a higher level licence that if you do extra training, if you do other things to improve your own performance that, again from a work-related road safety aspect, that might be seen more favourably from an employer's standpoint.

Mr ADAM CROUCH: If you could answer the question about employee training.

Mr WHITE: Because in my opinion work-related road safety is the next, and it leads on from education. Because as they come out of the system they are driving for work or work-related driving. And when nearly half the work-related deaths and injuries occur in-vehicle, that to me is the next space that education flows onto because those younger people eventually, if they go through the process, become older drivers and that is where the work-related stuff could flow in there too. But I think, quite often, road safety is seen as just the stick mentality and we need to look ahead and find ways to get more carrot in there as well. Again, that might mean the current licence level stays but there is a gold standard licence or there are other things that if you have proven you have gone further to develop yourself as a driver there are ways that we could look at of potentially rewarding someone for going that extra mile. Because I think if people are given an extra standard you might be

surprised how many people try to strive for that if it is seen that there are benefits in doing that. Again, we are advocating that there is also an encouragement aspect here as to how do we incentivise better behaviour as well.

Mr ADAM CROUCH: With regards to younger people leaving school early, such as TAFE, we have identified there is a definite weakness there because kids are leaving the traditional school system and going off to TAFE education. That is something I think you highlighted in your report, that trade-related employee education is so important.

Mr WHITE: Yes, absolutely. Because again you have got young apprentices, as we heard from the previous presenters, who are starting a new job. They have got a new car and there are a lot of new things happening. Part of that work related to safety responsibility needs to come in, in the same way it does for other legal things as part of that job process. I think driving is equally a target focus for that at that early stage of TAFE or when they are just starting to get into that next stage of their life and that is another critical factor. Work-related road safety is one of the few areas where I think we have actually still got some levers that can be pulled there because of the occupational health and safety legislation chain of responsibility.

The CHAIR: Thank you for appearing before the Committee this afternoon. Regrettably, our time has come to an end. We may wish to send you some additional questions in writing and your reply would then form part of the evidence and be published. Would you be happy to answer any such questions?

Mr BIRSS: Yes, absolutely.

(The witnesses withdrew)

KARL SULLIVAN, General Manager, Policy, Risk and Disaster Planning, Insurance Council of Australia, sworn and examined

NAOMI LOUISE GRAHAM, Manager, Public Policy and Industry Affairs, Insurance Australia Group, affirmed and examined

ROBERT BRUCE MCDONALD, Director of Research Initiatives, Insurance Australia Group, affirmed and examined

The ACTING CHAIR (The Hon. Scott Farlow): I welcome our next witnesses. Before we proceed, do you have any questions about the information provided to you?

Mr SULLIVAN: No.

The ACTING CHAIR: Would you like to make a brief opening statement?

Mr SULLIVAN: We do have a short opening statement. Thank you for the opportunity to give evidence to the Committee. We appear today as representatives of the Insurance Council of Australia. The ICA is the representative body of the general insurance industry. Our members provide insurance products that include home and contents insurance, motor vehicle insurance, property insurance and compulsory third party and other types of personal injury coverage. Insurers have a role to play in encouraging prudent road safety outcomes. Motor insurance and compensation for bodily injury form significant parts of our industry. Many of our members seek to proactively share the insights gained from these lines of business with their customers to help them better understand road risk and to promote safety initiatives. The cost of serious injuries and fatalities have far-reaching repercussions that extend beyond premiums and claims. We therefore welcome the Committee's inquiry into the role that whole-of-life driver education and training can play to improve road safety in New South Wales.

We are pleased to be here with representatives of the Insurance Australia Group [IAG]. IAG is one of our larger members and insures close to six million cars and nearly 1.9 million compulsory third party insurance policies each year, covering commercial fleets and agricultural machinery. They see a natural alignment between lowering the risk of an accident or injury on the road and building a sustainable business. IAG is a partner in the P Drivers Project, along with VicRoads, Transport for NSW, the Commonwealth Department of Infrastructure, Transport and Regional Development, the Transport Accident Commission, Royal Automobile Club Victoria and the Federal Chamber of Automotive Industries. The project is a large-scale road safety project to develop and implement a driver education program for young P-plate drivers aged 17 to 22, a cohort typically characterised as high risk. The findings from the research are due to be finalised in late 2017 and should help inform a more targeted driver education strategy for this segment of motorists. The ICA supports improvements to driver education and training that are evidence-based, with initiatives monitored over time to ensure they remain effective and relevant. We will be pleased to answer any questions.

The ACTING CHAIR: One of the themes that witnesses have brought up today is the non-attendance of police at minor motor accidents. What is the Insurance Council's perspective on that change? Have you seen any impact in terms of driver behaviour following that change?

Mr SULLIVAN: In a very general sense, the issue has been brought up by a number of insurers over time. New South Wales is not the only jurisdiction where this change has occurred. From a general perspective, we see that there is an increased propensity for fraud and things like that that can occur when there has not been police attendance. In a more general sense, not having police attend at motor vehicle accidents can also take away some of the stick. I think previous witnesses spoke about the carrot and the stick. We are not aware, though, of any long-term studies that have shown that it has increased any kind of road accident rates or fatalities. Obviously there has been a cost saving by not having the police turn up at road accident events.

Mr THOMAS GEORGE: I must state that Mr Sullivan and I have had a lot to do with each other through a few natural disasters, including the latest one. Recently an example was raised with my office of a truck and a car colliding at a roundabout. There were no injuries, so no police. The next day the lady was taken to hospital as a result of delayed injuries. There could be an insurance case from the accident, but there is no police report.

Mr SULLIVAN: That is precisely the sort of circumstance we are talking about. That may not indicate that fraud is occurring, but the nature of injuries is that they can be delayed. It can be difficult then to have the police turn up 24 hours later, and certainly the vehicles have been moved and all the evidence is gone. It is something that is worth looking at in a longer term sense, the cost benefit analysis of not having police deploy their resources to all those events. There is definitely a saving there, but what are we losing as a result?

