



Legislative Assembly for the ACT

STANDING COMMITTEE ON PLANNING AND
ENVIRONMENT

INQUIRY INTO
THE DRIVING AGE
AMENDMENT BILL 2004

PUBLIC HEARING ROLE PLAY

Inquiry into the DRIVING AGE AMENDMENT BILL 2004

COMMITTEE ROLE PLAY

One of the most important functions of the Legislative Assembly is to pass legislation, that is make new laws or amend (change) existing laws.

To ensure that laws passed are made for the good governance of the community many are referred by the Assembly for further consideration through the committee process. The committee will have **terms of reference** which outline the aspects the committee will investigate during their inquiry. The committee then **advertises the inquiry** into the issue in the local newspaper and asks for interested individuals, lobby or community groups to lodge a **submission**. A submission may vary from a brief email to a large presentation.

After consideration of the submissions received on the issue the committee may then announce a **public hearing** on the matter. A public hearing is when the committee invites interested individuals or groups to a meeting at the Assembly so they can discuss aspects of their submission in greater detail with all members of the committee.

The Legislative Assembly has a very strong committee system. It currently has seven **standing committees** which are committees formed at the beginning of each Assembly for the life of the Assembly [4 Years]. Standing committees cover major portfolio areas such as Planning, Community Services, Education.

The Assembly from time to time creates **select committees** which are set up to inquire into a particular issue and have a set reporting date [eg Budget process – *Estimates Inquiry* – which is held each year to inquire in the Government's proposed expenditure].

All non-Executive Members [Members who are not Ministers] sit on committees.

Committees can inquire into issues that are of concern to the Assembly or to the community. Many Bills (proposed laws) are referred to a committee by the Assembly. Thus committees are a mechanism for facilitating public input into the process of government.

In the ACT Legislative Assembly, committees have the following features:

- 3 or more Members [reflecting the make-up of the Assembly]
- usually consisting of one Member from the Government, the Opposition and the Crossbench
- a committee Secretary, who is a public servant and who is responsible for providing assistance to the committee, including preparation of the draft report on behalf of the Committee Chair.

The committees operate under Assembly Standing Orders (rules).

Public Hearing into the Driving Age Amendment Bill

Today you will be participating in a public hearing run by the committee as part of their inquiry. From this experience you will gain an insight into one of the ways members of committees investigate and make decisions about an important issue.

It is suggested that once the roles are allocated students should be given 15-20 minutes to organise and prepare for their roles. [*Some research material may assist students to develop their case*]. The length of the role play will be determined by the number of groups and individuals who give evidence to the committee. Time should be spent at the end of the session to de-brief students about the process.

BACKGROUND INFORMATION

Issue: The Minister for Urban Services has introduced a Bill (proposed law) into the Assembly. He wants to amend the *Road Transport (Driver Licensing) Act 2000*. The new Bill is called the **Driving Age Amendment Bill**. This Bill is intended to raise the age at which people can apply for a learner's permit and driver's licence.

- The Minister has been advised by officers from the Department of Urban Services that the number of young people who have lost their lives as a result of road accidents has been steadily increasing over the past 3 years.
- Research has shown that inexperienced drivers are more likely to be involved in an accident than experienced drivers.
- The Minister wants to raise the driving age so that new drivers are more mature and are able to handle the responsibility of driving a car.

When the Minister for Urban Services introduced the Driving Age Amendment Bill into the Assembly several Members debated the positive and the negative points of such a change.

However, some Members thought it was such an important issue that time should be given to inquiring into the matter more thoroughly. A vote was taken and the Assembly decided to refer the issue for inquiry by the Planning and Environment Committee.

- **The Committee will now hold a public hearing.**

DRIVING AGE AMENDMENT BILL

AMENDMENT BILL

Australian Capital Territory

DRIVING AGE AMENDMENT BILL

A Bill for an Act to amend the *Road Transport (Driver Licensing) Act 2000*

As of the day that this legislation is enacted:

- **All residents must reach the age of 17 before becoming eligible to apply for a learner's permit.**

- **All residents must reach the age of 18 before becoming eligible to apply for a driver's licence.**

