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THE OPERATION OF DRIVER
LICENCE DISQUALIFICATION
AS A SANCTION

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ABSTRACT: A mail survey was conducted of 4492 drivers disqualified in Victoria during the period October 1 to December 31, 1975; female offenders, out of state drivers, and offenders disqualified for less than 48 hours were excluded from the study. The respondent sample of 1552 subjects represented a response rate of 37.2%.

Results showed that 36.4% of the respondents admitted driving while disqualified, with over 40% of these subjects driving on more than 20 occasions. The most common reason for driving were "exceptional circumstances", employment related circumstances, or all transport needs. The person who drove while disqualified tended to be under 40 or over 60 years of age, unmarried or separated from his marital partner, employed as an unskilled worker, skilled tradesman, member of the armed services, professional driver, or a student, or he was unemployed, he had been disqualified two or more times previously, and his criterion conviction tended to be for a less serious offence. The results of the study indicated a need for changes in the use of the sanction.

NOTE:

This study was commissioned by the Commonwealth Department of Transport and the Report is disseminated in the interest of information exchange.

The views expressed in this Report are those of the author and do not necessarily represent those of the Commonwealth Government.

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EXECUTIVE SUMMARY

The present report was commissioned to provide a review and empirical investigation of the operation of driver licence disqualification, and the study reported here represents the first Australian research in this area. Existing evidence on the operation of this sanction was derived from studies in other countries, where systems of traffic law and enforcement procedures differ significantly from those operating in Australia, but it did suggest that there was likely to be a significant rate of violation of the sanction. As reviewed here, there are also differences in traffic law between the Australian states and the empirical investigation reported here focused on the state of Victoria.

The intention of the empirical research was to directly survey drivers who had been disqualified, and three pilot studies evaluated possible methodologies for the main investigation. The pilot studies indicated that use of an interview survey strategy presented substantial problems of non-response bias, when used to study disqualified drivers, and that the extent of this bias could be significantly reduced by using a mail survey technique. Therefore, the main study was conducted as a census-type mail survey of drivers disqualified in Victoria during the period October 1 to December 31, 1975; female offenders, out of state drivers, and offenders disqualified for less than 48 hours were excluded from the study.

After deleting these groups, a final sample of 4492 subjects remained. Completed questionnaires were returned by 1552 of these subjects, and an additional 236 subjects were not known at their recorded address. The respondent sample of 1552 subjects represented a response rate of 37.2%, which was considered acceptable for a single-wave mail survey. A pilot follow-up of non-respondents was conducted, but indicated that improvements to the response rate were insufficient to justify the additional costs involved. A four page questionnaire was used to collect the data, and included different sections for those who drove while disqualified and those who did not drive.

Results showed that 36.4% of the respondents admitted driving while disqualified, with over 40% of these subjects driving on more than 20 occasions. The most common reasons for driving were "exceptional circumstances", employment related circumstances, or all transport needs.

The person who drove while disqualified tended to be under 40 years or over 60 years of age; he was unmarried or separated from his marital partner; he was employed as a member of the armed services, an unskilled worker, a skilled tradesman, or a professional driver, a student, or was unemployed, and he considered that he needed to drive as part of his employment. He had been disqualified two or more times previously, and he was not represented by legal counsel at his court hearing.

It was also found that those who drove while disqualified tended to be those convicted of less serious offences, and whose licences were cancelled rather than suspended. Length of disqualification was also found to be a significant factor in the tendency to drive while disqualified, and the relation between driving and length of disqualification was found to be curvilinear, with the highest frequency of violations reported by subjects disqualified for a period of one to two months. Only 15.4% of the sample was able to correctly identify the penalty for driving while disqualified, although knowledge of this penalty was not significantly related to whether or not subjects drove.

Approximately half of those who drove while disqualified claimed that they drove more carefully than when they were licensed. However, subjects attitudes toward disqualification were equivocal, with no clear consensus on whether the sanction had a deterrent effect, and with most subjects doubting that the sanction produced any driver improvement.

Subjects who did not drive while disqualified still relied on the private motor vehicle as their major means of transport for employment, shopping, and social occasions. These subjects were usually driven by friends to social functions, by fellow employees to their place of employment, and by members of their family for shopping.

