



MINUTES OF THE SECRETARY OF STATE FOR TRANSPORT'S
HONORARY MEDICAL ADVISORY PANEL ON ALCOHOL, DRUGS AND
SUBSTANCE MISUSE AND DRIVING
Meeting held on Wednesday 2nd March 2022 10:00am

Present:

Panel Members:

Professor Eilish Gilvarry (Chair)
Dr Jane Marshall
Dr Edward Day
Dr Robert Searle
Dr Richard J Aspinall
Mr Abdul Elghedafi (Lay member)

OBSERVERS:

Professor Denis Cusack	Director, Irish Medical Bureau of Road Safety
Dr John McVicker	Occupational Health Service

EX-OFFICIO:

Dr Nick Jenkins	Senior DVLA Doctor
Dr Claire Fang	DVLA Doctor
Dr Patricia Prasad	DVLA Doctor
Dr Amanda Edgeworth	DVLA Doctor
Mrs Keya Nicholas	Driver Licensing Policy Lead
Miss Gwen Owen	Driver Licensing Policy
Mr Andrew Harper	Driver Licensing Policy
Mr David George	Operational Delivery & Support DM
Mrs Suzanne Richards	Service Management
Mr David Snelling	Policy Team Leader, Road Policing Team, DFT
Mrs Siân Taylor	DVLA Panel Coordinator/PA to Senior DVLA Doctor
Miss Sarah Anthony	DVLA Panel Coordination Support
Miss Kirsty-Leigh Van Staden	DVLA Panel Coordination Support

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SECTION A: INTRODUCTION

1. Apologies for Absence

Apologies were received from,

Dr Michael Trudgill
Dr Stephen Morley
Miss Sarah Oldham
Dr Sally Bell

Chief Medical Officer Civil Aviation Authority
Consultant in Chemical Pathology
(Lay member)
Maritime and Coastguard Agency

2. CHAIR'S REMARKS

The Chair welcomed panel members and advised attendees regarding the etiquette of digital meetings. Panel members introduced themselves and the meeting commenced.

3. Actions of the previous meeting

i. Medicinal Cannabis - Yearly discussion

Department for Transport (DFT) update. DVLA confirmed this will remain an annual agenda item for the foreseeable future so that any developments are noted accordingly at Panel. DFT intend to clarify and gain a better understanding of the use of medicinal cannabis, due to the complexities relating to prescribed drugs and driving. Further discussions will be held with the panel Chair and the Senior DVLA doctor in due course, ongoing.

ii. Persistent Alcohol Misuse Definition

Panel suggested in the Autumn 2021 panel meeting that an extraordinary panel meeting was to be arranged to discuss the definition of persistent misuse in relation to alcohol consumption and driving. The output of the extraordinary meeting was discussed in more detail in agenda item 4.

iii. Recruitment Update

DVLA provided an update on recruitment for panel members and advised that two current panel members tenure had ended in October 2020. As a result, a recruitment campaign was held early in 2021 to fill these gaps. One candidate Dr David Fox, a Consultant Occupational Physician, has been invited to join as panel member. He was unable to attend this Panel but will attend in October. It was noted that Dr Kim Wolff

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had departed Panel after several years' service and was recognised for the value she had added during that time. However, it was also noted that Dr Wolff had been co-opted on to the working group in relation to Persistent Misuse, where DVLA could continue to draw on her expertise in that area.

The campaign was unsuccessful in appointing an expert in Addiction Science, or a new Panel Chair. To manage the latter situation, it was noted that Prof. Gilvarry had been exceptionally extended in the Chair role until October 2023.

DVLA confirmed that a further recruitment scheme for the panel would be run to fill some of the remaining vacancies, although it was noted that Panel composition was looking quite stable currently with a varied range of specialisms on the Panel. DVLA also asked the Chair and Expert members in attendance to start thinking about potential suitable candidates who could be made aware of the next recruitment scheme.

SECTION B: TOPICS FOR DISCUSSION

4. Persistent Alcohol Misuse Definition

In the Autumn 2021 panel DVLA requested that Panel consider the principles underpinning driver licensing in cases of persistent misuse of alcohol. Panel were specifically asked to consider the relationship between the medical condition and driving.

It was considered important that Panel should advise DVLA of a definition of persistent alcohol misuse that is sufficiently clear to allow both clinicians and DVLA caseworkers to apply the medical standard consistently. It was noted that this had been a topic for discussion at Panel over several years and different interpretations were reached at different points, but the definition for 'persistent misuse' still needed further work to refine it.

It was noted that an extraordinary panel meeting was held in January 2022 and a further meeting went ahead in late February 2022.

In the extraordinary meetings the panel agreed that the current definition needed to be revised. The working group discussed the possibility of removing 'persistent misuse' altogether in favour of concentrating more on 'dependence' aspects. However, it was noted the associated legislation means that this is not a viable option.

They also discussed the need for a new definition to be sufficiently clear to enable a clinician to provide a clear and unambiguous response when providing DVLA with information for the purpose of making a licensing decision.

