

# THE PEOPLE, THE PARLIAMENT AND THE COURTS

## STUDENT LEARNING ACTIVITIES

### Module 2: Law reform, road and community safety committee's inquiry into lowering the driving age in Victoria

#### Overview

The Law Reform, Road and Community Safety Committee is a Joint Investigatory Committee and has a wide jurisdiction. Its role is to hold public inquiries and report to the parliament on matters relating to these areas: legal, constitutional or parliamentary reform; the administration of justice; law reform; the use of drugs, including the manufacture, supply or distribution of drugs; the level or causes of crime or violent behaviour; road trauma and safety on roads and related matters.

Joint investigatory committees are appointed by each parliament to investigate a number of different issues in particular subject areas. They are made up of members of both Houses.

#### Inquiry into lowering the driving age in Victoria

In December 2015 this committee was asked to investigate whether 17-year-olds should have the right to get their P-plates in Victoria. One important focus of this work was to look at the needs of young people living in regional Victoria. The Committee was asked to find out what the impacts could be of reducing the driving age. In particular:

- Could a lower P-plate age assist young people to access employment, study and training?
- Would a lower driving age affect the road toll?
- What other impacts might occur with a change in licence age?

The committee had wide terms of reference, which also included:

- Looking at the probationary driving ages in other states in Australia
- Reviewing the impacts of separating the legal driving age and legal drinking age
- The adequacy of current transport infrastructure and services available to young people of non-driving age, particularly in regional Victoria.

## How did the committee go about undertaking its work to address and research the terms of reference?

This committee was made of seven members from both Houses of Parliament and was supported by four parliamentary staff members. The committee:

- Tabled its terms of reference and advertised its role and progress in state newspapers
- Received 103 submissions, 20 of which were from groups or organisations and 83 from individuals
- Released seven media releases to inform the public about the progress of the inquiry
- Held seven days of public hearings including four in Melbourne and three in regional Victoria
- Heard from representatives from 23 organisations and associations and four individuals
- Published all submissions and transcripts of the public hearings on the parliament's website
- Produced its report in March 2017.

### Student input matters

As part of the public hearings, the committee heard from young people who are the most directly affected by the driving age in Victoria. Here is a sample of student input at two public hearings.

#### Wodonga Senior SC

On October 4 2016 a public hearing was held at Wodonga Senior SC and ten students from the school addressed the committee. All the students strongly agreed with lowering the driving age to 17 with their issues centred on difficulties in accessing transport to part-time jobs and full-time time work such as apprenticeships, and participating in sporting and social activities. Lowering the driving age would give them more independence and improve participation in work, study, sport and social activities.

#### East Doncaster SC

On August 24 in an earlier public hearing in Melbourne, three students from East Doncaster SC had a different view. They did not support lowering the driving age, feeling that 17 year olds may not have the maturity needed to drive without supervision and generally saying that public transport is adequate. However, one teacher spoke on behalf of a number of students who could not attend the hearing, noting that they were mostly supportive of lowering the driving age, mainly to make young people at 17 more 'employable'.

If changes were made, students from both schools talked about some the restrictions that could be imposed on young drivers such as curfews, not having passengers, and continuing the limit on the engine capacity of cars a young person can drive.

