



## Department for Transport

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14 October 2020

Dear Emma,

Thank you for your report of 16 June 2020 made under the Coroners and Justice Act 2009 and Regulations 28 and 29 of the Coroners (Investigations) Regulations 2013, following the inquest you conducted into the death of Mrs Joan Williams. I am grateful for the extension granted to my reply.

I was very sorry to learn of the tragic circumstances of this case and would like to express my sincere condolences to the family of Mr and Mrs Williams.

I have considered your report and its recommendations very carefully. You have suggested new legislation to require doctors and clinics to inform the Driver and Vehicle Licensing Agency (DVLA) of any diagnosis of dementia in patients, rather than relying on the patients themselves to notify the condition.

The current driver licensing arrangements are underpinned by a legal requirement that all drivers must inform the DVLA if at any time they develop a medical condition that may affect safe driving. All drivers must meet the appropriate health standards and the DVLA will investigate those who notify a medical condition by obtaining information from them and from their doctor or specialist.

Doctors and other health care professionals play an important part in the driver licensing process by advising their patients of the implications of their condition, the effect of any treatment or medication that they are receiving and whether they need to notify the DVLA. To support medical professionals, the DVLA publishes guidance entitled "Assessing fitness to drive: a guide for medical professionals" and also provides a dedicated and confidential telephone line for health professionals to contact one of its doctors for case-specific advice or general guidance.

Although there is no legal obligation on medical professionals to notify the DVLA about a patient who is medically unfit to drive they can and do make such notifications to the DVLA. Since 2018, the DVLA has received over 5,000 such notifications.

The General Medical Council (GMC) also provides guidance for doctors. As well as circumstances where consent may be obtained from patients to notify the licensing authorities of a medical condition, the guidance also covers circumstances where patients do not consent, or where they are unwilling or unable to notify the DVLA themselves.

Doctors have a duty to report a patient to the DVLA if it is in the public interest to do so. Doctors must consider the patient's needs, but also the risk to the public if a medical condition is likely to be a source of danger on the road. Doctors do not have to be aware that their patients are actually driving in circumstances where they consider that they are incapable of understanding the advice provided, for example, because of dementia, and should inform the DVLA as soon as possible. The GMC guidance sets this out clearly, and doctors must make a judgement in each case.

The DVLA will also investigate notifications from others who may have concerns, including relatives and friends, in recognition that there may be occasions where a driver lacks insight into their ongoing ability to drive safely.

A diagnosis of dementia is not a bar to driving and it is widely recognised that in its early stages, holding a driving licence in terms of independence and mobility can be important. The Alzheimer's Society suggests that up to one in every three people with dementia still drives. What is key, from both a legal and a practical point of view, is whether the person is still able to drive safely.

Assessing driving fitness in those with dementia can be complex as there are different presentations and rates of progression and its impact on driving can be difficult to assess. It is also important that investigations are conducted at the appropriate time so that those who remain fit to drive do not face unnecessary stress and inconvenience. However, drivers displaying symptoms of memory loss and lack of judgement are likely to have their licences revoked.

With dementia, the doctor and patient relationship is hugely important as seeking a diagnosis can be scary or overwhelming. Those who receive a diagnosis may need the time to process the information and to be reassured that they have some control over their situation.

Seeking medical advice is vital as a timely diagnosis can help the person stay well for longer by increasing their awareness of the condition. Medication and other interventions can be used to help manage and lessen the symptoms. It

also allows those with dementia and their families to make adjustments to improve their quality of life. It is always better that a driver is encouraged to make the decision themselves to notify the DVLA. If doctors are legally responsible for notifying the DVLA as soon as a diagnosis is made, there is a danger that without the correct information and in fear of losing their driving licence, some people will delay finding out whether they have dementia.

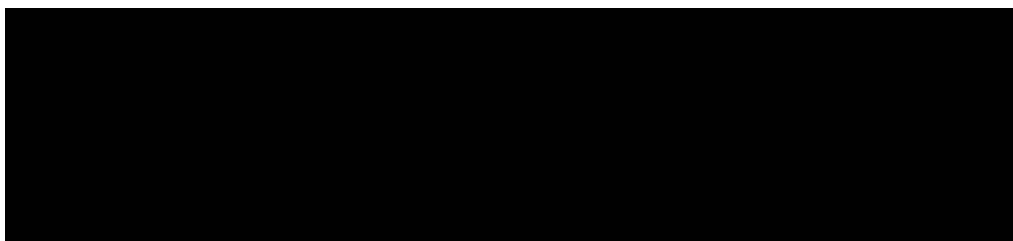
The Royal Society for the Prevention of Accidents (RoSPA), with funding from the Department, has developed an older driver' website:

[www.olderdrivers.org.uk](http://www.olderdrivers.org.uk). The website contains information to help older people to continue to drive for as long as they are safe to do so. It includes details on driving assessments and refresher training, and provides advice on making the decision to stop driving if an individual is no longer safe. Local authorities also provide driver education schemes, which are an effective way of providing support for older drivers and ensuring that they remain fit and competent to drive.

There are no plans to place a legal obligation on doctors to notify a diagnosis of dementia. The current arrangements work well by respecting the rights of those diagnosed with dementia who retain insight, to be trusted to notify the DVLA. Where a doctor assesses that insight has been lost, a notification to the DVLA by the doctor is already allowed in the public interest.

I can assure you that we take road safety most seriously, and while our roads are some of the safest in the world we are not complacent and keep our policies under constant review.

Yours sincerely,

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**SECRETARY OF STATE FOR TRANSPORT**