What else should we do with bad drivers?

The UK Experience

Sir Peter North CBE, DCL, FBA, QC
Keynote Speaker
RSA International Road Safety Conference
Introduction: Some Basic Questions

• Why do we have road traffic law?

• How is it different from the rest of criminal law?

• Who are we dealing with?

• What are the conclusions from the answers to those questions?
Disqualification Reduction Courses
Drink Driver Rehabilitation

• History:
  – recommended in 1988
  – provision made in the Road Traffic Act 1991
  – experimental period during the 1990s
  – in general use from 2000

• Scope: four drink related offences – disqualification for 12 months or more

• How does the scheme work? Up to 25% reduction of disqualification

• How many drivers are involved: 90K offenders, 60K approved for courses, 30K complete
Disqualification Reduction Courses
Drink Driver Rehabilitation

• How effective is the system?

• In experimental period up to end 1999, course attendees 3 times less likely to reoffend

• Since then, see TRL Report No 662 (2007): “Extended monitoring of drink-drive rehabilitation courses: Final Report”

• How can the system be improved?
  – Consultation Paper on New Approval Arrangements for Drink Drive Rehabilitation Courses (Nov 2011)
• Report on Drink and Drug Driving (2010) recommendations
  
  – The “road map” - expert panel on drug driving established (2012)
  
  – Implementation:
    
    • Legislation in 2012?
    • No new offence before 2015: DfT Strategic Framework for Road Safety (2011)
  
  – New courses depend on effectiveness of “road map” changes and increased drug driving convictions
Disqualification and Points Reduction Courses:
Application to other offences

- Road Safety Act 2006 provides for the extension of the drink driver scheme to other offences where the penalty imposed is 12 months disqualification or longer, and introduction of scheme for the reduction of points awarded

- Offences to be included:
  - careless driving
  - failure to comply with traffic signs, eg running red lights, ignoring no right turn
  - motorway offences
  - speeding offences
Similar effect to the drink driver courses where there has been disqualification:
- Up to 25% reduction of disqualification
- Points reduction of 3 points where penalty would lead to 7-11 points

Nature of courses:
- Road Safety Research Report (RSRR) No 71 (2007);
- RSRR No 118 (2010)
- Some doubts about eligibility criteria and likely take up of courses

Implementation:
- Statutory provisions not yet in force
- DfT Strategy Framework for Road Safety (2011) does not include an implementation timetable
- Doubts?
• Retesting after disqualification, consideration of requirement for remedial training, prior to retest: DfT Strategic Framework for Road Safety (2011)

• Application to regain licence after “serious disqualification” (12 months or more?)

• Implementation (after development of course and assessment): 2013
Prosecution Avoidance Courses
Driver Improvement Schemes

• What are these schemes?
  – National Driver Offender Retraining Scheme (ACPO Guidance 2012)
  – Speed Awareness Scheme (ACPO Guidance 2010)

• What offences are covered?
  – Speeding: 10% plus 2 – 10% plus 9 (not 20 mph)
  – Careless driving: separate courses for minor collisions (National Driver Alertness Course), intentional non-collision misconduct eg tailgating, undertaking (What’s Driving Us Course), general carelessness (Driving 4 Change Course)
Prosecution Avoidance Courses
Driver Improvement Schemes

• How do the schemes work?

• Are they effective? See RSRR No 66 (2006)

• Future plans: DfT Strategic Framework for Road Safety (2011)
Conclusions

- Conclusions
Thank You