In the light of these results, it was recommended that, if the sanction continues to be used as it is at present, new measures should be introduced to increase offenders' expectancies of apprehension; random licence checks have been suggested as one such measure. A second recommendation was that offenders should be more clearly warned at the time of their disqualification of the penalties for driving while disqualified.

More generally, changes in the use of the sanction were recommended. It was suggested that disqualification should be imposed only for relatively serious offences, and that it should not be repeatedly imposed on persistent traffic offenders. In addition, it was urged that consideration be given to the establishment of a driver improvement programme for traffic offenders, with disqualification being used as a higher order penalty within such a programme. These suggestions imply a need for research on the effects of other penalties imposed on traffic offenders (such as fines or gaol terms), and it was recommended that this type of research be conducted.

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A number of people helped in the day to day administration of the project, and in the preparation of this report. In particular, I am very grateful for the assistance of Mary Hoban for supervising the collection and coding of records from which the samples described here were drawn, and for additional help provided by Helen Harbison. Finally, I am indebted to Alma Crawford and Helen Harbison who expertly and patiently typed the final report.

CHAPTER 1

INTRODUCTION

Concern over the issue of traffic safety is not new, and there is a burgeoning scientific literature on the subject of road accidents, their causes and consequences. Accidents are generally considered to be a consequence of the interaction of factors in the road system, the vehicle, and the driver, and it can be said that driver factors are the most difficult to change or improve. Most countries have found it necessary to develop a detailed and complex body of law to regulate driver behaviour in such a way as to maximise driver safety, although it should be noted that some laws have been considered to be, in safety terms, counter-productive; the give way to the right rule which specifies priorities at intersections is an example of a law which has a questionable safety value.

The traffic law typically requires certain types of behaviour (for example, obedience of road signs) and prohibits other types of behaviour (for example, driving at speeds in excess of those permitted, or with a prohibited blood alcohol content), and provides for sanctions to enforce these requirements and prohibitions. The philosophy underlying this legal system is that compliance with legal requirements is desirable, and leads to an efficient and safe movement of traffic. Sanctions, then, are seen as

measures which will punish offenders and discourage further undesirable behaviour and also deter other road users from the performance of similar actions. However, it is rare to find sanctions which have been empirically validated, and most sanctions seem to be derived from traditional philosophy and wisdom which, for the most part, predates the motor vehicle. It is assumed that use of sanctions will reduce the frequency of illegal acts, and that sanction effectiveness is in some way a function of sanction severity. Research reviews, such as that by the Organisation for Economic Co-Operation and Development (1974), suggest that these assumptions are open to question. Authors such as Ross (1960) and Robinson (1975) have observed that the large number of licensed road users, and the high densities of traffic prevailing at any time in most societies, make it difficult to enforce traffic laws in any uniform way and also prevent apprehension of all, or even most, traffic offenders. Although the optimum ratio of police to motorists has not been determined, there are doubts that police manpower allocations for road traffic functions will ever be adequate to provide an acceptable level of enforcement. Thus, it is all too easy for drivers to see traffic law sanctions as randomly inflicted nuisances rather than systematic attempts to enforce standards of safety, and the likely consequence of these perceptions is a general decrease in respect for the law and its aims and a growing conflict between the public and the police. Fears that such changes in attitudes are taking place have been expressed by authors such as Austin (1966) and Chappell and Wilson (1969) but suitable empirical confirmation of these conjectures, reasonable though they appear, has yet to be furnished.

It is only in recent years that there has been any substantial empirical investigation of the sanctions provided for by traffic laws, even though the use of these sanctions must be a major cause of any existing public discontent about traffic laws. Sanctions commonly used against traffic offenders include fines, gaol terms, and the suspension or cancellation of the licence to drive, and some countries have recently experimented with alternative treatments such as driver re-education, rehabilitation of alcoholic or drug dependant drivers, or use of warning letters for first or minor traffic offenders. Studies of the effectiveness of these new treatment programmes have produced promising results, but findings on the more traditional penalties tend to be unavailable or negative. Thus Ward, Woods and Brennan (1973) and the Organisation for Economic Co-Operation and Development (1974) have suggested that fines do not produce a reformatory effect and earlier findings published by Mecham (1968) are consistent with these contentions, and Buikhuisen and Steenhuis (1972) and Ross (1975) have reported evidence that gaol terms for drink driving offences are similarly ineffective. Studies of licence disqualification, such as those by Coppin and van Oldenbeek (1965), Willett (1973), and Kaestner and Speight (1974), suggest that a significant proportion of disqualified drivers violate the sanction, and these findings cast doubts on the likelihood that the sanction can produce any useful effects. These findings emphasize a functional

