



House of Commons
Transport Committee

**Novice Drivers:
Government Response
to the Committee's
Seventh Report of
Session 2006–07**

**Eleventh Special Report of Session
2006–07**

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The Transport Committee

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Eleventh Special Report

The Committee published its Seventh Report of Session 2006–07 on 19 July. The response from the Department for Transport was received in the form of a memorandum dated 8 October 2007, and is published as an Appendix to this report.

Appendix

The Committee said at the beginning of its Report (paragraph 2) –

1. We hope to see evidence that the Department is true to its word and that bold measures will be given proper consideration. The appalling collision rate of novice drivers clearly demonstrates that the problem must not be ignored. "Do nothing" is not an option. We will return to this issue in the next year to review progress. In the meantime, we recommend that the Department, as part of its consultation process, undertake further analysis of the collision-involvement rates among young drivers, distinct from newly-qualified drivers.

The Government gave evidence to the Committee that it is committed to fundamental reform of driver training and testing. This will be demonstrated when a wide-ranging consultation gets under way later in the year as promised in the report of the three year review of the Department's road safety strategy (paragraph 145),¹ published earlier this year. We welcome the Committee's report on novice drivers as a contribution to this exercise.

The Government fully shares the Committee's concern about serious collisions involving young drivers, and about the over-representation of young drivers in casualty accidents. The case which the Government will make for wide-ranging reform does not rest solely on the accident rate to which the Committee have referred, appalling as many of these accidents are. The plan outlined in the report of the three year review is for a modern system of driver training and testing which is accessible to as many people as possible. The Government's aim is that everybody who learns to drive should have the opportunity to prepare thoroughly to be able to enjoy the mobility and independence which comes with a driving licence. Learning to drive is an important element in young people's transition to adult life, and brings them important access to education, and to employment as well as to social opportunities. Good training and effective assessment will help them to make safe and more confident use of these advantages.

¹ *Tomorrow's Roads – Safer For Everyone; The Second Three-Year Review* – available on-line at: www.dft.gov.uk/pgr/roadsafety/strategytargetsperformance/2ndreview

The vulnerability of novice drivers

2. We recommend that the Department for Transport, in collaboration with the police, should collect the data necessary to understand the scale and nature of the crash involvement of novice drivers, independently of young drivers (paragraph 6).

The Department explained in a Supplementary Memorandum to the Committee (para 7.33 pp) that the STATS19 form used to collect information about road casualty accidents includes only very limited information about the driver(s) involved (boxes 2.21 to 2.23; 2.27 and 2.29). Inclusion of the driving licence number was considered in the last STATS 19 review but rejected at that time because of police concerns about the burden and difficulties of collecting this information for statistical purposes. Licence data is not collected because drivers are not required to carry licences. Drivers have up to 21 days to produce their licence by which time the STATS 19 form will have been submitted. The licence number is collected for operational police reports of accidents but at present this information is (in most cases) only on paper and therefore not easily accessible for analysis. The Government accepts that this data should be more available and, following the last STATS 19 review, we set up a project to develop a national form supported by associated software that would meet police operational data requirements and STATS 19 statistical requirements. This would enable, for example, the driver licence number taken for operational purposes to be transferred automatically to the statistical database. The project is being taken forward with the National Policing Improvement Agency.

3. Novice drivers are clearly very vulnerable on the road. They also pose considerable danger to their passengers and other road users. The Department for Transport must ensure that tackling this group of casualties is given a high priority across Government (paragraph 12).

Newly-qualified drivers are a road safety policy priority for a variety of reasons. The record shows that they are more vulnerable than they should be, given that they are the most recently trained and tested. Some drivers are indeed a danger to themselves, their passengers and other road users, because they drive very unsafely with apparent disregard for road traffic laws. The evidence does not suggest that all young and novice drivers behave in this irresponsible, criminal way; or that the whole class of novice drivers is a considerable danger. Thus, the recent OECD report on young drivers² says –

It is important to note that, while young drivers are a high risk group in themselves, most young drivers are not deliberately unsafe. (page 15)

Most young drivers do not intentionally engage in high-risk behaviour but are hampered by lack of experience and poor self-assessment. (paragraph 2.7 on page 95)

The evidence does raise wide-ranging questions about how people generally learn to drive, and how far they have reached a consistent standard before gaining a full licence. Road safety policy aims to tackle these general problems, as well as grappling with the serious problems presented by bad drivers.

² OECD/ECMT report *Young Drivers – the Road to Safety (2006)* – ECMT Publications ISBN 92-821-1334-5;

4. The overall gains made in road casualty reduction as a whole, since the targets were set in 2000, have not been matched among novice drivers. Indeed, the rate of novice driver casualties appears to be worsening, and there is little understanding about why this is the case. The measures implemented by the Department over the past twelve years have been incremental and have failed to cut novice driver casualties. A change in approach is now required. There should be research into the reasons for the increasing rate of novice driver casualties in order that policy-makers better understand the problem and are able to design initiatives to address it. The Government must consider much bolder action to prevent these tragic deaths and injuries (paragraph 18).

The Department's Memorandum to the Committee included various statistics on the numbers of young drivers and the casualty rates in accidents involving young drivers. Analysis of incidents involving a particular age group is complicated by changes in the numbers in that group and how far they travel. In summary, the casualty statistics in the main Annex to the Memorandum showed that the numbers of fatal accidents involving young drivers, and young driver fatalities, declined roughly until the year 2000, but have since increased; while the corresponding figures for serious injuries show a steady decline. Paragraph 1.12 of the Memorandum explained that –

The DSA figures also show that the total number of young people taking the driving test has risen in recent years. [This follows a period up to about 2000 in which numbers were falling.] Numbers fluctuate from year to year according to the number in the age group. However, the National Travel Survey suggests that the proportion of people aged 17–20 holding a licence increased from 27% in 2004 to 32% in 2005, after a steady downward trend from the peak of 48% in 1992/94.

