

# TRAVEL AND TRANSPORT LESSON PLAN: What responsibilities do drivers have towards other road users?

## Learning objectives

- To develop students' awareness and understanding of some of the main laws controlling the use of motor vehicles on the road.
- To raise students' awareness of some of the responsibilities owed by drivers and riders to other road users.

## Learning outcomes

**All** students should understand ways in which the law is used to promote safety on the roads.

**Most** students should be able to apply the basic details of motoring law, as covered in the *YCP*, to a number of everyday situations.

**Some** students will understand the complexities of trying to establish greater adherence to the law.

## Resources

- *YCP* – pages 106–112
- **Starter** (p.3) – Quiz, duplicate copies of quiz
- **Main** (p.6) – Witness statements, duplicate witness statements, and cut if required

## Curriculum references

**England:** Citizenship: **KS3**, the political, legal and human rights and responsibilities of citizens; **KS4**, political, legal and human rights and freedoms in a range of contexts from local to global; the roles and operation of civil and criminal law and the justice system: actions citizens can take ... to influence decisions locally, nationally and beyond.

**Wales:** PSE Framework, 7 to 19-year-olds: **KS3**, understand their responsibilities as young citizens; key aspects of the justice system; **KS4**, understand local and contemporary issues and events; **Post 16**, the need to exercise responsibility for personal and group safety in social settings.

## Activities

### Starter

- Explain to students that the purpose of this session is to look at a number of aspects of the law associated with driving a car or riding a motorcycle.
- With students in twos or threes, give each pair or small group a copy of the quiz sheet, and ask

them to select what they believe to be the correct answers. The answers to all questions (except Questions 4 and 5) can be found in the text on pages 106–112 in the *YCP*.

When students have had enough time to complete the quiz, go through the answers (see page 4 of these notes). As you do so, ask students if they are surprised by any of the answers, or feel as if the law should be changed in any way.

### Main

- In this section, students apply the law to a case based on real events.

The exercise uses three witness statements – those of the driver, a witness at the scene of the accident, and a police officer in attendance.

- There are a number of ways in which this information can be used in class. The simplest is to give students, either working alone, or in twos or threes, copies of the three separate witness statements and ask them first to piece together the events that took place.

Check and clarify the details with a number of groups and then move on to ask a) whether there appears to be enough evidence to prosecute the driver, and b) if so, on what charge? For this, ask students to look in the *YCP* at the section on **Driving badly**, page 110. Encourage students to explain their reasoning.

Mr Benlin admitted the lesser charge of careless driving, but the Crown Prosecution Service decided to charge him with the more serious offence of dangerous driving. He pleaded not guilty. However, the jury disagreed, and Mr Benlin was found guilty.

At some stage in this exercise, it would be useful to introduce or remind students of the legal concept of *duty of care*. This refers to the legal responsibility that we owe to others not to act carelessly. This concept applies particularly in the field of motoring and road use, where drivers, riders, cyclists, and pedestrians all have a duty not to endanger others.

Finally, ask students, still in small groups, to consider the sentence that they think Mr Benlin should be given. Details of the tariff (i.e. the possible sentences) are provided at the

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foot of page 6. Again compare the decisions reached by a number of groups, and ask students to outline their thinking.

Mr Benlin was given a four-year prison sentence and banned from driving for four years. He is likely to spend half the sentence in custody, and the rest on licence.

How do students respond to this? Is the sentence fair? (You may like to add that had Mr Benlin admitted his guilt at the outset, he would have been likely to receive a reduced sentence.)

- If time is available, it is possible to run the initial part of this activity as a series of mini-investigations, with students interrogating the three witnesses, trying to piece together the full story. This can be done as a whole-group exercise, or in smaller groups of four to six.

## Plenary

- Amongst the questions that may have arisen in the discussion surrounding the two previous activities are a) whether the law sometimes treats motoring offences more leniently than other categories of crime, and b) what can be done to try to ensure greater adherence to certain motoring laws.