Mr THOMAS GEORGE: A further implication is that if the police had been deployed, both the drivers would have been tested there and then. One of them could have been under the influence, but because injury was not an issue on the day, although there was a fair bit of damage to the vehicles, police did not attend. It did not become an issue until the next day when the lady had to go to hospital and was admitted. I turn now to the P Drivers Project. Are you working with the Victorian Government on that?

Mr McDONALD: It was a project that took a long time to get going. It had funding for quite a while and there was quite a lot of discussion. It was originally going to be a Federal Government project, I think, and was taken over by the Victorian Government. VicRoads decided to manage it and run it. It was quite ambitious—and I believe the report is still under construction at the moment—in trying to get a lot of engagement with young people immediately after they get their licence and try to influence their behaviour. That is probably the worst period for serious collisions involving young people. The project involves peer discussions and regular reviews with a case manager, who would go for a drive with them and give them feedback on how they were progressing to try to influence their behaviour over time, rather than just sending them off with a shiny new P-plate and hope they come back in a year or two. It was very ambitious in its numbers.

It proved really hard to get engagement of people in that age group long term; there was a high dropout rate and the project did a lot of work trying to get people to come back in with incentives, gifts, free petrol and cars and all sorts of things. In the end, there should be some outcome that should give a useful direction as to the effect of driver training applied to young people. The general consensus is that we do not want young people to be overly confident; they are already too confident and they do not see the consequences of their actions. Immediately after they get their licence is probably the safest time because they are really well-behaved, and gradually they get more and more confidence, learn to relax and start taking risks. That leads to the very high collision rate and injury rates that happens at that age group.

Ms GRAHAM: To add to that, basically groups of people that got their licence would go for an education session. That is followed up after they have had the education session by a survey. That is compared to a group that does not have the education session, so they are hoping to find out whether that is an effective way. They are also monitoring whether they get any demerit points in that same time. So the results will hopefully be published this year.

Mr THOMAS GEORGE: That was the younger drivers. It is left up to me to ask all these questions about the older drivers.

Mr McDONALD: I used to be in the former; now I am in the latter category.

Mr THOMAS GEORGE: So was I. New South Wales has been described as having a testing regime for aged drivers that is harsh and discriminatory. Do the insurance companies feel that it is too hard or not hard enough?

Mr SULLIVAN: The insurers might have specifics, but in a general sense pricing of an insurance premium sends a price signal. We base that on accident statistics. This pendulum will often swing to "penalise" a certain age group because there is a perception—maybe backed up by evidence—that there are more accidents occurring in that demographic. Then it will swing back the other way. End-of-life drivers, in their retirement years, are probably driving the last car they will own. The regime, as it stands at the moment, gives some confidence to insurers that people are licenced appropriately and still able to continue to drive the motor vehicle appropriately.

Mr McDONALD: The data shows that the worst group are the under-18s. They gradually get better up to about 45 to 55 or even 65. Then the collision rate starts going back up again. I have not yet directly experienced the requirement for over-70s and over-75s, but I do not see it as a bad thing. It is not hard to notice if you drive around the city a lot that, although the peak hour traffic might move faster, during the post-peak hour traffic, when the retirees and shoppers are out, the quality of driving deteriorates quite dramatically.

If anything, I would like to see a bit more regular testing between the time that you get your licence and the period in your seventies when you start getting regularly re-tested. Maybe even if it was every five years it would not be bad for some people to get some feedback. People can develop an awful lot of bad habits in that time. I think the overwhelming thing that I see is people not perceiving the consequence of their actions. The analogy I was thinking the other day was of a Christmas shopper who is texting on the phone and stops at the bottom of the escalator to take a text when there are a whole lot of people piling up behind them. When I saw that, all I could think of was that that person was going to get into a car and drive home.

Maybe they would use the same thought processes in their driving. Maybe they are the ones who reverse up the freeway ramp or do a U-turn where they should not, purely because they are inconvenienced.

There could be a lot more work done on consequences. While the face-to-face driving lesson is valuable, the only way you can safely show people consequences these days is perhaps in virtual reality types of simulators. I think that they are becoming more common and more viable these days. People there can experience what happens when they do the wrong thing without hurting themselves.

Ms ELENI PETINOS: I will pick up where we have just left off. You advocated for more frequent testing of drivers. The scenario that you outlined does not necessarily have to be addressed by testing. It could also be addressed by education. Are you definitively advocating for regular testing? If so, in what form? Are you suggesting practical road tests? Are you advocating online theoretical tests or are you advocating something like a simulator? Alternatively, do you believe that bad habits can be addressed via communication or broader education campaigns, as has been advocated by other witnesses today?

Mr McDONALD: It was not an industry suggestion, it was more a personal suggestion of mine. It just seems odd to me that a lot of effort goes into evaluation of people when they are 16 or 17, and then not again until they are 70, whereas pilots go through regular simulator training just to keep their licence at a certain level. I think to a certain extent some of the developments in cars may overtake that in the next few years, because we are already starting to see autonomous features in vehicles—such as autonomous braking and automatic steering—even in cars that are not considered to be fully autonomous. That is going to become more common. I cannot see why we should have to go such a long time between getting a licence and being re-evaluated, until you may do something really seriously bad.

Ms ELENI PETINOS: That has been raised by several witnesses today. I am putting to you, do you consider that that means that drivers need to physically get behind a wheel and get retested in that mechanism or are you suggesting assessing some of the attitudinal things, which can be addressed via a simulator or online? How is it that you propose to fill that void until you get to 75?

Ms GRAHAM: I can answer with a bit of an example from how we help fleets manage their risk. Part of our business is offering some of our commercial customers risk management services, which includes education on road safety. Where we have had most success seems to be with regular short burst of education. The problem with one education session is that that effect can wear off in a period of time, whereas if you are doing it regularly—perhaps every two months or something—you are getting your attention drawn back to it regularly. So I do not think we are definitively saying that you would have to be tested but just that they have something regularly, to refocus on those safety issues. I think education can work; you just have to make sure that it is done consistently and in the right way. At the moment there is not a great deal of evidence about the effectiveness of any education in this space lasting for a very long period of time or having a permanent effect.