It is not yet clear to what extent the increase in the fatal accidents involving young drivers and young driver fatalities relates to the change in the number of young people holding licenses. Paragraph 1.15 of the Memorandum gave information about fatalities relative to distances travelled, but only for the whole 17–25 age group, not all of whom are novices. These figures also fluctuate but are much higher for this age group than for older drivers.

A more structured approach to learning to drive

5. We welcome the proposals set out in the Government's Second Review of the Road Safety Strategy³, and the Department's intention to reform the driver training and testing framework (paragraph 28).

The Government is grateful for the Committee's welcome for the proposals set out in the report of the Second Review of the Road Safety Strategy. Wide-ranging and fundamental reform will touch a lot of specific aspects of the present driver training and testing system. A great deal of detailed preparatory work is therefore in progress and will continue up to and after the publication of a consultation document setting out proposals to deliver the strategy for fundamental reform which was outlined in the report of the Second Review.

³ *Tomorrow's Roads – Safer For Everyone; The Second Three-Year Review*

6. There is consensus that the process of learning to drive must be improved if casualties are to be cut; if such reforms are to be successful, it is paramount that the quality of driving instruction be significantly raised. In such a competitive commercial environment, it is unlikely that a voluntary continuous professional development scheme would be fully effective, and we therefore support a mandatory continuous professional development programme for all driving instructors. We recommend the Department, as part of its reform of the driver training and testing framework, to examine carefully ways of raising the entry requirements for registration as an Approved Driving Instructor (paragraph 33).

The Department explained in a Supplementary Memorandum to the Committee (section 10) that continuing professional development (CPD) is to be introduced for Approved Driving Instructors. The Driving Standards Agency (DSA) has been working with the instruction industry over the past three years to carry out three independent studies linked to the introduction of a scheme of CPD for driving instructors. It is envisaged that the industry will supply CPD courses in a competitive environment but to standards agreed with and monitored by DSA. It is expected that instructors or their employers will meet the cost of training but DSA and the industry are working with the Sector Skills Councils to explore the provision of CPD and the possibility of public funding for some of the courses.

7. It is important that the Department for Transport properly and promptly evaluates measures such as Pass Plus following their implementation. The Department's full evaluation of Pass Plus is due in December 2007—12 years after the scheme's implementation. If the results from the Association of British Insurers' ten year study are accurate, it could be that novice drivers, and others, are being given a misleading picture of the safety benefits which accrue from undergoing this extra voluntary training (paragraph 35).

The Department has changed the direction of this research project since our initial evidence was submitted to the Committee. We accept the conclusions of the study reported to the Committee by the Association of British Insurers (ABI) which did not find significant accident reduction benefits from the scheme. Our Supplementary Memorandum to the Committee (paragraph 8.1) reported that an assessment of the scheme undertaken for the Department was not inconsistent with the ABI study. Work on the reform of training and testing has raised a question whether it is right for the elements of the Pass Plus scheme to be deferred until after the practical test; and whether the reform of training should aim to deliver these elements to all learners during their principal pre-licence training. This is an issue to be discussed in the forthcoming consultation. In the meantime, we need to continue work which was part of the original research project to evaluate the scope for and benefits of group discussion in addressing attitudes to driving, in addition to in-car training, and the project has been re-defined accordingly. The outcome from the revised project will feed into continuing work on the reform of driver training.

A minimum learning period

8. Given that work is well underway on reforms to the framework for learning to drive, we are greatly concerned that the Department has not undertaken any objective assessment of the costs and benefits—both economic and social—of changes to driving entitlement, as part of restructuring the process of learning to drive. The Minister has told us that the reforms would be based on evidence, not anecdote, and we seek reassurance that these evaluations will indeed be instrumental in determining the Department’s course of action. We are furthermore concerned that the lack of evaluation of these options is indicative of a lack of ambition in the scale of change the Department is contemplating (paragraph 43).

The Department will publish a partial Impact Assessment on its proposals at the same time as the consultation begins. A final Impact Assessment will be completed before making decisions on proposed action. The costs and benefits of changes to the age of driving entitlement will be addressed.

9. We consider that the evidence of the consequent prevention of death and serious injury would justify the introduction of a 12-month learning period. We recommend that a 12-month minimum learning period should be introduced as part of the structured approach to learning to drive. This would increase the minimum age at which someone is entitled to a full driving licence, and thereby able to drive unaccompanied, to 18 years, in line with most European countries. Given the risks involved in driving, it seems reasonable that the minimum age for holding a full driving licence should be 18 years (paragraph 49).

The Committee’s proposal would have the effect of raising the minimum age for unaccompanied driving to 18, but it would affect all learner drivers, including those who begin at the age of 18 and above. The forthcoming consultation document on reform of driver training and testing will discuss the proposal; and seek additional evidence to include in the impact assessment which is being developed in parallel. The document will include proposals for structuring learning to drive in the context of a new structured syllabus; and will discuss whether this syllabus needs to be reinforced by a mandatory minimum learning period, and seek additional evidence on costs and benefits. The case for not allowing people of any age to learn to drive in less than a year will need to be considered carefully. There are also practical issues about ensuring that learners make effective use of any compulsory learning period, including how to deal with those whose learning may be interrupted for reasons beyond their control.

10. To prevent learners bunching all their tuition into a short space of time, we suggest that they should be required to take a specified number of hours of professional tuition at different points during a 12-month period. This should also ensure that learners have experience of driving in various weather and lighting conditions. Different witnesses had different proposals about the minimum number of hours to be required, from 10 to 100 hours. We think it is reasonable to specify a minimum number of hours of professional tuition, but it should be emphasised that this is an absolute minimum. We do not believe the evidence as to what number this should be is conclusive. The figure should therefore strike a fair and proportionate balance between cost and the anticipated safety gains (paragraph 50).