A case that illustrates both these points concerns a woman who took a number of calls on her mobile phone, and exchanged more than 20 texts at the wheel of her car, as she drove along a dual carriageway at night at speeds of up to 70mph.

Shortly after making a call she ran into the back of a car parked at the roadside, as the driver waited for help to deal with a burst tyre. The parked car was forced off the road, and its driver killed. The motorist admitted using her mobile phone while driving, but denied that she was texting or making a call when the accident occurred.

The woman was sentenced to 21 months in prison and banned for driving for three years; a sentence that the victim's mother believed was not long enough and did not serve as a sufficient deterrent to others.

- As well as discussing the merits or weaknesses of this sentence, students may also like to consider how the Government

might be able to discourage people further from using their phone at the wheel. General roadside observation indicates a significant number of drivers who use their phone, and this is borne out by research.

A study commissioned by Halfords in 2010 showed that 31 per cent of drivers admitted taking a phone call, and 22 per cent to making calls, whilst driving. Additionally, 52 per cent of respondents claimed to have been a passenger in a car whilst the driver made or received a call.

Ask students to suggest what measures could be taken to try to ensure greater compliance. Should penalties be increased, such as heavier fines or automatic disqualification? Could car manufacturers or phone providers install devices to prevent mobile phones used in cars? Should roadside surveillance increase in order to detect those using a handheld phone? Should members of the public be encouraged to report drivers they see using a mobile phone? What are the strengths and weaknesses of each of these ideas?

Finally, if time is available, this topic could provide students with opportunities for further research and community involvement, in raising the matter with the local police and Road Safety Partnership. For further information on the effect of using a mobile phone when driving, see [www.rosipa.com](http://www.rosipa.com).

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## Starter

## Quiz

Drivers and the law	Choose the correct answer(s) to the questions below
1. What is the UK national speed limit for cars on a motorway?	a) 60 mph b) 70 mph c) 80 mph d) There is no speed limit
2. Can a person convicted of drink driving be expected to be banned from driving?	a) Yes, an automatic ban for one year b) Yes, an automatic ban for two years c) Yes, an automatic ban for three years d) It all depends on the circumstances
3. Is it ever permitted to use a handheld mobile phone in a car?	a) No b) Yes, if you are stationary c) Yes, if it is an emergency d) Yes, if the car is stationary and the engine turned off
4. Which of the following vehicles may be driven on a motorway?	a) A double-decker bus b) A tractor c) A moped d) A mobility scooter
5. The speed limit on a road has been temporarily reduced to 40 mph due to road works. This means that the lower speed limit ...	a) Is mainly there for guidance b) Only applies when work is being carried out c) Does not apply when the road is clear d) Must be obeyed at all times
6. Who is responsible for making sure that passengers under 14 wear a seatbelt or child restraint?	a) The young person b) Their parents c) The driver d) The other passengers
7. Jemma is learning to drive and wants one of her friends to give her some lessons. Which of the following can she choose?	a) Nick is 19, and passed his test a year ago b) Nana is 20 and passed her test three years ago c) Naquib is 23 and passed his test two years ago d) Natalie is 22 and passed her test three years ago
8. Bethan asks Rhys if she can borrow his car to visit her grandmother, two miles away. Rhys agrees, although he knows that Bethan is not insured to do so. Bethan drives perfectly and returns the car to Rhys on time. Who has broken the law?	a) No one b) Bethan c) Rhys d) Bethan and Rhys