distinction between licence disqualification and the other traditional penalties of fines and gaol sentences: whereas the detection of those who fail to pay fines or serve gaol sentences would appear possible by a procedurally simple accounting operation, there is no straight forward method of ensuring that disqualified motorists do not drive. It is not possible to detect the offence of driving while disqualified unless the offender is involved in a reported accident or is apprehended for a further traffic offence, or his vehicle is stopped by police, and few police forces have sufficient manpower to allow for regular enforcement activities against disqualified drivers. In the absence of a high level of enforcement, the chances of detecting an offence of driving while disqualified are extremely low.

At a theoretical level, the value of licence disqualification is obvious. It is generally accepted that, at any given task, some persons have a greater level of ability than others, and also that it is reasonable to select or reject those who can perform the task on the basis of some measure of their ability. In the field of traffic safety, this notion has been particularly attractive to advocates of the concept of accident proneness (for example, Shaw and Sichel, 1971). So, on the legally approved principle that to drive is a privilege rather than a right, it seems both reasonable and sensible to remove unsafe or delinquent drivers from the roads. The effect of this

procedure should be the prevention of further driving offences by these individuals at least during the specified period of disqualification, and a consequent increase in the level of road safety.

The major assumption underlying these notions is, of course, that a disqualified driver will cease to drive when so directed by a legal authority or a court of law. As has been noted, there is research evidence available which makes the validity of this assumption questionable, and this evidence raises the question: What factors influence a disqualified driver in deciding whether or not to continue driving? Intuitively, four types of factors appear to be relevant: the perceived probability of apprehension; the certainty and severity of punishment; the attractiveness of the unlawful behaviour; and the availability of legal alternatives to the unlawful behaviour.

The probability of apprehension for driving while disqualified can be seen as equal to the probability of coming to the attention of the police while committing this offence. Most of the motorists who decide to drive while disqualified will have made, as a result of experience, their own estimates of how often they can expect to be observed by a traffic policeman while driving, and are likely to decide that these periods of observation are infrequent. Thus very few will be discouraged completely by their estimates of the likelihood of police surveillance, although

some will probably alter their driving behaviour (for example, by avoiding main roads) in the belief that this change will further reduce the chances of being observed; this situation limits the effectiveness of sanction evaluations (such as that by Coppin and van Oldenbeek, 1965) which have studied only official records. A second type of behaviour modification may also occur: the disqualified driver may take particular care to observe some, if not all, of the traffic laws. For a majority of disqualified drivers, then, the probability of apprehension will be perceived as minimal, or as being reduceable to an acceptable level by modifications to their normal driving behaviour.

Police apprehension of a disqualified driver by no means guarantees that he will be convicted or punished. Those who continue driving often do so in the company of a friend who has a licence, and who will either pretend that he was driving, or will 'lend' his licence to the offender. Alternatively, a disqualified driver may give a false name and address, or fail to report an accident, in the hope of avoiding prosecution. Certainty and severity of punishment can also be varied by factors built into the legal system. For example, Blumenthal and Ross (1973) found that representation by a lawyer significantly reduced severity of sentence, and also significantly increased a defendant's chances of being found not guilty or of having the charges reduced; Vinson and Homel (1973) found similar trends in

New South Wales. In addition, Lewer (1973) noted that in New South Wales, as a result of the volume of traffic offences brought before courts, there was no enforcement in 1971 of 418,195 reported breaches. Thus, for an unknown number of drivers, punishment for driving while disqualified is by no means certain even if they are stopped by police; it can also be noted that when offenders are heard in court there is a considerable variation in the severity of the penalties imposed.