The forthcoming consultation document on reform of driver training and testing will include proposals for structuring learning to drive in the context of a new structured syllabus, and proposed developments for driving instructors. It will discuss the respective role of paid lessons and other practice and seek evidence on whether any given number of compulsory paid lessons would have a benefit. We note that the Committee has not been able to suggest a minimum number of paid lessons because there is not a sufficient basis in evidence for any given amount. It is clear that learner drivers who pass their test take widely varying numbers of paid lessons and other practice. Opportunities and affordability are important considerations. Forthcoming evidence from the Cohort II study will provide further information about this issue. As noted in the response to the Committee's previous recommendation, there are practical issues about how to ensure that rules about the way people learn are to be made effective. The Impact Assessment for the consultation will explore both costs and benefits associated with this proposal.

11. We do not recommend lowering the minimum age of obtaining a provisional licence. In its response to this Report, we invite the Department to detail what research it has undertaken or commissioned into the safety impacts of lowering the minimum provisional licence age, and what the results showed (paragraph 51).

The Committee's conclusion is noted. The Government will not propose any lowering of the minimum provisional licensing age without evidence that this would have a positive effect.

12. The impacts of a 12-month minimum learning period should be closely evaluated, with particular regard to changes in novice driver casualty rates, and inclusion in education and employment (paragraph 52).

The Department agrees entirely that the effects of any change to driver training such as introducing a minimum learning period, if that course is adopted, would need to be fully evaluated as the Committee propose.

13. We will be interested to see the results of the Department's research showing what the impact has been of the Driver Record. We recommend that if the results show that it is effective, then the logbook should be made mandatory (paragraph 54).

Research on the DSA Driver Record has been commissioned by the Department. It explores how learner drivers and ADIs use the document in their training, their attitudes towards it, barriers to its use, and how to improve its uptake and use. The scope of the project has been changed slightly so that less effort is focused on assessing the extent to which the Driver Record is used (the large-scale Cohort II study measures the proportion of respondents who held a Driver Record when learning to drive) and more effort has been placed on the development and improvement of the Driver Record as a training aid. It is hoped to reflect initial findings from this work either in the forthcoming consultation document on reform of driver training and testing, or in an accompanying review of relevant evidence.

14. The 12-month minimum learning period should be accompanied by the introduction of a structured syllabus, which will spread the development of driving skills and abilities over the year. Instructors should be required to sign-off each module once the learner has consistently achieved the required standard. Learners should not

be able to present to take the test until all modules have been successfully completed. This approach should go some way to raising the driving standard of test candidates (paragraph 58).

We agree entirely that learning to drive should be guided by a structured syllabus, and this is an important element in the proposals we are developing. The forthcoming consultation document on reform of driver training and testing will discuss as options how the Committee's proposals might be incorporated in a new system.

15. We would also like to see clearer communication to all learner drivers (and their parents, where appropriate) that they are embarking on a year-long course, which, like all new skills, will require practice to acquire, and that there are no shortcuts. At the outset, learners should be advised of the content of the syllabus and the time it is likely to take to complete it in full (paragraph 59).

The Government accepts that effective communication with learners (and parents) is essential. The consultation process which is about to be launched is the place to start engaging with the wider public – including young people especially. The aim must be to persuade as many would be learner drivers as possible of the benefits to them of a properly structured approach. The Government agrees with the Committee that learners should have advice at the outset on the content of the syllabus and what is involved in learning to drive, and will make proposals about how this can be made part of the formal process.

Attitudes to driving

16. We are concerned that four years after its introduction, the Department has yet to publish an evaluation of the impact of the hazard perception test on novice driver collision involvement rates (paragraph 69).

Statistically, accidents are not common, so that in order to conduct an evaluation of the impact of the hazard perception test on accident rates, it has been necessary to collect data for a sufficiently large sample to ascertain whether the effects are statistically significant. This takes time. The Cohort II study collected data on accidents over a three year period for cohorts of newly qualified drivers, from 2001 to 2006. The study, due to be published alongside the forthcoming consultation document, will present data on the impact of hazard perception test.

17. Delivered properly, hazard perception training has been shown to have a tangible effect on attitude and subsequent driving choices. We suggest that the Department's proposed "knowledge framework", should incorporate higher level functions in order to target the over-confidence displayed by some novice drivers. Learner drivers should be required to demonstrate an understanding of the consequences of one's actions and awareness of one's limitations through self-assessment training. We recommend that some component of group-based learning should be a mandatory part of learning to drive. This should cover driving theory, risks, hazard perception, self-assessment and traffic law. The activity must be part of an approved and regulated system. We encourage the Department to research what would be effective (paragraph 73).

The Government agrees with the Committee that learning to drive should address higher level functions in order to prepare learners in a rounded way and address over-confidence

and other failings. The forthcoming consultation document on reform of driver training and testing will consider the scope for self-assessment training and group-based learning and will discuss as options how the Committee's proposals might be incorporated in a new system.

18. The Department's Road Safety Research Report No. 74⁴ suggested that driver education and training should be set in a real-world context and should seek to address the actual beliefs, attitudes and behaviours of novice drivers. In its response to this report we invite the Department to set out how it plans to incorporate this approach (paragraph 75).

The forthcoming consultation document on reform of driver training and testing will explain how its proposals aim to implement the results of this and other research.

The driving test

19. We agree that the driving test needs to be reformed. The driving instructors and examiners made a powerful case for allowing test candidates on to high speed roads, and if necessary on to motorways—because in some places these are the only high speed roads to be found. But such a measure should only be introduced along with a requirement for candidates to take the test in a dual-control vehicle (paragraph 81).