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## Starter

Drivers and the law	Answers
<p>1. What is the UK national speed limit for cars on a motorway?</p> <p><b>b) 70 mph</b></p>	<p>The speed limit on motorways and dual carriageways is 70mph, unless otherwise shown.</p>
<p>2. Can a person convicted of drink driving be expected to be banned from driving?</p> <p><b>a) Yes, an automatic ban for one year</b></p>	<p>First-time offenders are automatically disqualified from driving for a year. This period rises to three years for a second offence committed within ten years.</p>
<p>3. Is it ever permitted to use a handheld mobile phone in a car?</p> <p><b>c) Yes, if it is an emergency</b></p> <p><b>d) Yes, if the car is stationary and the engine turned off</b></p>	<p>It is a criminal offence to use a handheld mobile phone while driving or when stationary at traffic lights or in a traffic jam.</p> <p>The only exception is to ring 999 or 112 in a genuine emergency when it would be unsafe or impractical to stop.</p>
<p>4. Which of the following vehicles may be driven on a motorway?</p> <p><b>a) A double-decker bus</b></p>	<p>Tractors, mopeds and mobility scooters are amongst a number of vehicles that must not be driven on a motorway.</p>
<p>5. The speed limit on a road has been temporarily reduced to 40 mph due to road works. This means that the lower speed limit ...</p> <p><b>d) Must be obeyed at all times</b></p>	<p>Road users are forbidden at all times from exceeding temporary speed limits.</p>
<p>6. Who is responsible for making sure that passengers under 14 wear a seatbelt or child restraint?</p> <p><b>c) The driver</b></p>	<p>It is the driver's responsibility to ensure that any passengers below the age of 14 are wearing a seat belt or using an appropriate child restraint.</p>
<p>7. Jemma is learning to drive and wants one of her friends to give her some lessons. Which of the following can she choose?</p> <p><b>d) Natalie is 22 and passed her test three years ago</b></p>	<p>Learner drivers must be accompanied by someone sitting in the front passenger seat who is over 21 and has held a full EU valid licence in the relevant category for three years or more.</p>

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Drivers and the law	Answers
<p>8. Bethan asks Rhys if she can borrow his car to visit her grandmother, two miles away. Rhys agrees, although he knows that Bethan is not insured to do so. Bethan drives perfectly and returns the car to Rhys on time. Who has broken the law?</p> <p><b>d) Bethan and Rhys</b></p>	<p>It is an offence to drive a vehicle on the road without insurance, even with the permission of the owner or keeper. It is also an offence for someone to allow their car to be used by someone who is not insured to drive it.</p>

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## Main

### Witness statements

#### Richard Benlin

I'd advertised my car for sale, and Mr Edwards contacted me, saying that he was interested in buying it. He came to my house and looked at the car, and we then went out for a test drive. I drove the car, as he wasn't insured to do so.

We were on the by-pass, and travelling at about 50mph. Mr Edwards was asking me a lot of detailed questions about the car, and I failed to notice that we were approaching a bend.

I braked, but it was too late, and we collided with a vehicle parked nearby. I wasn't aware of any problem with the car.

I am a careful driver and am desperately sorry for the loss and suffering I have caused.

#### Lee Sommers

I was parked on the other side of the road in a lay-by, making a phone call. I heard a screech of tyres, and looked up to see this car bombing up to the bend. The driver seemed to lose control and the car slid into another car parked just off the road. There was a huge crash; it was terrible.

#### PC Laura Evans

From the skid marks created shortly before the collision, our crash investigator has estimated that the car driven by Mr Benlin had been travelling at up to 75mph, and was still travelling at 40mph at the moment of impact.

Our engineers also believe that a worn suspension unit made the car difficult to control at speed, and that this almost certainly contributed to the accident.

Both the driver and passenger of the car were taken to hospital, where the passenger died of his injuries. There were no other casualties.

### The law

**Careless driving** occurs when someone drives carelessly or inconsiderately in a way that is below the minimum standard expected of a driver.

**Dangerous driving** refers to driving in a way that falls far below the minimum acceptable standard expected of a competent and careful driver.

### Penalties

**Causing death by dangerous driving** – between one and fourteen years in prison  
– an unlimited fine, or both, and  
– disqualification for a minimum of two years.