For many offenders the desirability of driving while disqualified is likely to outweigh any negative feelings about engaging in unlawful behaviour. Specifically, if a person is prohibited from using his car he is deprived not only of mobility but also of the means for satisfying a number of important cultural demands and social needs. Commission of the offence of driving while disqualified does not constitute a danger to other road users, and so a potential offender's fears about violating the sanction will tend to be related only to the probability of police detection and, as noted above, this probability is likely to be seen as very low. So, it is apparent that the incentive to accept the imposed restriction can often be very small and, conversely, the need to engage in the unlawful behaviour of driving while disqualified can be considerable.

The disqualified driver who wishes to avoid any infringement of the law must find alternative means of transport to reach his place of employment, to meet the needs of his family, and to maintain social contacts. Public transport systems are often perceived as being expensive and inconvenient, particularly

for night or weekend excursions, and thus as not being an acceptable alternative to the private car. The private car has become for most people an essential part of their way of life, and licence disqualification leads to two equally unreasonable alternatives, reliance on public transport or violating the sanction, so that the pressures of the offender's established life style are likely to urge him to continue driving, except where another member of the immediate family can easily take over the responsibility of driving.

Available evidence on the effectiveness of licence disqualification as a sanction will be given more detailed scrutiny in Chapter 2 of the present report, but it can be said that existing evidence was not considered sufficiently conclusive or appropriate by the Expert Group on Road Safety, a body advising the Commonwealth Minister for Transport. In a comprehensive review (1972) of Australia's road accident situation, this group recommended that "an examination of the problem of persons who have had their licences suspended but continue to drive should be made" (p. 129). This recommendation was accepted and, as a consequence, the study reported here was supported by the Commonwealth Government Department of Transport. The intention was to investigate the effects of both suspension (temporary withdrawal) and cancellation (indefinite removal) of the licence to drive; unless otherwise stated, the term disqualification will be taken here to include both suspension and cancellation.

The present report provides an examination of existing research evidence, and the results obtained from a large

scale mail survey of disqualified drivers. The sample of disqualified drivers on which this study was based was drawn exclusively from the Australian state of Victoria which, in December 1975, had a population of approximately 3.69 millions, a total register of approximately 1.77 million vehicles and 1.9 million licensed drivers.

CHAPTER 2

THE PROBLEM: DIMENSIONS AND AVAILABLE EVIDENCE

In 1975, a total of 351,280 traffic offences was reported by police in Victoria¹. This figure includes both on-the-spot traffic infringement notices and offences to be processed by a court. For the offenders who subsequently appeared in court and who pleaded or were found guilty, sentences of fines, licence suspension or cancellation, or gaol terms, or a combination of these sanctions, were imposed. Beyond the events of each individual court action little is known about the effects of these sentences on their recipients. The sentences may have had a beneficial effect on some or even a majority of traffic offenders, but there are no adequate statistics available to bear witness to such effects. Similarly, little is known about the effects of disqualification resulting from accumulation of demerit points.

In cases where periods of licence suspension or cancellation are imposed by a court further complications arise. It is not possible for estimates to be made in any accurate way about the proportion of offenders who complied with the sanction. By means of procedurally

1. Figure provided by the Victoria Police.

simple accounting tasks it is not difficult to detect and follow up those who do not pay an imposed fine, or who do not serve an imposed gaol term, but no administrative device exists for detecting those who drive while disqualified. Some of these offenders will be detected because they are involved in an accident or are apprehended for another driving offence during the period of their disqualification; in 1975 the police detected 1,451 drive while disqualified offences in Victoria, a statistic which suggests that compliance with the sanction is, at best, not universal. During the three month period of the present survey (October to December, 1975), 5228 drivers were disqualified after court proceedings (this figure excludes those automatically disqualified as a result of accumulation of demerit points); by December, 1975, 126 (or 2.4%) had been detected driving while disqualified.

A preliminary analysis of court conviction records held by the Victorian Motor Registration Branch suggested that approximately 58% of traffic offenders are sentenced to some period of licence suspension or cancellation. This figure suggests that there is a need for more detailed information about the effects of the sanction and also about the extent to which it is flouted. On the basis of statistics reported by the Victoria Police (1975) it can be estimated that the rate of nonpayment of fines for traffic offences is about 9%, but an accurate statistic of

this sort for the sanction of licence disqualification is not available. A number of studies have examined the situation, and their estimates of the rate of violation of the periods of disqualification will be detailed here.

