



Northern Ireland
Assembly

Committee for the Environment

OFFICIAL REPORT (Hansard)

Road Traffic (Amendment) Bill:
Ulster Farmers' Union

9 October 2014

NORTHERN IRELAND ASSEMBLY

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Members present for all or part of the proceedings:

Ms Anna Lo (Chairperson)
Mrs Pam Cameron (Deputy Chairperson)
Mr Cathal Boylan
Mr Colum Eastwood
Mr Alban Maginness
Mr Ian McCrea
Mr Barry McElduff
Mr Ian Milne
Mrs Sandra Overend
Mr Peter Weir

Witnesses:

Mr Barclay Bell	Ulster Farmers' Union
Mr David McConaghy	Ulster Farmers' Union
Mr Bailie Thompson	Ulster Farmers' Union
Mr Michael Reid	Young Farmers' Clubs of Ulster

The Chairperson (Ms Lo): I welcome Barclay Bell, the deputy president of the Ulster Farmers' Union (UFU); Bailie Thompson, legislation chairman, Ulster Farmers' Union; David McConaghy, legislation policy officer, Ulster Farmers' Union; and Michael Reid, chief executive of the Young Farmers' Clubs of Ulster. Members have the submission from the Ulster Farmers' Union. I invite the representatives to give us a briefing, and members will ask questions afterwards.

Mr Barclay Bell (Ulster Farmers' Union): Thank you very much, Madam Chairman. When we first came in this morning, it was quite amusing to hear you discuss hedges. In the agricultural world at the minute, nobody seems to be able to decide what a hedge is, so you are not on your own in discussing hedges; you can rest assured that the discussion of hedges is ongoing throughout Europe at the minute.

Thank you for affording us this opportunity to express our concerns around some of the amendments to the Road Traffic (Amendment) Bill.

The Chairperson (Ms Lo): Sorry, I just want to remind everyone that the session is being recorded by Hansard.

Mr B Bell: Certainly, from our point of view, we have concerns around how some of the proposals would affect rural communities, and we have looked at it from that aspect. I will hand over to our policy officer, David McConaghy, at this stage, who will lead us off on that.

Mr David McConaghy (Ulster Farmers' Union): Thank you, Madam Chairman. The Ulster Farmers' Union and the Young Farmers' Clubs of Ulster have concerns about Part 3 of the Road Traffic (Amendment) Bill. We have no real comment to make on the earlier provisions that deal with drink-driving and things like that.

First, the reduction in the age at which a person can begin to learn to drive from 17 to 16 and a half is welcomed by the Ulster Farmers' Union. We have long encouraged that young people should learn to respect machinery and to know how to be safe around it from as early an age as possible. On farms, young people grow up in and around machinery, and machinery is inherently dangerous. We encourage children and young people to learn about the dangers that those machines pose and to learn how to use them safely. We welcome the reduction from 17 to 16 and a half, as cars are obviously rather dangerous as well. As well as that, many rural young people are relatively experienced drivers by the age of 16 and a half from engaging in agricultural activities on the roads. We think that it is good that we would not have to keep them waiting any longer.

The requirement that a person must have held a provisional licence for at least 12 months before being permitted to take their driving test seems to us to be a bit excessive. The UFU believes that the best way to learn to drive is by driving, given that people must learn to feel comfortable and confident on the road as well as learning to take the responsibility for their own vehicle. We do not see the point of extending the period of learning where it is not necessary or appropriate. A person may be fully capable of driving safely after only a few months of learning and that requirement would deprive them of real road experience as opposed to the rather artificial experience you get in a driving lesson. We would like to see provision made for a bit more discretion on drivers' ability.

We would welcome regulations being made by the Department under the proposed paragraph 4A in clause 17, whereby exemptions could be made to what I was talking about a second ago. We would welcome a return of the professional discretion of accredited driving instructors who are able to decide when a learner is capable of driving on their own. Rather than the person having to complete the 12-month course, the instructor should be able to refer them to the test when he or she feels it appropriate. We suggest that driving instructors be given the power to make those referrals prior to the end of the 12-month period. What we had in mind was an initial pseudo test where the ability of the learner is tested and then the instructor can decide which points need to be assessed. That could be recorded in the logbook, which we will come to later. We do not see the point in young people who do not have an awful lot of money having to pay through the nose for more and more driving lessons. I know that it nearly broke the bank for me. Learning to drive is expensive and making it mandatory for 12 months is going to run into quite a lot of money for young people.