Mr SULLIVAN: Just for the sake of absolute clarity, there is definitely, from the industry's perspective, a role for ongoing education of drivers, as there is for any profession or any skill set. It is really just a matter of determining what is the most effective way to educate, and at what frequency, and perhaps what they triggers are to put somebody in and out of those education programs. As we have said, that might not necessarily mean mandatory testing over a certain period but there does need to be something that fill that gap—as Robert has said—between the day that you get your open licence and in your seventies when you are asked to come back and sit a test. There is an awful lot of time in between when you may have picked up bad habits; you may have picked up really good habits, but somewhere in the middle there is a role for further education.

Ms GRAHAM: The other touch point is when adults are teaching their children to drive. Perhaps that would be a good point at which to re-engage. Are they teaching their children the correct way of driving? Are they passing on any bad habits? There is no requirement to be a parent, to teach a child to drive. Perhaps that is a good touch point at which we could educate or test.

Ms ELENI PETINOS: That has definitely been raised by other people before this committee today. You made a statement. I was trying to get a practical way to tackle this, because ultimately we need to make recommendations. There are several people agreeing with you but we need to have something better than a theoretical way to tackle a problem. So I was asking for something tangible to help us to make a recommendation to fill the void.

Mr McDONALD: I guess there would be two different ways you can go. One would be to have a simple re-evaluation with an approved instructor who could give some feedback on your driving and maybe rate you in some way. Perhaps a better way—it is rapidly getting cheaper—would be an aircraft type of simulator, without going to the expense of a full aircraft simulator. Some of the virtual reality programs are now very realistic and you can actually experience outcomes, negative outcomes, of what you are doing, not just have someone tick boxes of answers to questions in a theoretical way. That way you can see what happens when you travel too close to a car in front—you are not going to be able to stop in time when something dramatic happens.

They will be able to see what happens if they have their mobile phone or GPS in the wrong place on the dashboard. It could be blocking the view of a pedestrian or a bicycle rider. People do all those things. Even people in the industry who I consider to be quite good drivers often have quite poor habits that have developed over time. It is very hard for them to change. Maybe it is too big a task but I think that over that really long time something needs to be done to at least keep people engaged and to have them see the consequences of their actions.

Ms GRAHAM: Another point to add, I think as someone said previously, perhaps workplaces or people that drive for their occupation is a place to start where they are retested by their employer every few years, or something of that nature. Perhaps you can start with that group, then expand that out if that is something that is effective.

Mr ADAM CROUCH: Mrs Graham, you mentioned before that your industry undertakes training for fleets. We were talking about the carrot and stick earlier. Do those fleets get a discount on their insurance premiums if their drivers undertake that sort of additional education program? Is there a reward system whereby there is a discount?

Ms GRAHAM: In a way, it is not always simply that linear but we offer that service as a way of helping our customers be safer and once they are safer then each year we look at their characteristics to form the premium.

Mr ADAM CROUCH: The reason I ask that question is the comment earlier about a specific age group becoming more prone to accidents and their premiums are priced accordingly. The Government effectively rewards good driving behaviour. I got that pleasant surprise when I renewed my licence and found out I had not done anything wrong for 10 years. I knew nothing about it at the time. We probably should highlight that more regularly. If younger drivers, those 17- to 18-year-olds who are heading out on the roads unsupervised, if they were to undertake additional training programs, would it be in the industry's interest to offer incentives for them to do that? Insurance premiums for younger drivers are scary, especially if they have just got a job, they are tradies, have their first ute or car. Would the industry be willing to look at that?

Ms GRAHAM: I will answer quickly first. The difficulty is in proving the longevity of the effectiveness of that program. As I alluded to before, attending, say, a one-day workshop does not make you a better driver for the next 10 years or the next one year even. I think we would welcome more research, more evidence that some of these courses have an actual impact and a long lasting impact, and we would be happy to consider that sort of education and then we could look at it.

Mr ADAM CROUCH: It is interesting because many other witnesses have categorically stated that ongoing education is a definite improvement in driving. We have engineered roads to within an inch of their lives but we let drivers out there, as we said, when they are 18 and say "Come back when you are 75". Do you think the current regime is too harsh on provisional drivers the way it is at the moment?

Mr McDONALD: In terms of fines?

Mr ADAM CROUCH: Yes.

Ms GRAHAM: I do not know that we really have a comment on that.

Mr SULLIVAN: I do not think we have any clear claims data that would back up that it is causing a definite change in behaviour, but that might be because the environment does take them off the road fairly quickly if they are demonstrating the "three strikes and you are out" kind of approach. That is something that we could potentially have a look at and take on notice and come back to you on.

Ms GRAHAM: Regardless of what is happening with those education programs, we are still seeing that group as the highest risk. Even if it is working, they are still the highest risk, the under-25s.

Mr McDONALD: Given the fines for use of hand-held mobile phones is extremely high for P-platers, the number I still see using them in traffic in open sight is quite amazing.

Mr ADAM CROUCH: With the habitual behaviour we were talking about before with the younger drivers, a lot of people who have given evidence today stated that there is no data about driver education, long-term solutions. The industry would have a vested interest in this. When we have accidents, often police are not called in but an insurance claim will be processed. Are you able to capture the data about whether that driver was (a) at fault, if they were a younger driver, and (b) had they undertaken an additional education program? At the moment there seems to be a very big black hole of information about younger drivers. We know they have more accidents but are the ones that have driver education also involved in those same accidents? At the moment we are just saying they are bad drivers and they have accidents. Are we drilling down a bit further to

find out whether these are the ones who had no extra education, and if they had this extra education were they actually the innocent party in that accident?