ROLES:-

COMMITTEE MEMBERS

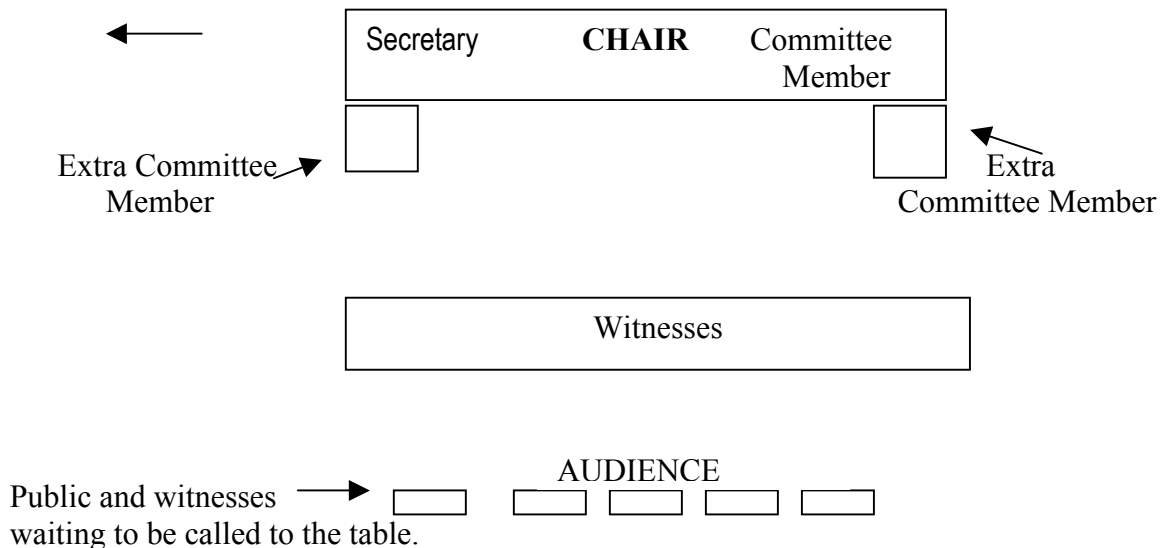
ChairMLA
Deputy ChairMLA
MembersMLA
Committee Secretarywho is a public servant and assists the Committee with administration tasks such as the draft report.

The Committee has invited 3 interested community groups and the Department of Urban Services to express their views at the public hearing. Each community group will be represented by 3 people, 1 person will represent the Chief Executive Officer of the Department and 1 person will represent the Minister.

WITNESSES APPEARING BEFORE THE COMMITTEE:-

- 1) Minister for Urban Services
- 2) Chief Executive Officer of the Department of Urban Services [who provides advice to the Minister]
- 3) 3 representatives from ACT YOUTH ACTION
- 4) 3 representatives from the ACT MOTORISTS ASSOCIATION
- 5) 3 representatives from the CIVIL LIBERTIES ACTION GROUP

ROOM ORGANISATION:-



DRIVING AGE INQUIRY

COMMITTEE CHAIR'S CARD #1

Each Committee member including yourself, has been allocated a community group. You need to develop some possible questions for that group. (However, all members may join in the questioning of each group). Your role is not to argue with the groups, but to find out as much information as you can.

You will ask questions of the:

CIVIL LIBERTIES ACTION GROUP

This group can see the advantages in relation to this Bill, but it is concerned that raising the driving age will disadvantage young people. Try and ask questions about points raised by the group in their statement.

An example of a question for this group is:

- How have you found out what people think?
- Does your organisation consider that the proposed law infringes on the personal freedom of your people? Is so, how?

Also, as Committee Chair you will try and make sure the public hearing runs smoothly. You will welcome your witnesses from the community groups and ensure that all Committee members including yourself, have a fair opportunity of asking questions.

At the close of the public hearing you will make a statement, reading out a summary of points (there is a report summary sheet that you can write on during the hearing). These are points that will be addressed in the Committee's report. You should take notes during the public hearing, the Committee Secretary may help you with the report summary.

DRIVING AGE INQUIRY

COMMITTEE CHAIR'S CARD #2

To begin the public hearing you should say the following:

I declare open this meeting of the Planning and Environment Committee on the Driving Age Amendment Bill at the Legislative Assembly for the A.C.T. on _____

I welcome the MINISTER FOR URBAN SERVICES and the CHIEF EXECUTIVE OF THE DEPARTMENT OF URBAN SERVICES to this meeting. Would you please make an opening statement Minister.