As an alternative to the idea we mentioned above, we would welcome regulations being made by the Department under the new paragraph 5A proposed in clause 18, which would allow for exemptions to be made for the logbook, which must be kept and presented at the test. For example, in order to drive a tractor or agricultural vehicle on a farm between the ages of 13 and 18, one must complete a tractor driving course. If the award certificate from that course could be presented, we believe that it would cover part of what should be included in the logbook. As well as that, we believe that taking part in agricultural activity should count towards one's logbook. A suggestion may be that those young drivers record the work they have undertaken and have it signed by the employer they have been working for during that period to verify that they do indeed have that experience.

We welcome the omission of the 45 mph speed limit for young drivers. The requirement was completely out of date and counterproductive as it meant that young people were not learning how to drive safely at speeds. That presented a clear danger as they were completely unprepared when they had to drive at 70 mph on the motorway. Then we wondered why young people were not capable of driving at speeds. It is a complete paradox, and we very much welcome its omission through the amendment.

The restrictions on newly qualified drivers in the new driver period give us a great deal of concern. That is really where our main focus lies. We feel that the proposal would have a disproportionate effect on rural areas compared with urban areas. As I understand the proposal, a newly qualified driver must display a distinguishing mark for two years after gaining their licence and newly qualified drivers under the age of 24 must be accompanied by a relevant accompanying person when they are carrying more than one passenger aged between 14 and 21. That relevant accompanying person must be aged over 21 and must have held a full driving licence for at least three years. There are exemptions for those who have people in their care, for spouses and civil partners, siblings and half siblings and for children of the family, as well as for emergency purposes. That latter requirement exists for six months after qualification as a driver. We have not really seen any good justification for

the imposition of those regulations. When I look at legislation, I always want to see justification for anything that will restrict anybody's freedom. We have not seen any real justification for this that we believe would make it necessary at all times.

As well as that, there are a few points that we would like to make. The relationships that are part of the exemption seem to us to be very restrictive. I really do not think that very many 17- to 24-year-olds would have a spouse or civil partner. That just seems rather arbitrary. I highly doubt that many of them have that. Would it not be better to put it in some way so that it would be their boyfriend or girlfriend, who they are far more likely to have in the car with them than a spouse or civil partner, given that most of them will not be married at that age?

There is also the fact that many people at the age of around 23 or 24 are already fairly well established in their work or profession. Due to the lack of a viable public transport system in rural areas, which is another area that we have been lobbying on consistently, it is common for young people who work together to car share, a system that is beneficial to everyone and is more eco-friendly than each of them driving individually. That is also very much the case for students. Due to the size of Northern Ireland, a significant number of students are able to live at home and drive to university, school or college. Again, those living in close proximity or along a shared route will choose to car share. Those journeys are often very enjoyable for young people and lead to lasting friendships — friendships that could last for the rest of these young people's lives. As well as that, as an example, the Queen's University area in Belfast is an absolute nightmare to park in during term time. If every student was coming under their own steam — this is the age when quite a lot of them will be passing their test, around the age of 18 — trying to get parked around the Queen's area during the six months at the beginning of term would be an absolute nightmare.

The Chairperson (Ms Lo): You can tell me that. *[Laughter.]* My constituency is South Belfast.

Mr McConaghy: Quite a lot of our young members drive to Queen's University. Having each student who lives in a rural area drive on their own would increase the number of cars in that area rather substantially. That is just one example.

As well as the above, the fact that more and more young people would have to drive alone on the roads would make roads even more dangerous. It is surely the case that a young, inexperienced driver would be more likely to make a mistake. That proposal eliminates the chance that a friend or someone else in the car would be there to be able to call out a warning or something like that which could prevent a collision or save lives.

We do not necessarily accept the generalisation that groups of young people together in cars are always more likely to be reckless and speed. We think that for every group of people who would do that, there would be another group who would be happier to be more responsible and careful in their driving because they know that they are responsible for their friends' lives. We think that encouraging that and raising public awareness that people who are in your car are your responsibility when you are driving would be a better way of doing it. If you can change people's minds rather than legislating, it is often a better approach in our opinion.

As well as that, we think that the idea of a person's being over the age of 21 being appropriate to cover seems very arbitrary. Where did they get the age of 21 from? It seems just to have been picked out of thin air. We are not entirely sure as to why that is there. It seems rather ad hoc and quite arbitrary in our opinion.

Moving on, the defence of due diligence seems to us to be quite an empty defence. It is one of those legal terms out of which lawyers make their money. It is surely unrealistic for a young person to perform ID checks on people whom they bring into their car. If it is someone whom they do not know all that well, will they stand at the car door like a bouncer and ask for identification? If the defence is to exist, it could be reworded in a better way, we believe.