Ms GRAHAM: The difficulty I guess we would have with our data is that it is self-report. Would the average person divulge to an insurance company that they were on the phone when they caused an accident? I am not sure. Perhaps we can look forward to this P-plate driver research coming out that is clearly looking at: they have had education; they have not had education; how many demerit points; is there a difference? I think it would be good to look to that sort of research to come out and tell us some of those answers. I am not sure that our data would give you the clarity around that issue.

Mr ADAM CROUCH: At the moment there is no statistical research, other than from a foreign country, that says these people are more or less a risk. Insurance companies capture data better than most people; that is what you do. Perhaps the industry might want to look at how it can assist the Government with that sort of capture of information because at the moment the Government is not getting that information. We know education is good but we do not know what the outcomes are.

Mr McDONALD: There is such a great raft of different courses that people could categorise as driver training. Some may well be effective and some may not. But how do you distinguish ABC from CDE? The CDE one might have completely different components and different types of people running the courses. I personally do not see any harm in teaching people how to sit in the car properly, how to use their mirrors properly, how to drive—I do not like using the word "defensively" but how to make more observation about what is happening around them?

Mr ADAM CROUCH: Situational awareness.

Mr McDONALD: Yes, a bit more awareness. And also how to make use of their anti-skid braking system [ABS]. A previous person mentioned the reason ABS has never really had any effect on collision statistics is people do not make use of its abilities. They do not understand they need to jump on the brakes really hard to make their ABS pull up a car length short and they could avoid a lot of collisions. That is why a lot of the systems today are taking control away from the driver because that is the only real way to make consistent improvement, making the car stop on its own, for example.

Ms GRAHAM: I would like to add to a question. The Centre for Road Safety New South Wales has some great data available, particularly data that is linked with police reports. That data, perhaps used by an academic researcher, could provide very valuable insights, perhaps it is just funding in the academic research space on road safety. There is probably a gap there. That data could be very well deconstructed to see who had been educated and who had not. That is not something that is captured but if someone did that as a project.

The ACTING CHAIR: Staying with the question of data, some of the previous witnesses had said earlier today that insurance companies are part of that data puzzle as well. What sort of data do you share with either researchers or the Centre for Road Safety, or anyone else for that matter?

Mr SULLIVAN: I cannot go into specifics of what an individual would chose to do but most insurers, particularly the bigger, more sophisticated brands and groups, either carry out their own research activities in this space or with organisations external to and have a shared or common interest. I think probably the best point I can land on, there is a very high level of willingness in the industry to share data with appropriate bodies that can then drive through to some of these better outcomes. Part of the problem is either the data is not collected, or there is so much data collected around other things that you have to start getting into inferences about it. The industry is quite willing to start collecting pertinent data for longitudinal studies that will help drive through on some of these conclusions, maybe around older demographics, younger demographics or how important particular types of education or awareness training might be on the longitudinal rate.

Ms GRAHAM: To add to that from the Insurance Australia Group [IAG] perspective, we would be very interested in working with government departments on how we could get some of this knowledge completed with our data. We are aware that even the great data that is out there, we have a lot more of those fender benders where no-one is injured and no-one is taken to hospital, so who is recording that? Perhaps that could complete that data puzzle. We would be happy to work with somebody on this

The ACTING CHAIR: Mr Sullivan, this may be more of a question for you. Do any of your members offer a premium reduction for anyone undertaking certain accredited courses?

Mr SULLIVAN: No, not particularly, except when you get into the specialist driving environments—truck drivers and that sort of thing. In the normal domestic motor market I am not aware of anybody, but I will take that on notice and get back to you.

The ACTING CHAIR: Are you familiar with that being undertaken overseas?

Mr SULLIVAN: Not in particular, no.

The ACTING CHAIR: To the point about the fender bender issues that are not necessarily picked up in the data, over the years and until last year there was a reduction in the fatality rate, but although we have had safer cars and fewer fatalities I imagine that we were still seeing a lot of crashes. What sort of data are you seeing in terms of crashes and incidents over the years? Are we seeing a similar reduction in crashes? Or are we seeing that our cars are becoming safer so there are fewer fatalities but crashes are on the way up or fairly consistent?

Mr McDONALD: Looking at the last couple of years, the collision frequency is staying relatively constant, which may be affected by two things. There could be an increase caused by the increased congestion, especially in Sydney in recent years, counteracted by a bit of a decrease for some better car technologies, so overall we are not getting much of a change. It is staying relatively flat. What is increasing is the cost of repairs because the car was more technologically advanced. Parts are much more expensive. Lots of cars have $2,000 and $3,000 headlights now, whereas they used to be a couple of hundred dollars a few years ago. We are faced with probably a fight between technology and congestion, but overall it has stayed relatively flat over the last couple of years.

The ACTING CHAIR: In terms of learners and provisional drivers, do inexperienced drivers receive training on a sufficient variety of roads and real-life situations, from your perspective? Is that something that concerns you?

Mr McDONALD: Do you mean city drivers driving in the country and country drivers in the city?

The ACTING CHAIR: Out of respect for all Committee members, I will not pick up the city-country divide but you could possibly infer that. I could not possibly comment!

Mr THOMAS GEORGE: I pointed out to my colleagues that the difference is in my electorate some people have to drive five hours before they see any traffic lights. Here in the city they can do that in a matter of kilometres.

Mr McDONALD: It gives you a completely different perspective of risk. I have family in the country, in the Mudgee region. I know my niece's boyfriend refuses to drive past Penrith and she has to drive him into the city. I have similar things with other relatives, including my sister who used to be a courier in the city and race cars on the weekend. She moved to Queensland for five years and suddenly could not drive in Sydney anymore. I think it is a perspective thing and being accustomed to having lots of cars around you. I think sometimes city people underestimate the difficulties in driving in the country and underestimate some of the risks, especially things like collisions with wildlife, the different weather conditions, not allowing for roads as much as they might, things like hydroplaning and that sort of thing. Maybe in a lot of situations country people may be more aware but we still see a lot of risk-taking by young drivers in the country, as we do in the city, and similarly horrific collisions.