The majority of driving tests already incorporate a section of driving on a high speed road. Experience of driving in high speed conditions is important, and test routes have been designed to take this into account. The forthcoming consultation exercise on driver training and testing will explore the case for allowing learner drivers and tests on motorways. It is, of course, important that all driving tests take place in safe conditions and the means of ensuring this on motorways will need to be considered if tests are to be conducted on such roads.

20. A more structured approach to learning to drive should include a requirement for some tuition with an approved driving instructor in a properly equipped dual control vehicle. This would make it possible to devise a driving test which had more real-world validity, through requiring experience of all types of road and manoeuvre, and particularly those which seem to cause novice drivers such difficulty: rural roads, bends on high speed roads, and turning right from a busy major road onto a side road. The driving test content should be kept under review and be guided by research about the causes of novice driver collisions (paragraph 82).

The forthcoming consultation document on reform of driver training and testing will include proposals to reform and increase the value of the practical driving test, and it will examine how the particular suggestions made by the Committee could be taken into account. As noted in response to recommendation No 10, the document will also discuss the issue of compulsory paid lessons. It will also discuss measures to raise the standard of professional instruction in line with the proposed new syllabus. The Department agrees entirely that the content of all parts of any new driver training and testing regime will need to be kept under review.

⁴ *The Good, The Bad and the Talented* – available on-line at http://www.dft.gov.uk/stellent/groups/dft_rdsafety/documents/page/dft_rdsafety_613879.pdf

21. The Cohort Study II, commissioned by the DfT, is due to provide analysis of the driving test in summer 2007. We suggest the score threshold for passing the practical and theory tests should be revised in light of this evidence (paragraph 83).

The Government intends to take full account of the results of the Cohort study of new drivers; and expects to publish the report alongside the forthcoming consultation document on reform of driver training and testing.

Following the introduction of a longer theory test on 3 September 2007, the pass mark is now 43/50. Increasing the number of questions provides more opportunities to test the breadth of candidates' knowledge. Those taking the test will need to study topic areas thoroughly, since there will be a greater chance of each subject area coming up.

Under the present rules, a candidate will fail the practical driving test either for a serious or dangerous fault, or if the examiner records more than 15 minor faults. The overwhelming majority of unsuccessful candidates fail because of serious or dangerous faults. In 2006, only 1712 candidates failed with 16 or more minor faults and no serious or dangerous fault, which is 0.1% of all candidates. It appears from this that revising the minor fault threshold standard would have no material effect on the pass rate.

22. People who obtain driving licences through fraudulent means are a danger to themselves and other road users. The Government must investigate the problem of test candidate impersonation as a matter of urgency (paragraph 84).

The Driving Standards Agency (DSA) is responsible for the delivery of both the theory and practical driving tests. The DSA currently conducts approximately 1.6 million theory tests and approximately 1.9 million practical driving tests each year. It is essential that the DSA protects the integrity of the tests to ensure public safety on our roads.

The DSA is aware that impersonations at driving tests do take place, which has serious implications for road users and road safety across Britain. Having unqualified people on the roads puts other road users at risk. The DSA will not accept this and has a dedicated Fraud and Integrity Team charged with investigating instances of impersonation at driving tests. The DSA Fraud and Integrity Team investigates all allegations of impersonation, always aiming to obtain a prosecution to make sure offenders are held accountable.

The Driver and Vehicle Licensing Agency (DVLA) takes the integrity of the driver licensing system equally seriously. DSA works closely with the DVLA to help prevent impersonation of candidates at driving test. Access to the driver record, including the image of the licence holder, is made available to supplement the driving licence produced at the test and to provide greater certainty that the provisional licence holder and the test candidate are one and the same.

Since 2004 the DSA have investigated over 1100 suspect driving tests resulting in over 300 individuals being arrested, with 98 individuals receiving police cautions and 70 individuals being prosecuted, over 100 individuals awaiting further action by the police or the Crown Prosecution Service.

Once an impersonator has been brought to justice the DSA and DVLA revoke swiftly the entitlement to hold a full driving licence for all of those individuals where we can prove impersonation at theory or practical test.

The DSA are currently averaging ten to twenty arrests, nationwide, per month.

23. Although we understand that it takes time to see the full effect of the implementation of new initiatives, we are disappointed by the delay in evaluating the impact of the theory test. If the results of the evaluation cast any doubt on its benefit, the Department should consider reducing the role of this element of the test (paragraph 87).

The Department does not agree that the role of the theory test should be reduced. It is important that candidates should be assessed on more aspects of driving than can be covered in the practical road test. The content of the theory test exam is reviewed annually and updated in line with new regulations and requirements. The question bank has just been increased, with a consequent raising of the pass mark. In addition, the performance of each of the exam papers is scrutinised by psychometricians on a monthly basis. As part of the fundamental role of driver training and testing, we are considering the role of the current theory test in the overall process, and possibilities for its development.

Graduated driver licensing

24. Whilst we share the Minister's hope that a reformed education and training framework will instil a more responsible approach to driving; there exists little evidence that this will be adequate (paragraph 91).

25. When considering the potential of graduated driver licensing systems, we hope that the Government will be led by the evidence, and not by a blind hope that more, and more effective, driver training will be adequate to prevent the large numbers of novice driver casualties (paragraph 92).

The Government is fully committed to making proposals based on evidence. The forthcoming consultation exercise on its proposals for reform will seek the widest possible range of evidence and comment. A summary of the available evidence will be published with the forthcoming consultation document on driver training and testing, along with the report of the Cohort II study; and the consultation exercise itself will be used to generate additional evidence.