The final point is that it is almost impossible to see how those measures could ever be enforced. As we have heard, police budgets are being stretched to the limit. Do we seriously expect police officers to expend time and effort, not to mention taxpayers' money, to check the names and ages of young people travelling together in cars? We believe that that could lead to unnecessary hassle for young people driving together lawfully, as a police officer may pull them in on a suspicion that one of them may be a year or even a few days older than they actually are. Is a person 24 or 25 years old? How do you tell? What are the grounds for reasonable suspicion here for a police officer to pull somebody in? How will they know which people they should pull in and which people they should not?

As well as that, the requirement that the identification has to be taken to the police station, if it is not there currently, would put a great burden on young people who may be doing nothing wrong, but yet would have to go through the process of bringing this identification to the police station later in the week. We think that trying to enforce this could lead to a complete waste of police time and resources and an unnecessary imposition on law-abiding young people.

To conclude, we believe that the proposals could have a disproportionate effect on those living in rural areas, as young people often simply do not have a realistic alternative to private transport, which is itself regrettable. As we have already said, we have lobbied hard for a sustainable and effective public transport system in rural areas. UFU is adamant that young people living in rural areas should not be disadvantaged with regard to education, employment and leisure opportunities either directly or indirectly because of where they live. In urban areas, young people may be able to walk or take public transport or a taxi to their destination at no substantially greater cost in either time or finance. This is not the case in rural areas. For our young people, not learning to drive is not an option. If you do not learn to drive, you will not be able to access the amenities and services around you in rural areas. That is just a fact of life. DARD is already doing quite a lot of work on tackling rural isolation. We believe that some of the proposals in the Bill will not necessarily do anything to help to tackle rural isolation.

I will hand over to Mr Michael Reid, the chief executive of the Young Farmers' Clubs of Ulster, who has joined us for this briefing.

Mr Michael Reid (Young Farmers' Clubs of Ulster): Madam Chair and members, thank you for the opportunity. I will be quite brief because we follow very much the line of the union on this.

I would like to raise three issues. I sit on the road safety forum with Minister Durkan currently; prior to that, it was with Mr Attwood. These issues were driven very much on that forum by the British insurance industry and the driving instructors' organisations. At two very clear meetings, members of the GAA and ourselves, who represent the young people, both spoke out quite vocally against the proposals. Our arguments were very much along the lines that they were backed up by the consultation on measures 8 and 9. On measure 8, 70% of people said no to night-time driving, and it was dropped; 59% said no to passenger restrictions, yet that is being kept in.

These changes will have a huge impact on all youth organisations, whether they are sporting, artistic or about personal development, like ourselves. Young people will no longer be able to travel to sports events and meetings. Undoubtedly, it will impact on things like education and study. DARD has recently introduced a level 2 qualification requirement for young people to take up CAP funding. Those courses will largely be in the evening. People will not be able to travel to the College of Agriculture, Food and Rural Enterprise (CAFRE) and further education college campuses to undertake those courses.

As part of the joined-up thinking of government, OFMDFM's strategy for children and young people is very clear on things like education, training and health. It does not seem to be part of the joined-up thinking to effectively ban young people from travelling together. It is not realistic to expect people to travel 10, 15 or 20 miles to pick up other people and to gather up an over-21-year-old to make the car legal to travel.

Things like rural suicide and isolation are obviously key to us as an organisation. We work very much with other organisations in the youth sector on those issues. The impacts of good health, good education and sport have reduced rural suicide dramatically over the past number of years. It is still a huge issue, but we have had an impact on that. Finally, from a statistical point of view, the 2008-2020 target for reduction in young fatalities on the road was 55%. Five years into that process, we sit at 52%. While we are not blasé, there has been a huge impact made already through good communication and good education. As an organisation, we do not see where this Bill sits alongside what has been a relatively successful period with regard to fatalities and serious injuries amongst young people.

The Chairperson (Ms Lo): Thank you very much, gentlemen. That was certainly a very comprehensive presentation.

David, you put forward quite an innovative concept or idea of an initial driving test. Can I explore that a bit with you? Do you mean a young person going to a driving instructor and doing that? Is that carried out by the driving instructor? How do you try to incorporate consistency, then, amongst all the different driving instructors in carrying out the test?