Without pre-empting the results of inquiries on the collision that was on the news yesterday with the young lady who was changing a tyre, I do not know where she was doing that but I continually say to my wife, "Never get out of the car if you have a flat tyre. Ring the NRMA on the freeway. Don't put yourself at risk." I find it horrendous that we allow or encourage bicycle riders to ride on the verge of the freeway when I would not even pull my car over onto the verge of the freeway and get out and expose myself to those people. I mix with them on bicycle and motorcycle all the time. I think having people more aware of the risks of their own actions, putting themselves in danger through doing innocent or silly things—

Ms GRAHAM: To answer your question in a roundabout way we would that consider an ideal driver, or somebody that perhaps could be called a good driver, would have exposure to both city driving and country driving and have experience doing both. I do not know how practical that is.

The ACTING CHAIR: Particularly for a 17-year-old—unless you are the member for Miranda, who seems to straddle the city-country divide.

Ms GRAHAM: Isn't that the same with weather, times of day and, as Mr McDonald alluded to, different areas with different wildlife? I have never driven in an area where kangaroos bound across the road but I know that that happens a lot. We see terrible accidents resulting from a collision with a giant kangaroo.

Mr SULLIVAN: This possibly relates back to one of the early questions about data-sharing and availability. With the right amount of data on the table it is possible to do some work around out-of-home-postcode accidents. You can start to draw inferences about how much more likely it is to have an accident if you are dramatically out of the area where you house and drive the car normally, but it would take a great deal of

time and effort by multiple parties, government and industry, to put all of that data in the right hands to analyse it.

Ms GRAHAM: Perhaps it could be something where we partnered with an academic or with someone to do a project together.

The ACTING CHAIR: I have seen some statistics from the NSW Centre for Road Safety on that in the past.

Ms ELENI PETINOS: Aren't you statistically more likely to have an accident within 5.5 kilometres of your house, as opposed to in circumstances nowhere near your natural environment, as you suggested?

Mr SULLIVAN: Absolutely. I think, though, to put that in the right context, most people do not drive more than five to 10 kilometres from their house anyway, so by inference most accidents will occur there.

Ms ELENI PETINOS: Is that assertion statistically verifiable?

Mr SULLIVAN: I believe it is. It is not research we have done but I have read some of the same documents.

The ACTING CHAIR: Thank you very much for appearing before us today. There may be some questions that come to you from the Committee on notice afterwards. Would you be happy to take those?

Mr SULLIVAN: Yes.

Ms GRAHAM: Absolutely.

(The witnesses withdrew)

ROD KATZ, Chair of the Research and Policy Committee, Amy Gillett Foundation, affirmed and examined

RAY RICE, Advocacy Manager, Bicycle NSW, sworn and examined

SARA STACE, Secretary, Australian Cycle Alliance, affirmed and examined

The ACTING CHAIR: Welcome to today's hearing. As you have no questions about today's proceedings, the process or the information that has been sent to you, I will begin the questioning. Do you feel there is any value in road sharing and other user awareness training, particularly in line with what has been introduced in the Australian Capital Territory?

Mr KATZ: Perhaps I should start because I live in Canberra and have some awareness of what led up to the changes in the Australian Capital Territory [ACT]. There was a considerable body of work done in the form of studies of the driver licence process and an examination of the crash statistics. It was done largely by my colleague Dr Marilyn Johnson, who unfortunately is overseas and cannot be here today. The key findings from the research leading up to it were that there was a need for a revamp of the documentation that people studied in the lead-up to getting their licence.

Professor Jennifer Bonham from Adelaide did a lot of the work looking at that material. She identified that much of the content was about how driving was complex, it was a rite of passage, and an adult thing to do, whereas bicyclists and pedestrians were hazards and problems; it implied that they were annoying. That caused the authorities in the ACT to look at this issue. One of the first steps they took was to introduce these new competencies into the ACT driver licensing protocols.

Mr RICE: We would enthusiastically support addressing the vulnerable road user component of the licensing test and further questioning it. It is written into the Cycling Safety Action Plan 2014-2016. It is a three-year plan which is about to expire but which still has not been implemented in New South Wales. We certainly agree with what has happened in the ACT in that regard.

Ms ELENI PETINOS: I refer to communication and education issues. Can you give the Committee your opinion of current road safety campaigns? Do you believe that they are having an impact in your industry?

Mr RICE: Yes, they are sometimes having an impact. Some are good and some are very poor. The Transport for NSW submission said that it spends $20 million on education. I do not think that is enough. Some of the better campaigns are the mobile phone campaign "Keep Your Hand Off It". Things like that are very good. One poor campaign is the "Go Together" campaign, which tried to explain the minimum passing distance rules for bicycles. That has been a poor campaign with very little information given to drivers.

Ms STACE: I would back that up; it has been woefully inadequate. There has been very little enforcement of the minimum passing distance legislation. There is also very low awareness among drivers in general and low awareness of the need leave that distance every time they pass every bicycle rider in every situation. There is a lot of misunderstanding about how that legislation applies. For example, people do not understand what should happen if a bicycle undertakes them. Should they somehow magically move their car a metre out of the way? This is a totally new issue for New South Wales drivers, and the education about how the legislation works has not been good enough.

Mr KATZ: The Amy Gillett Foundation's experience of looking at the passing distance legislation is that there has been a change in the jurisdictions we have examined, and that is good. However, there is a lot of sketchiness about the details in drivers' minds. That probably applies across the board to a lot of other rules; it is not limited to the overtaking distance legislation.

Ms ELENI PETINOS: With that in mind, there is probably no easier way to understand the circumstances that cyclists face than to put yourself in that environment. Further to the proposal that some hours of driver training be devoted to bicycles, have you received a response from the New South Wales Government?

Mr RICE: No, we have not. I have not been able to go through the Transport for NSW submission, and I do not know whether it answers our points. We think it would be worthwhile to have a section of driver training devoted to properly supervised, certified and accredited bicycle training. That would give drivers a much better awareness of the issues facing bicycle riders. There is nothing like being on a bike to know what it feels like when a truck or bus goes past within half a metre. It is pretty scary. Allowing a segment of the training for learner drivers to be devoted to property certified bicycle training would be advantageous.