26. The very real risks associated with young novice drivers carrying passengers mean that young male drivers are now the biggest killer of young women in this country (paragraph 102).

This statement is not accurate. In 2006, 56 young women (age 14–25) were killed as passengers in cars driven by young men (age 17–25), out of a total of 193 road accident fatalities for females in this age group.

27. We recommend that the Department for Transport, with the Home Office, should evaluate the enforceability of two blood alcohol concentration limits: one for novice drivers, one for the general driving population (paragraph 109).

The Department will discuss this matter with the Home Office in preparation for a consultation document on drink-driving promised in the report of the second review of the road safety strategy. At present, a driver is not required to carry his or her driving licence or other proof of age or driving experience. Driving in excess of the prescribed limit contrary to Section 5 of the Road Traffic Act 1988 is an arrestable offence. With a single limit for all drivers, a police officer is able to make an arrest without access to the driver's licence, or evidence of age or driving experience. A driver could not be arrested for exceeding a different prescribed limit for novice drivers (those with less than some given amount of qualified driving experience) unless a police officer could be sure that the lower limit applied to that driver.

28. Based on the evidence available, we believe there is a case for reducing the permitted blood alcohol concentration from 0.8g/l to zero (or 0.2g/l, which in practice is effectively zero) for novice drivers. If the Department introduces a lower permitted blood alcohol concentration for novice drivers it must be assiduous in countering any impression that it is acceptable for more experienced drivers to drive under the influence of alcohol. We understand that the Department is to shortly consult on proposals to address the problem of drink-drive collisions. We welcome this much-needed investigation and look forward to a thorough examination of what should be the permitted blood alcohol concentration for drivers. The Department for Transport must tackle drink-driving through ongoing publicity and enforcement campaigns targeted at all drivers, including the young and newly-qualified (paragraph 110).

The report of the three year review of the Department's road safety strategy⁵ includes (at para 163) a commitment to keep under review the case for a reduction in the prescribed blood alcohol limit. It also has a commitment (paragraph 167) to start a process of consultation in 2007 on specific proposals aimed at reducing drink driving. We will address the Committee's recommendation in relation to novice drivers as part of that consultation.

Enforcement of the drink drive legislation depends in the first instance on the availability of screening devices of a type approved by the Secretary of State. These devices are used to obtain an indication whether the proportion of alcohol present in the person is likely to exceed the prescribed limit.

The proposed limit for novice drivers of 20mg/100ml is the same as that already in place for safety-critical aircrew. There are a number of approved devices available which can operate at this level as well as the at the 80mg/100ml limit that currently applies to the drivers of motor vehicles. When aircrew are tested, a setting on the device for safety critical aircrew is used. The result is displayed as a fail or pass against the more stringent standard applicable. A different approach would be needed for any proposed use for novice drivers unless the driver's novice status had been established before the initial screening test.

A person who fails a screening test is required to take an evidential breath test administered by a device of a type approved by the Secretary of State, or in special circumstances to provide a sample of blood or urine. It would be necessary to develop evidential breath testing devices which are approved to measure at a breath alcohol limit other than 35mg/100ml. (equivalent to blood alcohol limit of 80mg).

⁵ *Tomorrow's Roads – Safer For Everyone; The Second Three-Year Review*

29. Taking into account the international evidence, we recommend that restrictions be introduced for newly-qualified drivers. These restrictions should be framed in a way least likely to impinge on novice drivers when the risks of collision are lower.

- **Novice drivers should be prohibited from carrying any passengers aged 10–20 years, between the hours of 11 p.m. and 5 a.m.**
- **The permitted blood alcohol concentration should be reduced from 0.8g/l to zero (or 0.2g/l) for novice drivers. (paragraph 113).**

The Government addressed restrictions on these lines in the consultation document, *A Structured Approach to Learning to Drive*⁶ in March 2002. The Government concluded then that the focus should be on positive improvements to the training and testing regime. It decided against further statutory regulation of learners and newly-qualified drivers.

The Department will use the forthcoming consultation document to seek further evidence on the practicality and likely effectiveness of the restrictions on passengers which the Committee proposes. The restriction as proposed would apply to all newly-qualified drivers, of whatever age, and applies to any passenger aged 10–20 years. We do not at present have general evidence on the carriage of children and other young people in this age group at night, or anything to suggest that this whole group is associated with higher accident risk for newly-qualified drivers. We recognise that some people learn to drive because they need to be able to transport passengers in this age group – for example, parents and members of the Armed Forces; and that any newly-qualified driver might need to be able to do so at night, perhaps unexpectedly. Drivers are not required to carry licences or other evidence showing that they are newly-qualified, and passengers are not required to carry any proof of age, or even of identity.

We do have figures for the numbers of casualties resulting from reported personal injury road accidents between 11.00pm and 5.00am involving 10–20 year old car passengers, by driver age and severity. The figures for 2006 are –

		Number of casualties	
		10–20 year old passengers	
Driver age		Fatal	Serious
Under 20		35	256
Under 25		48	397

Further work would be needed to produce an assessment of how many of these casualties might have been avoided by the proposed restriction, given that some journeys would be displaced to other times and some drivers might be expected not to comply.

As explained in the previous response, we will address the Committee’s recommendation that the permitted blood alcohol concentration should be reduced from 0.8g/l to zero (or

⁶ DTLR – ISBN 1 85112 515 9

0.2g/l) for novice drivers in a separate forthcoming consultation document on drink-driving.

30. All these decisions about the detail of novice driver restrictions under a graduated driver licensing system should be robustly grounded in the evidence of their casualty prevention potential. As an initial proposal, we suggest that the restrictions for novice drivers should apply for 12 months after passing the test (paragraph 114).