- *Do any members of the committee have any questions for the Minister or the Chief Executive?*

The Committee will now hear from three community organisations that have expressed an interest in the Bill.

I welcome representatives from the ACT YOUTH ACTION GROUP.

Please come to the table. Please state your names and the position in which you appear for the record.

Do you wish to make a short statement to the committee?

[The Chair often asks the initial question and then invites Members in turn to ask their questions. The Chair has to be conscious of being fair to the Committee Members.]

- *Do any Members have a question for these witnesses?*

I thank the ACT YOUTH ACTION GROUP representatives for their attendance.

DRIVING AGE INQUIRY

COMMITTEE CHAIR'S CARD #3

I welcome representatives from the ACT MOTORISTS ASSOCIATION.

Please come to the table. Please state your names and the position in which you appear for the record.

Do you have an opening statement?

[Chair may ask the first question.]

- ***Do any Members have a question for these witnesses?***

I thank the representatives from the ACT MOTORISTS ASSOCIATION for their attendance.

I welcome representatives from the CIVIL LIBERTIES ACTION GROUP

Please come to the table. Please state your names for the record.

Please address the Committee.

- ***Do any Members have a question for these witnesses?***

I thank the representatives from the CIVIL LIBERTIES ACTION GROUP for their attendance.

The Chair then calls the MINISTER FOR URBAN SERVICES and the CHIEF EXECUTIVE OF THE DEPARTMENT OF URBAN SERVICES to return to the table and to make a brief response to the evidence heard today from the Community Groups.

Do any members of the committee have any other questions for the Minister or the Chief Executive?

At the conclusion the Chair states that - *This meeting is now adjourned.*

DRIVING AGE INQUIRY

COMMITTEE MEMBER'S CARD –Member #1

Each Committee member has been allocated a community group to question and should make up some possible questions for that group. (However, all members may join in the questioning of each group). Your role is not to argue with the groups, but to find out as much information as you can.

You will ask questions of the:

ACT Motorists Association

This group believes that the driving age should be raised. Try and ask questions about points raised by the group in their statement.

Examples of questions for this group is:

- Do you think this law will affect the amount of traffic on the roads?
- What benefits will be gained through the implementation of these changes to licensing laws?

*****At the conclusion of the public hearing Member #1 will move Standing Order 243. This is a standard resolution at the end of a public hearing.]**

I move that pursuant to Standing Order 243, the evidence taken and papers presented this day be authorised for publication.

DRIVING AGE INQUIRY

COMMITTEE MEMBER'S CARD –Member #2

Each Committee member has been allocated a community group to question and should make up some possible questions for that group. (However, all members may join in the questioning of each group). Your role is not to argue with the groups, but to find out as much information as you can.

You will ask questions of the:

ACT Youth Action Group

This group is opposing raising the driving age. Try and ask questions about points raised by the group in their statement.

An example of a question for this group is:

- Are you concerned by the number of young drivers involved in car accidents?
- What suggestions do you have which could help young people drive more safely?
- Why should the driving age not be raised?

DRIVING AGE INQUIRY

SECRETARY TO THE COMMITTEE

You are a permanent public servant, working for the Secretariat in the Legislative Assembly. Your role is to organise public hearings like this one, prepare the agenda for the meeting and keep minutes from the meeting.

You will also assist the Members of the Planning and Environment Committee to write their report. During the public hearing, you may assist the Committee Chair with the Report Summary – the 3 main points that the Committee will address in its report. This summary will be read during the Chair's closing statement.

You do not ask questions or pass comments. You can however, assist the Committee Chair with administrative matters and may have prepared some suggested questions for the Chair and the Members prior to the hearing. [The Chair and Members may choose not to use these.]

On the day you have to:

- 1. Write the names of all the Members of the Committee on name plates and display them on the table.**
- 2. Write the names of the participating groups on name plates and change them when each group comes to the table to address the Committee.**
- 3. Keep the minutes of the meeting.**
- 4. Assist the Committee Chair with the writing of a report summary and recommendations.**

*****At the end of the role play list some of the issues the committee might have to consider during their deliberations on this issue. Discussion of this list of issues may be used as a formal conclusion to the role play.***

DRIVING AGE INQUIRY

MINISTER FOR URBAN SERVICES

The Minister will be the person who introduces the Bill into the Assembly. Ministers form the Executive arm of the Government which has the responsibility of managing the day to day running of the ACT. The Minister is first to speak at the opening of a public hearing. He or she may make a statement, similar to the following e.g.:-

Mr (or Madam) Chair,

The Driving Age Amendment Bill, introduced into the Assembly recently, initiated considerable debate amongst Members. The Bill aims to amend the Road Transport (Driver Licensing) Act 2000 by raising the age at which people can apply for their learner's permit and driver's licence.