Mr KATZ: That is interesting. We have lodged our own submissions; we have not colluded on any of this. However, all three organisations did mention it. The appropriate way to test it would be to do a prospective trial and to see whether a group of people who had participated in such a training scheme had fewer crashes, or

whatever the key performance indicators might be, whether it is fewer crashes or fewer infringements. I would be very interested to see the results.

Mr THOMAS GEORGE: Should this be harmonised across Australia?

Mr KATZ: Ideally, yes. But that may be my bias.

Mr THOMAS GEORGE: What, because you come from Canberra?

Mr KATZ: We like to centralise everything.

Mr RICE: It seems anomalous that across the States we have different graduated licence systems, different learning requirements, and different ages. It defies logic that we cannot get this together across Australia.

Mr THOMAS GEORGE: I live in the north of the State and I have the Queensland border as my backdrop. We now have the New South Wales Cross Border Commissioner, Mr James McTavish. Perhaps you should make him aware of the situation. He is always in the border areas addressing issues ranging from health, to law and order, to education, and so on. I have not seen anything about cyclists raised.

Mr RICE: Fortunately, New South Wales and Queensland are now aligned on the passing distance, but not on some other aspects of cycling law.

Mr THOMAS GEORGE: We finally have a deed of arrangement or an agreement with Queensland on State border issues.

Ms STACE: I worked for the Federal Government on the Australian Bicycle Council for a number of years. We looked at the model Australian Road Rules. There is usually a lag between the States because they might do a best practice exercise—for example, minimum passing distance legislation—but it may take some time before it is adopted by all of the States, and then it becomes a set of model road rules. It is a fairly complex and slow moving beast, but there are other issues. For example, in all States of Australia, except New South Wales and Victoria, bicycle riders are now allowed to ride on the footpath. That is an integral part of the road rules and of safety for vulnerable road users, but it is not part of the model Australian Road Rules. There are many complexities around that.

Mr THOMAS GEORGE: As a cyclist, would you like to ride on a footpath?

Mr RICE: In some areas, yes. It is not appropriate in some areas. It depends on the competency, the age and the location of a rider. It is not that all riders will suddenly ride on the footpath. In some areas some people will have that capability. It might be older people riding to the local shops. At the moment in New South Wales, once you reach 12 years of age you are not allowed to ride on the footpath. Most parents tell their kids—I told my kids and my parents told me—"Ride on the footpath and we will pay the fine." No parent wants to see a 12-year-old riding on the road. It has not caused hoards of pedestrians to be run down by cyclists in other States; it just does not occur.

Ms STACE: Both South Australia and Western Australia have recently introduced the allowance for all riders to ride on the footpath and, as far as I am aware, it has not resulted in any changes to pedestrian accidents. Around 50 per cent of all children in New South Wales ride a bicycle at least once a week but by the time they reach their teenage years only about 18 per cent ride a bicycle at least once a week. In large part I think it is because there is nowhere for them to ride safely.

Mr RICE: The number of kids riding to school has halved in the last 20 years.

Mr THOMAS GEORGE: That is the indication in regional areas anyway.

Ms ELENI PETINOS: Can I pick up on the point that was made earlier about harmonisation. If I understand the evidence correctly, it would appear that you have indicated a preference for bicycle laws across Australia to be harmonised. With that in mind, would then adding the proposal to mandate some hours of driver training on bicycles not add further complications to a system that is not already harmonised and detract from your ultimate aim?

Mr KATZ: I expressed a preference that all things would be the same. At the same time, I acknowledge that under the road rule system we have, it is a system of model laws, that possibly one of the great things about that is that it does allow different jurisdictions to trial different things and to see if they work. This would seem to be a perfect candidate for a trial to see if it works and if it does, it could well be picked up into the Australian model laws. There is no consistent licensing program across the country, it is very different from state to state. In the Australian Capital Territory [ACT] there are no minimum hours. That is cause for some

concern. Just to re-emphasise the point that there is no consistency currently, so I do not think it would cause me any concern, to introduce that.

Mr ADAM CROUCH: It was interesting, because one of the earlier witnesses said that one of his disappointments was the fact that a lot of young people are not riding their bikes to school. Most of the Committee members did. It made us more situationally aware of traffic and the way it behaves. So we went out there slightly better armed as drivers because we had seen the way cars react. You mentioned before that you had not received a response from the Government with regards to driver training bicycles. To go a bit further with that, can you elaborate on whether the driver training is focused on teaching people to pass driving tests as opposed to being safer drivers and, consequently, have you had feedback from the Government on the proposal that the driver test include compulsory pass or fail questions regarding attitudes to road sharing?

Mr RICE: To go to the first part of the question, which is are learner drivers being trained to pass the test or to drive properly, it is very much a case of we are producing some very technically competent young drivers who can steer, brake and do everything like that very well but the injury and fatality statistics, which increase dramatically from learners to provisional drivers, tell us we are doing something wrong. Why are learner drivers so much safer than provisional drivers? The factor is over 30 or something incredible. There is something not right there. As soon as drivers get out on their own, they do not know how to behave properly.

We are not teaching our learners how to drive situationally, to take responsibility; we are teaching them how to pass the test and be technically competent. A lot of that has to do with who is teaching them. In most areas of life we rely on trained instructors to give technical instruction. Our hairdressers have properly trained instructors, the stop/go people on the streets go to a course and the instructor there is properly trained, but here we rely on parents to instruct our learners. Parents are not trained to do that. They are not trained as trainers. I think we have got to change that.

Mr ADAM CROUCH: Obviously the majority of the 120 hours is spent with the parent. Do you think in that case it should be reviewed and perhaps there should be more time spent with professionals and less time with the parent?

Mr RICE: Definitely. I was chatting with a Rotary exchange student who stayed with us last year. She is 18 and has returned to Brazil. She has to do 25 50-minute lessons with a professional instructor at her cost. We have nothing like that. In most of northern Europe, again professional lessons are mandated as part of the process. I think that is the big change that has to occur with our learning process here, to make it far more professional.