Mr McConaghy: My thinking on this was that there would be a set number of issues that young people would have to show they were capable of dealing with before they would ever get their driving licence — for example, manoeuvring, safety, observation and the maintenance of the car, as well, should all be headings. Driving instructors should be sufficiently trained and competent to be able to tell whether or not a person knows how to operate a car correctly in each of these ways. What I had in mind was that a person could go along to this quite brief test. You would not get your driving licence if you passed, essentially, but it would just be an idea for the instructor, say, to give a standardised mark out of 10 across all young people as to their ability. That would be a basis going forward for future training. However, I appreciate and fully agree with your point that there would need to be consistency in how this initial test or assessment would be carried out. We believe that, with the introduction of the logbook as being required already, this could be covered under whatever is brought in for that. It would be an extension of that, which could cut down on unnecessary training and expense for young people.

The Chairperson (Ms Lo): OK. I am sure that others would like to ask questions. I have a number of questions, but I will pass around.

Mr Boylan: Thank you very much for your presentation — one of the better presentations, I have to say. To be fair, you have given us a lot of food for thought. If it had been in the debating Chamber, it would have added more to it.

Just a couple of points. You are correct in what you say: it is actually about ability. Let us be realistic. Young farmers and rural people especially are driving differently, and they have more experience from an early age. One may take 10 driving lessons. I do not want to make a rural/urban divide on this matter, because I am more concerned about the safety element and cutting down the accidents. Clearly, every year the statistics show that 70% of the fatalities are on rural roads. That is not to say that it is rural communities that have contributed to it. Unfortunately, that is just the way it is. I do agree, but I want to ask, in terms of bringing amendments forward, how we would go down the exemption route. It is certainly a good suggestion to have a driving instructor saying that a person is capable now, or that they have reached a certain standard where they should be able to take the test — and that is the test. How do we go about introducing exemptions within the Bill itself? Have you considered how we go about that process?

Mr McConaghy: Not in any great detail. We have not considered how things could be introduced into the Bill. The Bill gives the option of regulations to be brought forward by the Department for these exemptions, which could be relatively wide-ranging, but there could be very detailed guidance and best practice guides given to driving instructors for this. I do appreciate your point: it is very difficult to legislate for such a real, down-to-earth thing, which would cover such a great range of people and circumstances. That is where I think that guidance that is a bit more user-friendly and a bit more down to earth might be a better way to have these exemptions under regulations, rather than anything in the Bill itself.

Mr Boylan: I agree with you, and that is why I am bringing it up. Whilst, in the legislation, they have put an age on it, different people have different abilities. That is the difficulty for us. I am certainly on the rural side of this argument, because certainly there is a reliance on travel. We have no public transport. We have at certain times of the day, but seriously there is a reliance on rural people having their own vehicles. I would not in any way want to incorporate anything in legislation that would inhibit that.

Just two other things. I agree with the restriction on numbers issue as well. I know that a lot of rural people work in the hospitality industry, and they travel back and forward. What are your views on that? I take it that, as part of the original process, you brought this to the Department, but, as Michael said, the Department has gone ahead with this. I think, listening to it first in the Chamber, there is one of the issues mapped that we need to look at collectively as a Committee. I do not think that it will actually work. I know the premise of it, and the principle, but it is still going to inhibit rural people per se. Have you any more comments on that?

Mr McConaghy: Nothing specific. You have covered all the bases very well there. We do think that it is an issue of disproportionate effect on rural areas. As I mentioned earlier, there are other options in urban regions, where you can take a taxi, and it will cost you maybe £5 or £6. If you try to take a taxi somewhere in rural areas, it will cost you £50 or £60 in some cases. Public transport in rural areas is unreliable and inefficient. We believe that, rather than legislating in this way, it might be better if

something could be looked at to invest in rural public transport to give people a realistic alternative to having to drive everywhere, which would in itself cut down the amount of traffic on the roads.

As well as that, you mentioned the number of accidents occurring on rural roads. That is something we are very concerned about, but we would perhaps add that maybe that has something to do with quality of roads as well as ability to drive. Rural roads are quite bendy and quite narrow and can be quite dangerous.

The Chairperson (Ms Lo): And dark.

Mr McConaghy: Exactly, Madam Chairman — inherently. Inexperienced drivers, especially driving alone on the road at night, maybe not really knowing where they are going, rather than being able to have people with them who do know or have a wee bit more experience — it seems to us that that could be counterproductive. We really do not think that the Department has fully considered this. As we said, some of these measures seem very ad hoc and arbitrary.

Mr Boylan: Thanks. Just a final point, Chair. I am seeking clarification — do you welcome the wearing of helmets on quads?

Mr McConaghy: Yes.

Mr Boylan: To be honest, for us it is no argument. One accident and it could be all over for you, or, if not, you could be seriously injured. I do welcome that.