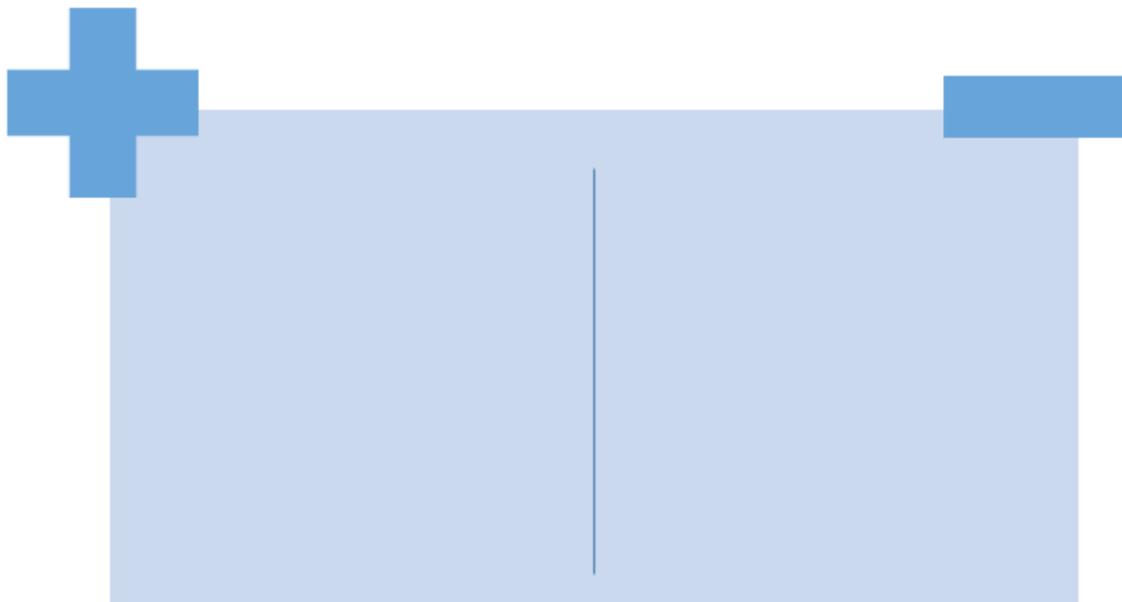
## Check your understanding

Answer the following questions:

1. Explain the role of this committee.

Who is the committee?	What are they doing?	Why are they doing it?

2. Noting the amount of submissions received and by whom, discuss whether this committee effectively engaged members of the community.



3. Are you surprised at the difference in outlook between some students at East Doncaster SC to the views held by students in Wodonga? Give reasons for your view.

	East Doncaster SC	Wodonga Senior SC
For or against		
Main reason for opinion		
Second reason for opinion		
These are different because...		
One thing that surprises you about this school's opinion		
Why does this surprise you?		
Why do you think these views are different?		

4. The Committee noted that “Accessible transport options may make a real difference to the social connectivity and healthy development of young people in rural and regional areas.”

Write a paragraph outlining what you think this means and whether you think it is important.

5. A range of organisations made submissions and attended the Law Reform, Road and Community Safety Committee’s public hearings. Go to the Committee’s website and look at the list of public hearings. Find an association or group that interests you and read the transcript of their submission:

- Did they support lowering the driving age to 17?
- What were three significant points they made to support their view?

Name of association or group	
Did they support lowering the driving age to 17?	
One significant point they made to support their view	
Another significant point they made to support their view	
Another significant point they made to support their view	
This was interesting because...	

## A recommendation for law reform

In March 2017 the Law Reform, Road and Community Safety Committee tabled its report recommending, by majority decision, the lowering of Victoria's P-plate driving age to 17. The Committee found that young people in non-urban areas might be at greater risk of disadvantage than those in metropolitan areas due to a number of factors, including issues of accessibility, particularly of public transport.

Reflecting the broad debate in the community around these issues, there were differing opinions among members of the committee about the safety risks associated with lowering the P-plate driving age.

However, the Committee was in full agreement that if the government does not lower the driving age to 17 years, it should introduce an exemption process that allows young people to apply for a probationary licence at 17 years on grounds of undue hardship based on employment, education or training.

The committee made a range of recommendations supporting better public transport options for regional areas and better driver training programs. Among its 11 recommendations, the Committee wanted to strengthen the already world-leading Victorian graduated licence scheme. This includes placing greater restrictions on probationary drivers by:

- Changing the peer passenger restriction from one passenger to no passengers for the duration of the probationary one (P1) phase
- Restricting P1 drivers from driving between 10 pm and 5 am, unless for employment, study or other authorised purposes
- Improving the 120 hour supervised driving experience for learner drivers
- Encouraging young people to purchase safer vehicles.

In addressing the issue of driver safety, the committee felt that there was no evidence to support different risk levels between 17 and 18 year olds. Rather the Committee believed that quality experience is essential to ensuring the safety outcomes of all young drivers, which would contribute to Victoria achieving continued reductions in road trauma.

### Answer the following question

6. Discuss how not having a unanimous vote might impact committee discussion and research into their investigation.
7. What is a 'unanimous vote'?

This might impact committee discussion because...

This might impact research because...

However, if there was a unanimous vote discussion would be different because...

If there was a unanimous vote research would be different because...

8. Do you agree with the committee's suggestion that if the Government does not lower the driving age to 17 years, it should introduce an exemption process that allows young people to apply for a probationary licence at 17 years based on grounds of undue hardship based on employment, education or training. Give reasons for your answer.

*\*\*Get your ideas together before writing your answer - complete this diagram to help\*\**

Yes because...	No because...