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DVLA asked panel to discuss the feedback and progress from the minutes of the extraordinary meeting, which were shared with all participants.

One of the principles that the working group felt should be applied in relation to persistent misuse, is that the integrity of a licence holder's self-declaration should be respected, as it is for all other medical conditions. To help with this, the questionnaires for both medical professionals and licence holders will be reviewed, and internal operational processes will also be looked at.

It was also suggested that as part of this work, a light touch 'public health' intervention could be included with letters to licence holders (such as a leaflet advising the licence holder of the required standards for safe driving). An example of an audit grid was shown to Panel, with the suggestion that this may be adapted for the purpose of helping DVLA operational teams involved in the decision-making process.

DVLA was keen to stress that the existing guidance gives rise to a lack of understanding between those who simply lead an unhealthy lifestyle, and those who have a genuine medical condition.

Panel members agreed that the proposed changes were positive and that things were moving in the right direction.

The panel Chair concluded the discussion by explaining that the working group would probably need the time between March and October panel to do the following actions:

- Professor Gilvarry and Dr Jane Marshall will examine the ICD-11, DCM 5, and Audit Grid, they will prepare wording.
- Review content of first and second series questionnaires (to licence holder and GP respectively)
- Agree the format and use of the risk assessment tool
- Agree the brief intervention process and associated wording
- Extraordinary meeting to be booked for April

An update on progress against these actions will be presented at the next panel meeting in October 2022.

5. Department for Transport (DfT) update

DfT provided a verbal update on trends for alcohol and/or drug road incidents and thoughts/analysis of the effect that COVID-19 has had on these trends.

DfT will be publishing two calls for evidence/consultations on parts of the Road Traffic Act. It is expected that they will be able to publish these sometime in 2022. While the details are still being

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finalised, it is expected that they will include High Risk Offenders, drink and drug driving offences, and the offence of failure to stop and report.

Panel thanked DfT for the update.

6. Polysubstance Misuse

In October 2019, DVLA advised the panel that they were receiving an increasing number of cases where more than one drug and or alcohol was involved. The panel requested that DVLA provide suitable cases to discuss.

Three recent cases which demonstrated the complexities of the licensing decision-making process were brought to Panel by DVLA and discussed at length. This generated a lot of positive, constructive debate about relevant factors in the cases involved, and the consensus was that in all three instances the cases had been managed appropriately.

SECTION C: ONGOING AGENDA ITEMS

7. Appeals Data

Between 13th October and 14th February 2022, the number of appeals received is 115. Of those, 69 were alcohol and drug related. 1 case was upheld.

8. AOB

i. Comorbidities Feedback

DVLA provided a verbal update on the meeting which was held in November 2021 where it was noted most Panel chairs were in attendance.

The discussions were aimed at looking whether the current standards reflected the risks when more than one condition was present.

DVLA advised that a very detailed paper on the topic had been prepared and shared before the meeting, which was very helpful to the discussions. The focus of the meeting was about who to investigate and how to assess risk when someone presents with multiple medical conditions of various severities. The consensus was that more information needed to be gathered on this and another extraordinary meeting will be arranged in due course.

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ii. AFTD advice on Methadone/Buprenorphine Programmes

It has been brought to DVLAs attention that the wording in the advice regarding Methadone/Buprenorphine Programmes needed to be reviewed. The medical standards currently read as if the presence of a second condition would be debarring.

The wording was approved by the panel in September 2015, although there was nothing in the minutes to suggest that it was the intention to debar those with a second condition.

Panel agreed the current standard requires clarification such that individuals would be expected to meet the relevant medical standard of any co-existent medical condition.

DVLA advised they will make draft changes, and these would be circulated and agreed with Panel members outside of the meeting

iii. Future Panel Dates

Historically the Alcohol and Drugs panel meetings have been arranged for a Wednesday date for both Spring and Autumn panels. The Panel chair asked panel to consider whether there is a need to be flexible to enable maximum attendance should members now experience difficulties attending on a Wednesday or whether the preference is to continue with the Wednesday dates.

Panel agreed the preference was to continue with the Wednesday dates.

9. Tests, Horizon Scanning, Research and Literature

DVLA reminded all panel members as part of the Terms and Conditions and of their obligation to update panel about any information/tests/research that could impact on standards or existing processes.

Panel discussed PEth Blood Alcohol Testing. A PEth blood test measures the level of phosphatidylethanol, a direct alcohol biomarker which is found in human blood following alcohol consumption. It was noted that this investigation is being used with increasing frequency by various regulatory bodies and Panel members were asked to be aware of this development.

10. Time and Date of next meeting

Wednesday 12th October 2022

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Original draft minutes prepared by:

Sian Taylor

Note Taker

Date: 02/03/2022

Final minutes signed off by:

Professor E Gilvarry

Panel Chair

Date: 23/03/2022

THE DVLA WILL CONSIDER THE ADVICE PROVIDED BY THE PANEL AND NO CHANGES TO STANDARDS WILL TAKE EFFECT UNTIL THE IMPACT ON INDIVIDUALS AND ROAD SAFETY IS FULLY ASSESSED.

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