To put it on the record, I want to thank you as a group, and also the GAA, because you have done a lot of work over the last number of years to work towards safer roads for young people in particular. Thank you very much for that.

Mrs Cameron: Thank you very much for your presentation. It was very good, very interesting this morning. Like Cathal, I wanted to ask you about the wearing of helmets on quads, because of all the groups the UFU was the one I thought might have had a different opinion on that. It is good to hear your views on it.

I do not really have any questions for you as such. It is more that I wanted to say that, like the Chair, I am impressed by the idea of the initial instructor test. That sounds really sensible. It would be good if that could be introduced, because, after all, children and young adults develop at different levels. Age can quite often just be a number.

On the ID checks and passenger restrictions I see great difficulty. The interesting thing is that, when we had the PSNI before us, they did not seem to see that as a great barrier. I expected them to say that it was not workable or enforceable, but they did not seem to see it as much as a problem as we all do. That is interesting, but I do not know how that would work day to day. I think that it would be very complex proving that someone is your spouse or civil partner. As you say, is it not more appropriate for the Bill to say "boyfriend/girlfriend"? They could just be saying that the person is their boyfriend or girlfriend. You could be into all sorts of quandaries there.

I appreciate your presentation, and you have highlighted the rural case and even the health implication and rural isolation. It is important that we consider all those aspects when looking at the Bill. Thank you very much.

The Chairperson (Ms Lo): Do you know how long on average it takes a young person from a rural background who is used to driving tractors to get the driving test?

Mr McConaghy: I do not know off the top of my head, Madam Chairperson.

The Chairperson (Ms Lo): Would it be within a few months? Would a minimum of six months be more sensible than the 12-month limit?

Mr McConaghy: Speaking from personal experience, it took me four months to pass my driving test. That was with eight lessons, and I have not crashed yet.

The Chairperson (Ms Lo): My two sons took about three or four months. They have April birthdays and they got it in July/August. They were able to drive themselves to school in September.

Mr McConaghy: The real learning to drive begins only once you pass your test. As I said, the experience that you get with your driving instructor is invaluable but artificial. You will not always have somebody sitting next to you with dual pedals. When driving on your own, it hits home that you have to be responsible and sensible about how you drive. You have to learn that the car is under your control and there will not necessarily be somebody there to slam on the brakes or whatever.

Having the 12-month period of driving with somebody along with you would be completely unnecessary for a great number of drivers. We have focused almost entirely so far on rural drivers, but the same applies for quite a lot of urban drivers, who would be fully competent to drive after a few months and a number of lessons. It is not something that would apply to just rural drivers, although we think that, with the experience we get driving agricultural machinery, we have a case to make that our young drivers would perhaps be more likely to have experience on the road than an urban driver.

Mrs Overend: It is good to see you this morning. Thanks very much for your presentation. You made an interesting comment about being able to feed in your experience of driving tractors and whatever else. I had not thought of that, so I thought that was a good aspect to add.

Speaking as someone who passed their test after five weeks, I know you are so eager to get on the road when you live in a rural area. It gets you from A to B. It gets you to all your young farmers' meetings every other week and everything else.

The Chairperson (Ms Lo): And the dances. *[Laughter.]*

Mrs Overend: Well, at 17, you were not going to too many. *[Laughter.]* On the flip side, six months after you are 17 is not really that long. Is it just a question of changing the mindset that people will not be able to do their test until they are seventeen and a half years old? Six months is not a big thing. Yes, OK, you can start driving from when you are sixteen and a half, but do you think, maybe, it is just about getting used to that mindset that you will not be able to pass your test for a full year until you are seventeen and a half?

Mr McConaghy: Yes, I understand your point. It is not a huge burden, but we just do not see the point of it at all. As I said earlier, when we look at legislation that is going to restrict freedom in any way, we always ask, "Is it necessary to do this?". In this case, we do not see any good justification for it. We think it is for the Department to give us justification for the restriction rather than us making an argument that it should not be made. We have not seen any good, strong argument for it at all. As Michael said, when the consultation came back, it showed that 69% opposed the passenger idea.

Mrs Overend: The passenger idea is separate.

Mr McConaghy: Yes, it is a separate idea, but it applies to the six months after you pass your test as well as the imposition of the 12-month learning period. We have not seen any argument for that either, and we do not think that the consultation that was carried out has been listened to in some areas. We were glad to see the curfew idea ditched, because it was entirely inappropriate, in our opinion. I do appreciate your point that it would be a mindset change, but —

Mrs Overend: We grow up thinking that we can start driving a car when we are 17. It is young people who are 14 or 15 and looking forward to that driving who will have to change their mindset and will be disappointed by it, but once that is changed, they will know. You know —

Mr McConaghy: Yes, I understand.