PREVIOUS RESEARCH ON LICENCE DISQUALIFICATION

A. MAJOR STUDIES

Three major studies of the effects of driver licence disqualification have been reported, and will be examined here in some detail. Other studies which bear less directly on the problem of driving while disqualified, but which also offer some insight into the operation of this sanction, will be noted more briefly in the latter part of this Chapter.

Coppin and van Oldenbeek (1965). As part of a large scale study of drivers classified as negligent operators, the Californian Department of Motor Vehicles undertook a study of driving under suspension or revocation. The results of this study, which have been widely quoted, were reported by Coppin and van Oldenbeek (1965).

The study consisted of an examination of the accident and violation records of 1,326 drivers in a six year period following the suspension or revocation (cancellation) of their licences for a first traffic offence. Offenders convicted of reckless driving or hit and run offences were

excluded from the sample, as also were those for whom there were some doubts that they had received a notice of disqualification. The sample was found to include only 18 (or 1.4%) females, and so the results were seen as being "almost wholly" relevant to male offenders.

It was found that 33% of suspended negligent drivers, and 68% of revoked negligent drivers had officially recorded instances of driving while suspended or revoked. Drivers convicted of any traffic offence committed during a period of suspension or revocation were found to have averaged 3.5 convictions during their disqualification period. As the authors noted, the chances of an individual driver having an accident or being apprehended for a traffic offence are not high and, on this basis, it was concluded that a substantial majority of suspended or revoked drivers continue to drive. These findings suggest two other conclusions. First, the high average number of convictions for offences committed during the disqualification period indicates that the sampled offenders were driving relatively frequently during their disqualification period. Second, on the basis of the authors' indications that periods of revocation tended to be longer than periods of suspension, it appears that there is a positive relation between length of disqualification and incidence of driving while disqualified.

Differences were also found between the characteristics of those for whom instances of driving while disqualified

were recorded and those for whom there was no record of violation of the sanction. Drivers under the age of 26 showed a higher proportion of violations of the sanction than any other age group. In addition, those in the labouring or semi-skilled occupations showed the highest percentage of recorded driving incidents during the disqualification period, and those in the executive or professional occupations showed the lowest percentage of these incidents. However, further results indicated that the frequency of driving while suspended or revoked was not significantly related to estimates of annual mileage supplied by offenders at the time of their hearing.

The Coppin and van Oldenbeek study has been widely quoted by highway safety researchers, but a number of limitations of the study appear to have been largely overlooked. The first is that the sample apparently included only drivers classified as negligent operators whose original offence was the subject of an informal hearing by the Californian Department of Motor Vehicles, and it is not made clear to the reader whether or not this process of classification provided a representative sample of suspended or revoked offenders in California. Second, the data were gained entirely from official records and the sample includes only offenders who came to official notice for a driving incident during their period of disqualification. Thus, the results obtained are likely to be not only a substantial underestimate of

the true frequency of violations, but also an estimate biased by the low probability of accident involvement or of detection for a traffic offence. Finally, it would appear that the traffic law in California differs significantly from that of countries which have followed the British model, notably in the requirement that a driver "has knowledge" that he has been suspended or his licence revoked before he can be found guilty of driving while disqualified.

The most important of these limitations is the total reliance on official records, and this issue merits some more detailed discussion because other studies, such as those by Harrington (1972) and Kriefman (1975), have used similar methodologies. It is not possible to calculate the magnitude of the underestimate provided by the use of official records, but it can be predicted with some confidence that a substantial number of disqualified drivers continue to drive without coming to official notice. This limitation is not necessarily a problem for it could perhaps be seen as a useful estimate of the minimum frequency of violation of the sanction; the difficulty lies in the real possibility that the estimate is not a representative one. It is not new to suggest that persons who feature in statistics of violations or accidents represent only a very small proportion of the deviant population. Cressey (1973), for example, has noted that low status persons are more likely than others to have convictions for anti-social acts recorded against

them, and Klein (1966) has suggested that a reporting and arrest bias operates to the detriment of young drivers, and that a "mature" or "responsible looking" adult is more likely to be able to "talk his way out of a ticket", than is a teenaged driver. Blumenthal and Ross (1973) and Vinson and Homel (1973) have found that legal representation significantly increases the chances of an acquittal, a dismissal, or a modification of penalty, and the results of the latter study show that this relationship can be influenced by age and social status. Clearly then, it is possible for non random processes to determine the chances of a driver having an incident recorded against him, and these processes can operate at both a judicial level and also at the level of police enforcement. Coppin and van Oldenbeek reported a greater frequency of incidents recorded against young drivers and low status occupational groups, and these findings could be taken as consistent with the operation of the suggested biases.