31. The Department should undertake more research on exactly what combination of restrictions in a graduated driver licensing system would be most effective in reducing road death and injury among novice drivers, but this must not be an excuse for delaying action. Having implemented restrictions on novice drivers, the Department must closely monitor the impact. It must check for any unintended and undesirable results, and be ready to modify the system if negative safety effects are identified (paragraph 115).

The Department will use the forthcoming consultation document to seek further evidence on the practicality and likely effectiveness of novice driver restrictions in general. It fully accepts that any such system would have to be grounded in robust evidence that such controls would work in this country, and that their benefits would merit the costs (including unintended consequences) which they would cause. Evidence will also be sought on the costs and benefits of any time limit for such controls.

32. We acknowledge that enforcing a graduated driver licensing system may be complex. However, we accept the view of the police and others that it would be no more difficult than enforcing some existing traffic laws. In practice, it is likely to be largely self-enforcing, and where this is not the case, it would be mainly enforced retrospectively. It would provide a deterrent to high-risk behaviour and would give robust support to parents and guardians of young novice drivers, who seek to control their vehicle use (paragraph 120).

The Government has previously decided against introducing additional legal restrictions on newly-qualified drivers partly out of concern about the practicality of enforcing the kind of restrictions proposed. The main aim of such restrictions appears to be to restrain the behaviour of bad drivers; the Committee recognises that they should avoid unintended and undesirable effects, which may arise for many responsible new drivers. The existing traffic laws – such as those against drinking and speeding, and in favour of wearing seat belts – have been widely effective; but it is clear that this is not so among the minority of new drivers for whom additional restrictions are advocated. Too many catastrophic accidents can be attributed to a deliberate disregard for these basic rules.

Enforcement is therefore a key issue. There are constraints on enforcement and these might detract from the effectiveness of any new provision or entail other consequences. These issues will need to be considered carefully. Police on the road cannot be expected to know from observation that the driver of a vehicle is the holder of a restricted licence. To avoid allegations of oppressive behaviour, they would have to have reason to believe that someone was driving outside restrictions on their licence in order to stop a vehicle and order production of the driver's licence, so that it could be checked. Failure to produce a licence immediately is not an offence if it is produced within seven days.

Enforcement would be easier generally for police officers equipped with hand-held devices providing a direct link to the DVLA driver record, including the photograph, but the police must still have a reason for stopping a driver in the first place. DVLA and government partner organisations including the police forces, are being provided with secure online access to the drivers database through deployment of the Driver Validation Service (DVS). At the end September 2007, the following police forces have access to DVS either by hand held device or in their back offices –

- all Welsh Forces
- all Scottish Forces (through the Scottish Police Services Authority (SPSA))
- 12 English Forces (either live or in the process of gaining access)

Only North Wales Police currently use handheld devices. DVLA aims to provide access to all forces by the end of 2008.

Driver education

33. We understand that attitudes to road vehicles and driving are formed very early, and later influence the way people choose to behave when driving. We support the principle that school-age children should learn both about road safety in general, and specifically about the dangers and responsibilities of driving, long before they reach the age of 17. The Department for Transport must work more closely with the Department for Children, Schools and Families, local authorities and schools to ensure that the messages disseminated are effective (paragraph 125).

DSA, DCSF and GoSkills have been exploring the possibility of developing a Foundation Level qualification in safe road use, which could be made available in schools, colleges and other educational establishments. This will form part of the forthcoming consultation.

34. We were impressed by the evidence we received from the Under 17 Car Club of the effectiveness of their off-road driver training for young people aged 11–17. We understand that schemes such as this are resource intensive and require the commitment of parents and guardians, as well as the young people themselves, but we nevertheless suggest that the potential to broaden such schemes to reach a wider group should be assessed (paragraph 135).

Research presented by the Under 17 Car Club is necessarily limited, and relates only to a proportion of their current and past clients. The Department believes that a number of organisations promote opportunities for young people below the minimum driving age to practice driving off public roads. The Government does not intend to promote these as part of its reform of driver training and testing. It is evident⁷ that learning to drive involves more than acquiring the practical skills of vehicle control, and that more focus is needed on the higher level aspects of driving and the safe use of shared road space – acquiring the means to interact safely as a driver with a variety of other road users, and to respond safely to the full range of hazards which drivers encounter. For pre-drivers to concentrate on

⁷ see, for example, *The Good, The Bad and the Talented* (see recommendation 18 above)

practical driving skills in a traffic-free environment risks reinforcing an unbalanced approach to safe driving.

35. We were presented with several examples of local authorities' work in promoting road safety in schools, with a particular emphasis on novice driver safety. Much of this work is impressive, but the evidence for its effectiveness is only anecdotal. Although we acknowledge that it is notoriously difficult to evaluate the effectiveness of educational initiatives, some local authorities have attempted to put a monitoring system in place. We recommend that the Department for Transport undertakes an overarching evaluation of the impact of driver education programmes, in order to help establish which schemes are most effective in reducing actual casualty numbers. The results of the evaluation should be disseminated to Local Education Authorities and schools, in the form of good-practice guidance. We commend the work of those local authorities, and Transport for London, which have sought to directly tackle the problem of novice driver casualties, through the services they provide (paragraph 138).

The Government will be seeking opinions on the role of such driver education programmes as part of its forthcoming consultation. The Department welcomes the commitment of local authorities to develop programmes for schoolchildren and will work with them to ensure that innovative programmes are properly evaluated.

The role of the insurance industry

36. We encourage the insurance industry to make data available to the Department for Transport, in order to help inform national road safety policies. This is a matter of national importance and collaboration and co-operation are essential (paragraph 140).