Mr THOMAS GEORGE: The only advantage is if you do professional lessons you get reduced hours.

Mr RICE: I think we should mandate a minimum number of professional lessons.

Mr THOMAS GEORGE: We have to regulate the professionals too.

Mr RICE: And if we are relying on parents to do so much of the training, we should also insist that the parents be trained to do so, to have some minimum level. The Keys 2 Drive Program is an excellent example.

Mr KATZ: The Keys 2 Drive Program has now been defunded.

Mr THOMAS GEORGE: Where was that?

Ms STACE: It was a Federal Government program called Keys 2 Drive.

Drive. It was a training program provided for free, an hour of instruction, mostly to parents but to anyone who was training a learner driver.

Mr ADAM CROUCH: A refresher course for a teacher effectively, someone who is going to be mentoring a student.

Ms STACE: Yes. Also on that, there are a number of areas where I would say that the majority of drivers—and I do not have the evidence of this, it would be interesting to collect that—but where the majority of drivers probably misunderstand or do not know the road rules. For example, when you are turning into a roadway you must give way to pedestrians at all times. I would say the majority of drivers do not know that rule and do not understand how it works and they certainly do not operate that way. So when they go to train their children, they are going to pass on their misunderstandings. I want to emphasise that it is not just about new drivers, although they are the ones who are the most likely to have accidents and so on. I still think there are a lot of people who have been driving for 20 or 30 years and they do not know what the changes to the road rules

are. They rely on intuition and on watching others. They think that because they have not had a crash so far they must be pretty safe and must be getting it right. That is fundamentally a problem for road safety in New South Wales.

Mr THOMAS GEORGE: We had the Pedestrian Council of Australia here today saying exactly what you have said about pedestrians.

Mr RICE: If we look at technical competencies in any area, I think driving is the only area where you can go from age 20 to age 75 without any further testing. It is incredible. I know in my professional engineering background, I still have to do so many hundred hours of continuing education over a three-year period. Drivers are not required to do that. I find that amazingly deficient. In our submission we recommend at least that drivers undergo a computer-based rules test every five years.

Mr ADAM CROUCH: When they renew their licence, effectively.

Mr RICE: When they do their eye test they would do a computer-based rules test. That rules test has to be upgraded, as we have said, to include a component on vulnerable road users.

Mr KATZ: Which goes to the second part of your question. There is some merit in including some fairly strict marking around passing or failing competencies or questions on vulnerable road users. They are vulnerable and there is a role to make those questions of the pass or fail variety.

Mr ADAM CROUCH: We had witnesses earlier today saying that we need to penalise people to the maximum possible degree. There is a differing view that sometimes the stick is not always the best solution. Hypothetically, say we recommended introducing a refresher when you go to renew your licence with say, five or ten questions. Rather than saying, "You have failed this and we are going to take away your licence", would we not be better off saying, "You need to undertake extra driver training."

The reality for older drivers is that when they get to 75, some of them are so terrified about having a test that they will stop driving. That then affects their quality of life. Should we be looking at a more cohesive education role rather than threatening to penalise a driver if they get something wrong?

Mr KATZ: I was referring more to the learner driver initial qualification. I am very sympathetic to many of the equity arguments about taking away older people's licences. On the other hand, it is a balance of equity and consideration for their needs and the safety of the public. We need to keep that balance in mind whenever we are making decisions. It can be terrifying when I hear about my brother's mother-in-law, who has senile dementia and still has her licence and is driving. That sort of situation is terrifying for people on the road. It is a question of whether we have the balance right.

Mr THOMAS GEORGE: Which authority should take responsibility for being notified when a doctor gives advice not to drive? My daughter had a turn a while back, and the doctor told her not to drive for three months. No authority was notified of this advice. You wonder how many people are in that sort of medical situation.

Mr KATZ: You do.

Mr RICE: You mentioned five-year testing on rules. If you fail the first time, you come back a week later and do it again. You do not whip away somebody's licence, you give them a grace period. It has to be combined with greater education overall. Our injury and fatality statistics in the last two years are going up, which implies that with the fines and increased penalties, we are just doing the same thing over and over again. Is that not the definition of madness? You to the same thing over and over again and expect a different result. We have to do something new and different and be a little innovative in that area. Yes, a five yearly rules test but combine that with greater overall education, so that people feel confident they are going to pass.

Ms STACE: I want to highlight an example of enforcement versus education. In West Midland, in the UK, they have plain clothes police officers on bicycles with laser equipment to test if a car overtakes a cyclist within less than the one metre or 1½ metre passing distance. If it is less than the passing distance the police officer pulls over the driver and offers them either an on-the-spot fine or an on-the-spot 15-minute education session. It turns out that most people opt for the 15-minute education session. They have found from that an immediate 50 per cent reduction in the number of crashes between bicycle riders and drivers.

Mr ADAM CROUCH: It comes to the carrot and stick scenario. We can threaten people, fine them, but sometimes a bit of education solves a lot of problems.

Ms STACE: That is right, and also awareness that if a person does the wrong thing, they might be picked up for it. At the moment we have not utilised the minimum passing distance legislation very well. I

wanted to highlight that as an example of education versus enforcement. Perhaps there are other innovative ways of doing that.

Mr ADAM CROUCH: Previous witnesses have suggested starting road safety education earlier for our schoolchildren, even for years 7 and 8 where we could start raising awareness. As has been said, by the time they get to the age of 16 they are no longer riding bikes to school. Would you support a cohesive education program in our schools to start at an earlier stage and run all the way through to school leaving, or even if they leave earlier to go to TAFE.

Mr RICE: Yes, through the education system but also, as we have said, continuing it afterwards through life. There is no need for people to stop learning once they have their black licence, as we used to call it. Continuing education is very important, and I think the Government should take a massive lead in that such that people are refreshed all the time. Yes, start it early and continue it.