### What happens next?

Once a report from the committee is completed, it is tabled in parliament. The government is required to respond to any recommendations made in a committee report, generally within six months. On November 2 2017 the government response to this inquiry was tabled in parliament and uploaded to the parliament's website.



## Government's response

The government supported a range of recommendations made by the committee, particularly those relating to better public transport options in regional areas and better driver training programs. The recommendation to introduce night driving restrictions for P1 probationary drivers is under review.

However, the government did not support the main recommendations from the committee. Despite the committee's research, the government believes that age is a contributing factor to young driver crash risk and so did not support the lowering of the minimum probationary driving age in Victoria to 17 years. The government also did not support the introduction of an exemption process that allows young people to apply for a probationary licence at 17 years based on grounds of undue hardship based on employment, education or training.

While the government did not support the main recommendations of the inquiry, the investigation and research undertaken by the committee has provided for an exchange of views and brought the issues faced by young people in rural and regional areas to the community's attention. This must be seen a positive outcome from the inquiry.

If you want more details on the committee's recommendations in its report and the government's response visit [www.parliament.vic.gov.au/lrrcsc/inquiries/article/2958](http://www.parliament.vic.gov.au/lrrcsc/inquiries/article/2958)

## Check your understanding

Answer the following questions:

9. Even though the government did not support the main recommendation from this inquiry, evaluate how the research undertaken by the committee and recommendations made in this inquiry, could stimulate community thinking, foster debate and influence law reform in the future.

### Notes before writing a response

Could stimulate community thinking

Might not stimulate community thinking

Could foster debate

Might not foster debate

Could influence law reform

May not influence law reform

Conclusion

10. A range of organisations made submissions and attended the committee's hearings. Go to the Committee's website and look at the lists of submissions and witnesses at hearings. Find two submissions that interest you and read the submission or transcript.

- What drew you to look at this submission?
- What was their position on lowering the driving age?
- What points did they make to support their view?

Name of organisation	
What drew you to look at this submission?	
Did they support lowering the driving age to 17?	
One reason to support their view	
A significant point they made to support their view	
Another significant point they made to support their view	

Name of second organisation	
What drew you to look at this submission?	
Did they support lowering the driving age to 17?	
One reason to support their view	
A significant point they made to support their view	
Another significant point they made to support their view	

11. Go to the Committee's website and read the government's response.

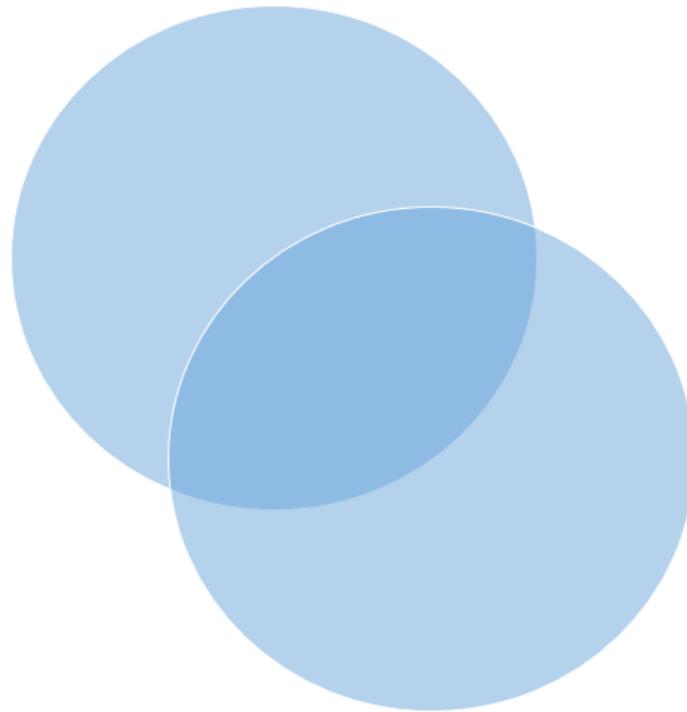
[www.parliament.vic.gov.au/lrrcsc/inquiries/article/3183](http://www.parliament.vic.gov.au/lrrcsc/inquiries/article/3183)

a) How effective do you think the committee has been in influencing change?

- Very effective
- Mostly effective
- A little effective
- Kind of effective
- Not very effective
- Mostly ineffective
- Very ineffective

b) Why do you think this is the case?

c) Complete a Venn Diagram to show reasons the committee has and has not been effective in influencing change.



d) How did the focus of the government's response differ to the focus of the committee report?