Mrs Overend: I agree with so much of what you said, but I wanted to be devil's advocate to try to draw it out with you a bit more. With regard to the issue around companions in the car, do you have any alternative suggestions, or are you just opposed to it entirely?

Mr Reid: I might throw that back to members and ask where it came from. Having sat on the forum for the last three years, I know that no statistics have been put on front of us that would explain why that piece of legislation is there. Maybe it has come to this group, I do not know, but there is nothing that says that a 17-year-old driver is more dangerous than a 21-year-old driver. There is nothing that says

the number of people in the car is, on average, 3-2. Those statistics are not put forward to us as a forum. That would be most useful to try to explain why the law is on the table, because we cannot understand why it is there. My understanding from the forum is that more accidents take place with single drivers in the car late at night, driving home and falling asleep, yet the legislation relates to an issue that we do not fully understand. Therefore, I cannot really answer the question.

Mrs Overend: That is a very good point. We do need to ask those questions. From my own experience, on the issue of companions in the car, for young rural people about 17 to 21, it makes more sense to take more in the car. Whenever I was a small child, you could put as many into the car as you could fit in, until the seat belt legislation came in, and that made sense. Times change and we live and learn, but I agree with your comments about the companions.

The Chairperson (Ms Lo): Michael, are there not statistics showing that, for a young driver, the higher number of passengers they have, the more risky it is for them and the more likely that they will get into an accident?

Mr Reid: I did not want to over-egg that. What we have been given through the forum does not include that information. I am not trying to say that I am definitely correct, but from three years sitting on the forum, I know that they find it hard even to break it down below 25. The law separates 21-year-old drivers and below from those aged 21 to 25. All the stats that we get from the PSNI on casualties and fatalities relate to people aged 25 and under, so nothing has been tabled at the forum that would help to answer that question.

Mr McElduff: Cathal and Pam touched on the issue of the mandatory wearing of a helmet if you ride a quad on the public road. Will you elaborate a little bit on your position? Some of us heard and took part in a debate in the Chamber where some people characterised the rural voice as being in opposition to the wearing of a helmet on a private road. Did any opposition or resistance to that come up in the Young Farmers' Club consultation, for example?

Mr Reid: It certainly is not an issue of the same magnitude as the roads and passenger issues, from the point of view of young farmers.

Mr McConaghy: From the union perspective, there is no opposition to this measure. We brought it up at our committee meeting; we take farm safety and rural safety seriously. Wearing a helmet on a quad can sometimes be the difference between life and death. It is really not that hard to put on a helmet. We do not think it will create any great burden, and it would potentially save lives, so we have no objection to it at all.

Mr A Maginness: Thank you very much for your presentation. It was very interesting. In relation to the helmet issue, agricultural accidents, unfortunately, are leading the way in fatalities, so anything that assists in diminishing fatalities would be worthwhile. Whilst you could not make the wearing of helmets when using quads on farms compulsory, have you any view on that and on encouraging people to wear helmets?

Mr B Bell: Madam Chair, we have seen from the Farm Safety Partnership that working in partnership and trying to change mindsets works a lot better than maybe coming through with legislation that possibly could not be enforced.

While being nearly afraid to talk about statistics around farm deaths, I can say that, three years ago in Northern Ireland, we had 12 or 13 farm deaths and currently we are sitting at four. I do not like quoting statistics, but that very much demonstrates that working through partnership and trying to change mindsets works a lot better. I am sure that I speak for both organisations when I say that, whether on the public road or around your own farm, we are more than happy to support legislation that means you should be wearing a helmet.

In New Zealand, where I do not think there is legislation on helmets, or maybe there is legislation but it is not observed an awful lot, an awful lot of farm deaths come from the non-wearing of helmets on quads. We are fully supportive of this.

Mr A Maginness: I am not advocating legislation per se but certainly the encouragement of the wearing of helmets. This may act as a reminder to people to wear helmets on the farm and on the public road, which would be helpful.

Mr McConaghy made an interesting point about driving instructors declaring a person ready to do their test. Nonetheless, it is open to all sorts of problems in being an arbitrary decision made by an instructor, and it depends on which instructor you go to; they may take a different view. That is the only problem with that. Have you any comment to make about that?