Mr ADAM CROUCH: You suggested government take a lead. New South Wales currently has already introduced best practice, and the reality is so many stakeholders are involved and that costs billions of dollars a year in accidents, health care et cetera. Sure governments can initiate such things, but is there not a vested interest for industry also investing in this? Suggestions are always made for government to pay for initiatives, but should independent organisations look at how education would financially help them?

Mr RICE: I think so. Some of the insurance companies offer discounts for people that do further driver training.

The ACTING CHAIR: We were told that they do not, actually.

Mr RICE: AAMI used to offer a discount to people doing their internal course. Some companies offer driver training as part of education for their staff. They recognise that getting their staff to and from work is an integral part of the health and safety of the total industry. Having people injured while driving to and from work, or on weekends, is a cost to industry and so they provide driver training.

Mr KATZ: You possibly heard from some of the leading education people about the most effective forms of road safety education in schools. I suspect that they went down the line of saying it is more important to teach resilience rather than actual road safety skills in the curriculum. There is a lot to be said for that, but it needs to be combined with, particularly for bicycle users, some exposure to being on a bike through the early school years and into the middle years, because that gives them a practical sense of hazard recognition and an ability to assess risk. That could be given in conjunction with resilience training recognising that they will make mistakes and they need to come back from those mistakes and be responsible. That was one of the things that impressed me in some of the submissions to this Committee. I think you have an enormous job to synthesise the many good contributions.

Mr ADAM CROUCH: We saw similar things when we were investigating motorbike safety. Motorbike riders tend to want to educate themselves and continue their education to ensure that they are best prepared when they ride their bikes.

Ms STACE: Adding to that, in large part because bicycle riders and motorbike riders stand the most to lose if there is an incident on the road then they try to make sure that they are well informed. That is probably a generalisation, but people who ride bikes regularly do keep themselves abreast of what is happening, the road rules et cetera, because in the event of a crash they are most likely to suffer injury. Drivers of cars are much more protected. A lot of our road safety campaigns in the past aimed at children probably put a very large emphasis on pedestrians must check and make sure that a car is not going to hit them. Somehow there is a victim blaming component to it. It is important to make it clear it is the drivers of heavy motor vehicles that are the most responsible for ensuring that road safety is achieved. There has been a fairly big shift in our thinking over the last 10 years from a road safety point of view to ensure that that is well understood.

The ACTING CHAIR: I am interested in figure 1 in the Amy Gillett Foundation submission. There seems to be a huge spike in the high threat to life injuries for pedal cyclists. What is the cause of that over recent years?

Mr KATZ: It is a difficult one to explain without more information. The concern for us of that is that it is a result of a number of different factors. One of them is quite likely to be an increase in the number of people getting out on bikes, which one could say is a good thing. On the other hand, it is not clear whether there are other contributing factors that are making that spike go up. It is an alarming trend of those high-threat-to-life crashes involving pedal cyclists. It is one of the major motivations for the Amy Gillett Foundation to look at the various causes. We adopt a safe system approach to that. We believe that there may a role for distraction in this. There may be a role for speed, for where people are cycling and for the way facilities are being constructed. All

of those things can play a part. Our goal is to address all of those in conjunction with partners—research, government and other corporate leaders, such as Toll Group.

We were talking earlier about corporate fleet education. Toll has been a very significant partner with us in developing a road safety program for truck drivers. They have taken it on board tremendously, and we hope to be able in the next little while, funding permitting, to be able to make it available more broadly for fleet drivers, particularly for drivers of heavy goods vehicles, so that they can become increasingly aware of the risks that they pose to bike riders and other vulnerable road users, and to make sure that they stay fit and healthy as well. Many of them go on to take up riding for fitness, which is good for the whole community.

The ACTING CHAIR: I will have to add to everyone else's declaration of interest. My dad works for Toll in driver training and investigation, so I need to declare an interest there. I note some of the comments you made previously. Of course it is incumbent on drivers to be mindful of vulnerable road users. Vulnerable road users are probably more across some of the laws and the changes in road conditions because of their vulnerability. We had the Pedestrian Council of Australia here earlier today. They had some campaigns they were showing for pedestrians, in terms of the part pedestrians play in their own safety. I am wondering if there are any similar campaigns of awareness for the cycling community, for instance, the mutual role that cyclists play in keeping themselves safe.

Mr KATZ: At the Amy Gillett Foundation we have been running the "It's a two way street" program for a number of years. That is in conjunction with local councils who show a willingness to take it up. It is subject to the vagaries of funding and the ability to find those local council partners. Where we have been able to do it we believe that it has worked well. Again, it would be wonderful to have more research around the precise effectiveness of those campaigns. Figuring out whether you have spent your campaign dollar wisely is always a huge challenge.

Mr RICE: Bicycle NSW was an early partner on the "It's a two way street" program. Something we lack in New South Wales is the funding for further education of bicycle riders.

Ms STACE: With my Australian Cycle Alliance hat on, I think that the Share the Road campaign has not been particularly successful. I think that drivers who do not want to change their behaviour or do not want to hear the message see Share the Road and think, "That bicycle rider is supposed to share the road with me." I do not think that the message is strong enough that it is the drivers of motor vehicles—who are behind one, two or three tonnes of metal—who pose the greatest risk to safety on the roads. We need to be careful to ensure that we are not putting the victims in charge of their own safety. I understand that there are certain issues around pedestrians accidentally stepping out in front of cars and so on when it is inappropriate to do so, but in other countries that are leading the way on road safety the messaging has switched to placing a much greater emphasis on the one who is most likely to cause the most injury being the one who is the most responsible.

The ACTING CHAIR: On that note we will conclude the questioning. Thank you very much for appearing before us today. There may be some questions that come to you on notice following this hearing. Are you happy to take those?

Mr RICE: Yes.

The ACTING CHAIR: The Committee secretariat will work with you to ensure that the timeframes are met. Thank you very much for appearing today. That concludes our hearing. Our next hearing will be next Monday.

(The witnesses withdrew)

The Committee adjourned at 16:44.