The Department has had constructive discussions with the Association of British Insurers (ABI) about the scope for using data available to insurers as evidence in support of road safety policy. They are ready to co-operate as much as possible, although access to some data is a time-consuming process for members. Relevant information may not be held on a single database where the insurer has no operational need to do so; and is likely to be divided between under-writing and claims records systems. ABI aim to be able to contribute members' information to the Department's forthcoming consultation exercise on reform of driver training and testing.

37. Given the importance of understanding the nature of novice driver collisions and casualties, it is unacceptable that the Department for Transport and the police are not collaborating to make best use of existing data regarding traffic collisions and driving licence information (paragraph 141).

The Department and the police are collaborating to make best use of existing data regarding traffic collisions and driving licence information, as discussed in the response to recommendation No 2.

38. We would encourage the insurance industry to re-examine the high insurance charges imposed on supervised learner drivers, in the interests of encouraging them to gain maximum practice, a factor which has been shown to be crucial in promoting novice driver safety (paragraph 145).

39. The insurance industry has introduced some innovative schemes which offer discounts designed to encourage young drivers to modify their driving behaviour, by avoiding high-risk driving, such as driving at night. We welcome these schemes and note their apparent effectiveness. The insurance industry can play an important part in the effort to improve novice driver safety. We suggest that the industry explores what contribution it could make through insurance packages which draw attention to the safety risks posed by driving older vehicles with less effective safety features (paragraph 149).

These are matters for the insurance industry, rather than for the Department. The Department is very willing to work with the industry on evaluation of packages which might improve road safety, and has discussed this with the ABI and some individual companies.

The role of penalties

40. The evidence we received has reinforced the recommendations made in our 2006 Report Roads Policing and New Technology. It is imperative that there is more traffic law enforcement and that road police officers are a deterrent to drivers violating traffic law, including seat-belt wearing, speeding, drink and drug driving, and licensing and insurance requirements. This will raise the standards and safety of all drivers, including novice drivers. (Paragraph 151)

It is a matter for individual chief officers to decide how exactly police resources are deployed. The importance attached to roads policing, however, is made clear in the national Roads Policing Strategy, published jointly by ACPO, the Department for Transport and the Home Office in January 2005.⁸ This refers specifically to the importance of enforcing the offences mentioned and to enhancing public confidence and reassurance by patrolling the roads. Roads policing has had specific reference in National Policing Plans and was set as a key action for the police in the National Community Safety Plan. It has been supported by its own performance indicator relating to the numbers killed and seriously injured compared with vehicle kilometres travelled; and we are working to ensure that it is adequately covered in future measurement and assessment regimes. The Department's Supplementary Memorandum to the Committee provided a copy of a letter written jointly by Home Office and Transport Ministers to chief officers on 9 January 2007 to emphasise the importance the Government attaches to roads policing; and to give a clear steer that criminal motoring offences are as serious as other criminal offences and should be enforced as such.

41. The Department should examine whether there are more effective ways of communicating to learner and novice drivers the necessity of being properly licensed, registered and insured, before driving on public roads. We also suggest that there might be merit in reviewing the penalty points awarded for each type of driving offence, to ensure the penalties accurately reflect the danger and threat imposed on road users (paragraph 154).

⁸ <http://www.dft.gov.uk/pgr/roadsafety/drs/roadpolicingcommitment>

The Department's strategy to tackle unlicensed driving addresses the nature and scale of the problem, the road safety implications, and current legal requirements; and a suite of measures to tackle evasion. The strategy has four main parts:

- increased awareness of the dangers of unlicensed driving and the penalties involved;
- more effective detection of unlicensed driving by the police and other enforcement agencies;
- ensuring that the punishments available for unlicensed driving adequately reflect the seriousness of the offence and act as a deterrent;
- introduction of methods to control the purchase and subsequent use of vehicles to make sure those responsible are properly licensed.

MORI have recently undertaken research for the Department into why people continue to drive without a licence or when the licence has been revoked. The Department will publish the results shortly, and feed these into proposals for reform of driver training and testing.

DVLA provide the police with 'hot lists' of all those vehicles which are incorrectly registered, and those which are untaxed. The Motor Insurer's Bureau also supplies the police with details of all vehicles where motor insurance cover has lapsed. Details of these non-compliant vehicles are loaded on to police automatic number plate recognition (ANPR) camera systems so that the drivers of such vehicles can be targeted.

Offences to which penalty points may apply, and the maximum number of points which may be awarded, are determined by the Road Traffic Offenders Act 1998⁹ (as amended). These are kept under review and provision for some changes (including graduated penalties for speeding offences) was made in the Road Safety Act 2006¹⁰. The measures in the 2006 Act followed a Home Office review of road traffic penalties¹¹. The provisions of the 1998 Act, and any changes, are informed by the danger and threat to road users. The Government does not consider there is a need for a further wholesale review.

42. In light of the Minister's admission that the New Drivers Act 1995 has not been successful in meeting its objectives, the Act and its implementation, must be reviewed (paragraph 156).

The Government agrees that the New Drivers Act¹² needs to be reviewed and proposals will be included in the forthcoming consultation document on reform of driver training and testing. This issue is part of a wider need to review remedial training and testing.

43. It is a matter of great concern that the penalties of disqualification and licence revocation are not serving their purpose as a deterrent, and are being widely flouted. If penalties are to be used as an incentive to safe driving behaviour, they must be properly

⁹ 1988 c 53

¹⁰ 2006 c 49

¹¹ published by the Home Office and the Department on 24 July 2002, and available online at – <http://police.homeoffice.gov.uk/news-and-publications/publication/operational-policing/traffic.pdf>

¹² The Road Traffic (New Drivers) Act 1995 (c 13)

enforced. The Home Office should examine the potential for more effective use of the penalties for disqualified and unlicensed drivers, such as vehicle forfeiture. The police must make enforcement of unlicensed driving a much higher priority (paragraph 159).