Mr Bailie Thompson (Ulster Farmers' Union): Can I speak on that, Madam Chairman? I want to go back to what we heard about passing a driving test within a few weeks. My son passed his test and went on to do his trailer test. He was one of the youngest ones to do a trailer test, and he passed it. I think that it is down more to your driving test. Until now, your instructor has put you in for the test or your driving exam when he sees that you are fit for it. If there needs to be more enforcement, that should come at the exam stage. Possibly at this stage, driving lessons should take you right through to more motorway driving and your test should include motorway driving. You could pass your test today driving in country and urban areas, and you would be allowed to go straight on to the motorway and drive at 70 miles an hour with two or three family members or whatever they are asking up until you are 24 without any motorway driving experience. Once you pass your test, it is up to the examiner to say that you need either further instruction or to not give the licence at all.

Mr McConaghy: I want to add something about the arbitrary decision that the driving instructor would have. We agree that that is a problem, but we think that the examiner would provide a safeguard for that. A driving instructor could refer a young person for their test because he says that they are ready. The young person will go and do their test, and it will be clear that they are not ready; therefore, they still will not be on the road. That would be a safeguard. It would be like two walls that you have to go through.

Mr A Maginness: It is interesting that that is the safeguard, whether or not you get your test, of course. It is a very interesting proposition. Perhaps "arbitrary" is the wrong word. Perhaps it should be "the subjective judgement" of the driving instructor, rather than "arbitrary".

I have sympathy with the restrictions on companions in the car. I have not thought the thing through fully, but it seems that this is very arbitrary legislation and that, in addition, it would probably be difficult, despite what the PSNI said, to enforce it. I could imagine a sharp lawyer in a court being able to make mincemeat of any prosecution on that matter.

Mr McConaghy: The six-month period applies up to the age of 24. A police officer cannot tell the difference between a person of 24 or 25 just by looking at them. So, what would be the grounds of suspicion for pulling somebody over to find out whether they were breaking the law? Do they just do it by chance? I do not see how it could ever be enforced effectively.

The Chairperson (Ms Lo): Alban, even the police expressed concerns about identifying people's age and enforcing the law.

Mr A Maginness: They did, to some extent, but, in general, they did not formally oppose it, but it is likely to determine their attitude.

Mr McConaghy: It could be enforced, but enforcing it effectively will have a very wide margin of error. A lot of people who are not doing anything wrong could well be pulled over, and we do not think that that would be proportionate to the risk that would be carried. In our opinion, it just does not seem practical.

Mr Thompson: A young-looking 24-year-old is going to be pulled over until he is 30, and an old-looking 24-year-old —

Mr I McCrea: Very much like the ones on this Committee. *[Laughter.]*

Mr Thompson: — could be fine from the age of 20. The PSNI could be out and see an oncoming car and think that the person does not look old enough and pull him in. Those resources might be put to better use around speed cameras rather than driver age.

The Chairperson (Ms Lo): It is very difficult to ask a 14- or 15-year-old to produce ID. They may not have ID with them.

Mr A Maginness: That is right. I think that Mr Thompson made a very good point.

Mr Reid: I have a point on the driving test itself and measure 7 of the consultation by the Department. Eighty-two per cent of those questioned wanted the driving test reviewed, but over half also wanted a driver record/student workbook idea, so that you could record things with the driving instructor, such as driving on B roads, skid tests and motorway driving. That is something that could be considered, and that seems to have been dropped by the Department.

The Chairperson (Ms Lo): I still have not learned how to do skid driving. *[Laughter.]* I do not care to tell you how many years I have been driving.

Mr I McCrea: I suppose, like others, I do not really have much questions-wise. I agree that it was one of the best presentations and, in the sense of where you are coming from, one that I agreed with most. I grew up in a town. I now live in the country. I am beginning to understand the differences in that respect. My daughter turned 16 yesterday. My son and his cousin are saying that they cannot wait, because, in another year, she will be able to drive and all that. What it means for them is that she will be able to drive them about and that sort of stuff.

It is like the whole debate about voting. Is anyone truly experienced if they learn to drive at 17 and pass their test a few weeks, a couple of months or whatever it may be after they become 17? If that is what the age is, you have to trust the young person that, when they get behind the wheel, they will act sensibly. It is more about the continual education process, rather than just having Big Brother looking down on everybody, saying that you have to do this and you have to do that.

I liked your comment about due diligence, ID checks and all the rest of it. Pam and I talked about possibly putting barcodes on people's heads. *[Laughter.]* You could scan them as they come near your car.

Mr Weir: Ian, some might be easier to do than others. *[Laughter.]*

Mr I McCrea: It does bring me to a possible debate about the end of days, the mark of the beast and all that, but we will not go there today.