I am confident that this Bill will receive a favourable report from your committee.

Too many young people have lost their lives on ACT roads, with numbers increasing over the past three years. By increasing the age at which young people can drive on our roads we are building a safer community.

We must not underestimate the responsibility involved in driving a car. With the Bill the government is making sure that new drivers have the maturity to handle this responsibility. Dangerous driving puts everyone in the community at risk.

Statistics indicate that people are very prone to accidents in their first years of driving. I believe it would help if we make sure that new drivers have more maturity before taking to the roads.

Thank you and I will be most interested to hear what the community groups appearing before the committee today have to say.

The Minister listens to all of the arguments/ideas put forward by interested parties at the public hearing. The Minister (or his departmental representatives) is also the last to speak at a public hearing. This right of reply by the Minister or his/her representatives allows the Minister to **respond to some of the statements made by other parties.**

DRIVING AGE INQUIRY

CHIEF EXECUTIVE, DEPARTMENT OF URBAN SERVICES

You are the head of the Department of Urban Services. It was your Department that advised the Minister that this Bill was needed. Officers from your Department helped to draft the Bill, with the assistance of legal drafters from ACT Parliamentary Counsel.

Your role is to assist the Minister for Urban Services. You will offer advice to the Minister if he/she asks for it. You can also assist with the answering of questions.

You may collect some statistics from your research to support the Minister.

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DRIVING AGE INQUIRY

ACT YOUTH ACTION GROUP

You are a lobby group that promotes the rights of young people. You are opposed to raising the driving age.

The following questions may help you to write your statement. However use your own ideas as well.

- **Do you think this law will discriminate against young people?**
- **Are 17 year olds any better equipped to drive than 15 year olds?**
- **What impact will this law have on the ability of young people to meet their work, school and social commitments?**

Begin your statement with:

Members, the ACT YOUTH ACTION GROUP believes

DRIVING AGE INQUIRY

CIVIL LIBERTIES ACTION GROUP

You are a voluntary, non-political and non-profit group that assists victims of miscarriage of justice and aims to resist the imposition of unjust laws. You can see that this Bill may protect the community, but you also recognise the impact it will have on young people.

The following questions may help you to write your statement. However use your own ideas as well.

- **Does the protection that this Bill offers the community outweigh the inconvenience it will cause to young people?**
- **Should young people start driving at the same age they start drinking alcohol?**
- **Will this Bill work or is there a better way?**

Begin your statement with:

Members, the Civil Liberties Action Group believes.....

DRIVING AGE INQUIRY

ACT MOTORISTS ASSOCIATION

You are an association that lobbies for drivers and provides services to motorists. Many of your members are anxious to raise the driving age in the ACT.

The following questions may help you to write your statement. However use your own ideas as well.

- **Will this law make the roads safer for everyone in the ACT?**
- **Do you think that 15 and 16 year olds have the maturity to drive responsibly?**
- **Do you think that this law will help improve traffic flow?**

Begin your statement with:

Members, the ACT MOTORISTS ASSOCIATION supports the Driving Age Amendment Bill

DRIVING AGE INQUIRY

MINUTES PAGE

Planning and Environment Committee

Minutes of public hearing held at the ACT Legislative Assembly on:

Hearing commenced at: _____

_____ (Member) authorised that any evidence given
at the hearing could be used for publication.

Witness #1: _____

Witness #2: _____

Witness #3: _____

Witness #4: _____

Meeting adjourned at: _____

Tabled documents: _____

DRIVING AGE INQUIRY

SUMMARY OF ISSUES RAISED

_____ Committee

_____ Inquiry

The following points should be addressed in the Committee's Report

#1: _____

#2: _____

#3: _____

#4: _____

***** Listing and discussing the most significant issues raised would be a useful conclusion to this role play exercise.***