PE1600/B

Institute of Advanced Motorists Letter of 13 July 2016

Dear Stephen

<u>CONSIDERATION OF PETITION PE1600 (Speed awareness courses)</u>

Thank you for your letter of 5th July regarding the above petition.

This is indeed a matter of key interest to IAM RoadSmart and one that we have been discussing with the Scottish Government for a number of years. In the media we take a highly supportive stance on the earliest possible introduction of the speed awareness course option in Scotland.

I must first, however, declare an interest in that the commercial arm of the IAM RoadSmart charity, The Driver Retraining Academy, are suppliers of speed awareness and drink drive rectification courses and actively bid for contracts in England and Wales. IAM RoadSmart also own and licence 'Atlas' which is a software package used by many speed awareness course providers to administer their courses. If a course was to be made available in Scotland IAM RoadSmart would almost certainly be among those bidding for the contract. Any profits from such courses are ploughed back into our charitable work.

Notwithstanding this IAM RoadSmart are fully convinced of the value of such courses and have been pressing the Scottish Government Road Safety Partnership Board to adopt them. Most road safety practitioners in Scotland, including Police Scotland, are in favour but questions have been raised by the Lord Advocates Office.

<u>Scottish Legal Issues</u>

It is my understanding that there are a number of subtle legal issues in Scotland which make the introduction of speed awareness courses less straightforward than in England;

1) Responsibility for deciding on the disposal of prosecutions currently sits with the Lord Advocate in Scotland. For a police officer to issue an invitation to a course at the roadside would require a general agreement from the Lord Advocate. This is needed as for speed awareness courses to work they should not add to court or police administrative workload.
2) Speed limit thresholds (the speed at which a driver can be above a posted limit before a ticket is issued) are also slightly different in Scotland. Adopting the thresholds used in England for sending a driver on a course could potentially lead to a situation where drivers currently not stopped by the police would be and then offered a course.

In our view neither of these issues are insurmountable and precedent exists in other areas of traffic law.

Effectiveness of Speed Awareness Courses

The Lord Advocate's office have also challenged the effectiveness of these courses and sought to find evidence to back up the claims of supporters. I attach a link to the most comprehensive report below:

https://ndors.org.uk/files/6614/4983/2018/Final_Speed_Awareness_Evaluation_Report_v1.4.pdf

I also attach a link below to another study:

http://www.aston.ac.uk/news/releases/2013/january/speed-awareness-courses/

There is no doubt that there have been limited number of definitive studies but those that have been undertaken do appear to show a reduction in reoffending.

The Department of Transport in London are also aware of this research gap and as we speak a major study is underway with IPSOS/MORI to investigate the impact of speed awareness courses. This study should report later this year or in early 2017. It will provide the most definitive answer so far.

It is also my understanding that Police Scotland are currently investigating the operation of a Scottish speed awareness course and the new Chief Constable has expressed his support. IAM RoadSmart have welcomed this backing and the Committee may wish to seek the views of Police Scotland on the topic.

Course Content and Management

South of the border over a million drivers a year are now taking speed awareness courses and there is a well-established management system in place to oversee quality control and course content. NDORS (https://ndors.org.uk/) is the body tasked to provide this oversight. If a course was to go ahead in Scotland it could easily become part of this system with no need to generate new content or processes.

Managing Income from Speed awareness Courses

The situation in England and Wales is also more complex in that the removal of central funding for speed cameras has led to many police forces using speed awareness (and other diversion courses for offences such as mobile phone use) courses as an income source. Unlike a speeding fine a speed awareness course fee is paid to the police force involved. The fee is used to pay providers and can

also be used for other police activities. Since 2015 a new body 'The Road Safety Trust' (https://roadsafetytrust.org.uk/) has been established to direct some of this growing income into road safety research for the wider benefit of society.

Currently in Scotland there is still central funding of safety camera operations so the 'incentive' to provide courses from a financial perspective is perhaps less pressing.. Speed awareness courses could however provide a useful source of income for road safety work in Scotland as currently all fine income is returned to the Treasury and then redirected back up to Scotland via a rather circuitous accounting scheme.

It is however vital that speed awareness courses are seen as a positive road safety initiative and not as another excuse to tax drivers. Some bodies (notable the Alliance of British drivers - http://www.abd.org.uk/) are already vociferous in their complaints about speed awareness courses being solely about revenue earning.

Conclusion

IAM RoadSmart welcome the involvement of the Petitions Committee in this debate. On the simplest level support for speed awareness courses is high and their effectiveness is fairly clear. At another level however their introduction will require detailed planning to integrate with Scottish laws and legal practice and clarity on the use of course income.

If you require any further information please let me know.

Yours sincerely

Neil Greig
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IAM RoadSmart