I think that you raise some very interesting points for us to consider as a Committee and as parties when we are considering the legislation. The night-time driving issue is obviously a difficult one. Everyone will have a different reason, whether it is travelling to university or to see their boyfriend or girlfriend. If there is a restriction on that and certain times when they can or cannot drive, I think it opens up a minefield. Certainly, realistically, given the economic times that we are in, will we, in any case, be able to manage or enforce that? There will be fewer police for all that in any case. So, I think that it raises a number of interesting issues that we certainly can try to tease out more as the legislation progresses. Thank you very much.

Mrs Cameron: Thank you, Chair, for letting me back in for another question. We were talking around the table about how quickly the test can be got. Sandra was talking about five weeks. I had six lessons in total, although I happily drove about as a learner for a couple of years before I bothered taking the test, and I passed it first time. Two of my children have their tests now. Both of them are boys. Even at that time, I thought that it had actually become much more stringent and difficult to get your test. I thought that it was much easier when I was taking it, you know, five years ago. *[Laughter.]* Nobody is really talking about the changing times since we all did the test — well, apart from you, David.

Mr McConaghy: Thanks.

Mrs Cameron: It is much more stringent. It is much more expensive now to take the test. You have the theory as well. There is a very high threshold with a very small margin of error to pass the test. Nobody is talking about how difficult and expensive it already is to actually pass the test. In my experience with my children, it was very expensive. I think that should be kept in some form of consideration. Have you any views on that?

Mr McConaghy: I have maybe a couple of points on that.

Mr I McCrea: We are not asking your age, by the way. *[Laughter.]*

Mr McConaghy: The police will do that, I am sure, in due course.

Mrs Overend: They will read it off your barcode. *[Laughter.]*

Mr McConaghy: The stringency of the test goes back to Mr Maginness's point about safeguards. Having a very stringent test will root out those who have been put forward for the test by driving instructors but who are not ready to pass it. We do not see any real difficulty in having a test that will properly ascertain whether you are able to drive. An awful lot more people are failing the test now. It seems that a lot of people have to do it three or four times before they get it. As well as that, the expense is a huge factor for us. Mr McCrea mentioned the economic impact on the police. Budgets for young people in Northern Ireland are quite low as it is. I remember that, when I was learning to drive, I had to pay £22 for a lesson. I forget how much it was for the test — I think that it was around £100. I ended up spending quite a few hundred pounds learning to drive, which was a lot of money at the time, and I did not really have very much. I was working away like a wee beaver at the weekends to try to pay for it. We do think that that is an issue that has not been looked at in this at all.

Mr McCrea mentioned night-time driving and making sure that this is covered. We believe that it should be part of the logbook that has to be kept. I learned to drive at night because I did my lessons after school, but I could just as easily have learned to drive during the daytime when there is light if I had been learning during the summer. I learned during the winter. If there has to be a certain number of lessons or a certain percentage of the lessons done at night when it is dark, that will hopefully give young people at least a bit of experience of driving at night, rather than having it the way that it is at the minute, when you can do them at any time, day or night.

The Chairperson (Ms Lo): That is a good point.

Mr Thompson: I have another issue to mention regarding the logbook. Many a person gets their licence at 17. Possibly, before some go and do their test, the only driving experience they have is their actual driving lessons, whereas others — going back to the farming community — get their tractor driving licence at 13 to drive on farms. You then do another one at 16. They would have clocked up far more driving hours. Even out on the road, they could be driving about in cars with their parents, so their driving hours before they go and do their test would far exceed those of somebody who has just done lessons. Therefore, the logbook would show that you would be more ready for your driving test.

The Chairperson (Ms Lo): Absolutely.

Mr Boylan: Thanks for letting me back in, Chair. It has given us more food for thought. I want to pick up on Michael's point. We cannot categorise the young age group now if you look right across the board. The stats on people who are responsible for accidents now suggest that it is right across the board. So, I do not want to stigmatise that age group.

I just want to tease out two points. You are 100% right, Bailie, that people could do 100 lessons and then get their test. They could do 100 hours of lessons, but that is no substitute for people driving on the roads. You get your experience only when you go out on the road on your own, when you learn to drive properly.

The main point that I want to bring up is your suggestion about driving instructors, because that is the final test. Not too many people will go back to a driving instructor if he or she suggests that they go for the test and they fail. In light of what you said today, maybe it for this Committee to do a bit of research now on how we could bring that forward. That is a very worthwhile and good suggestion. At the end of the day, it is down to driver ability. That is what it is about. Thank you very much.

The Chairperson (Ms Lo): Thank you very much, gentlemen. There was certainly a lot of interest in your presentation. Thank you for coming. All this will be included in our report.