Driving whilst disqualified is a serious offence and is recognised as such by the penalties available: a six month prison sentence and/or a Level 5 fine (£5000). The most recent Home Office statistics for road traffic offences in England and Wales (for 2004) show (at Table 17)¹³ that over 300,000 people were convicted for driving licence related offences, including driving unlicensed and driving while disqualified. A UK-wide survey for the Department in 2006 (the V79 survey) found that 1.6% of all those drivers stopped had committed some form of driving licence offence. Based on the sample size of 6,000 vehicles stopped, this gave a confidence level of between 1–2.3% which equated to between 400,000 to 920,000 unlicensed drivers in the UK. The proportion of drivers driving whilst disqualified was 0.1%. The remainder, (that is 1.5% of the sample), were driving otherwise than in accordance with a licence. This included those who had never held a licence.

Section 143 of the Powers of Criminal Courts (Sentencing) Act 2000¹⁴ empowers courts to order the confiscation of a vehicle used in the commission of an imprisonable road traffic offence. The sentence and any order made in individual cases is a matter for the courts. Guidance as to the disposals that might be appropriate in particular circumstances is issued by the independent Sentencing Guidelines Council.

Enforcement of the law and the appropriate deployment of resources for this aim are matters for individual chief officers of police. The increasing use of ANPR technology (see response to recommendation 46 below) enables an enhanced focus on criminal behaviour on the roads. When a vehicle is detected being driven by someone without insurance or appropriate licence, the Serious Organised Crime and Police Act 2005¹⁵ gives the police a power to seize the vehicle. This puts an immediate stop to the criminal behaviour and the vehicle is only released on production of insurance and licence and payment of charges relating to its removal and storage. The seizure does not preclude prosecution and a subsequent court disposal, nor does it preclude a further seizure should the vehicle be again used improperly. Reports indicate that 1500 vehicles are seized under these powers every week.

Conclusion

The Committee's Report has a number of conclusions in paragraph 160 –

44. The evidence demonstrating the scale of novice driver casualties is clear. The Department must now respond to this evidence by implementing measures which will reduce the risks novice drivers face and pose. The Department has published little research on the impact of changes made to the driver training and testing regimes over the past decade. This research must be published promptly.

¹³ Offences relating to motor vehicles – England and Wales 2004 – Supplementary Tables
ISBN 1-84473-874-4

¹⁴ 2000 c 6

¹⁵ 2005 c 15

The Department has published a considerable body of research on young and novice drivers in recent years, which is available from the Department's website¹⁶. However, it is proposed, in addition, to publish further research results and a summary document of research evidence alongside the forthcoming consultation document on reform of driver training and testing.

45. The driver training regime needs to be modernised as a matter of urgency. We understand that the Department is due to consult on such reforms: it must be prepared to implement these changes quickly—too much time has already passed since its last consultation on this subject in 2002.

The Government accepts that the need for modernisation is pressing, but this has to be balanced by the importance of having well-developed proposals based on evidence. The Department is committed to publishing a wide-ranging consultation document, which it will do shortly. Once decisions are made on proposals to be implemented, an action plan will be developed. Reform will have to be implemented in a considered way – for example, a new syllabus and test would have considerable implications for driving instructors and their training.

46. The Department for Transport should assess the risk that any changes to the training and testing regime will lead to an increase in licensing offences. The Home Office and the police must make enforcement of licensing offences, and disqualified driving, a real priority. Serious driving offences should be included in the "offences brought to justice" target for the police.

The Department is concerned not only to avoid any increase in licensing offences, but to seek ways of persuading those who are now tempted to offend to drive legally. A sensitive balance has to be struck in which a robust system is developed and maintained, while seeking to reduce further the prevalence of unlicensed driving.

The issue of motoring law enforcement by the police has been addressed in the responses to recommendations No 40 and 43 above.

The Government's target for the criminal justice system to bring 1.25m offences to justice in 2007/08 recognises notifiable offences that are brought to justice. A 'notifiable offence' is one which Parliament has decided should be – or may be – triable in a Crown Court. The definition does therefore include some of the most serious driving offences such as causing death by dangerous driving, causing death by careless driving when under the influence of drink or drugs and dangerous driving.

We recognise that a number of motoring offences – drink/drug driving, for example – are not captured by this particular measure for the reasons given. However, we expect criminal justice partners to accord these crimes the priority they deserve. Future targets for the criminal justice system are likely to provide a clear focus on tackling serious offences, including the most serious driving offences. In order to tackle effectively these offences it will be important to develop an increased focus on the broader range of roads policing.

¹⁶ <http://www.dft.gov.uk/pgr/roadsafety/research/>

The use of ANPR technology by the police in detecting and bringing to justice road-using criminals allows for and promotes an increased focus on roads policing. The Home Office has provided £32.5m in the last three and a half years to establish the national, regional and local ANPR structure, and every force now has ANPR facilities. Over 50,000 arrests made during this period are attributable to ANPR technology.

47. Closer liaison between the Department for Transport and the Department for Children, Schools and Families is required to ensure that education programmes target people at a young age, in order to begin to change attitudes towards driving. The Departments should work together to put road safety and driver education in the National Curriculum.

There are many methods for engaging with the education system, and for improving standards among future drivers. Both Departments are working together to explore the full range of available channels. In order to be successful, the selected approach will need to engage with a wide range of ages and abilities, including those who may not complete school, and those learning to drive at a post-school age. The consultation will ask respondents what method of engagement they believe to be most effective.

48. The Department should monitor and research which types of scheme have most impact in terms of reducing casualties, and disseminate the results widely.

The Department will continue a monitoring and research programme on all aspects of driver safety, including novice drivers, including new measures that may be taken in this and other countries.