Finkelstein and McGuire (1971) also examined driver records in California in the period 1967 to 1970, and found that 28% of suspended drivers were convicted of subsequent offences, involved in accidents, or failed to appear in court during their suspension period, and were thus assumed to have driven while disqualified. Suspensions of about 12 months were found to be the most effective ones, with short periods of suspension being most likely to be disobeyed, and those disqualified for very long periods

showing a high accident rate. It was concluded that the level of driving while disqualified in California was "appreciable", and the authors argued that their findings could be seen as evidence for a failure of the traffic enforcement/driver control system, rather than as an indicator that some drivers will not obey the dictates of this system. The authors also noted the limitations of working from official records, and that unverifiable assumptions were required if generalisations were to be made from trends in official records.

Harrington (1972) has reported another research project which operated under the auspices of the California Department of Motor Vehicles and used official records as a data source. The driving records of a random sample of 13,915 young drivers were followed up over a period of six years from the first issue of a licence. Results indicated that 32% of males under suspension or revocation recorded some driving incident (accident or violation) during the disqualification period. Harrington noted that "considering the small chance of being detected for illegal driving, it would appear that the majority of males drove during their suspension/revocation" (1972, p.204). Again, however, the reliance on official records limits the validity of these findings, but it should be noted that these findings were subsidiary to the main purpose of Harrington's study, which was to investigate the influence of human factors on the driving records of

young drivers.

Willett (1973). In a British study of "drivers after sentence", Willett (1973) has reported an interview survey of 181 "serious" motoring offenders, 141 of whom were suspended. Serious offenders were taken to be those convicted of causing death by dangerous driving, dangerous or reckless driving, driving under the influence of alcohol or drugs, driving while disqualified, failing to stop after or report an accident, or failing to be insured against third party risks.

The survey produced a response rate of 80% for a first interview and 87% for a follow-up interview, and results showed that 36% of the disqualified drivers admitted disobeying the order of disqualification. Approximately 75% of those who did drive had not been previously disqualified, and most of them were in the younger age groups, and were employed in low status occupations. Willett also found some evidence that the proportion of offenders who continued to drive was higher when the length of disqualification exceeded twelve months but this trend was not statistically significant.

Willett also investigated his subjects' attitudes towards disqualification. He noted that those who admitted driving while disqualified showed little reluctance in doing so, and a majority of the subjects saw disqualification as a greater punishment than any other aspects of their

sentences. This latter result is somewhat surprising as it is evident that most of the offenders who were gaoled saw disqualification as a more injurious penalty than their gaol sentence. Questioned further, a clear majority of subjects stated that the penalties they received did not change their attitudes towards the traffic laws or influence their subsequent behaviour in any way. Willett concluded that the threat of disqualification could be an important influence, but that the imposition of a period of disqualification had little effect because those who found their disqualification to be an impediment simply continued to drive.

Willett's study has provided some useful insights about traffic offenders and, in particular, about offenders who are disqualified. His study is noteworthy in that he directly surveyed offenders, but it is unfortunate that he restricted his efforts to a relatively small group of offenders and, by his own admission, presented results in the form of a "mass of rather indigestible data" (p.132). Some of his questions appear ambiguous, (for example, "which aspect of [your sentence] has hurt you the most?"), and many of his results are presented in such a way that it is not possible to distinguish between the responses of disqualified drivers and others. Thus many of his reported findings, interesting though they are, reveal little about the effects or effectiveness of disqualification.

More importantly, Willett surveyed only those who had committed serious traffic offences and, in Victoria at least, these persons represent not only a minority of traffic offenders but also a minority of all those who are disqualified. If his group of subjects is seen as representative of a 'hard core' of traffic offenders, then it may be that his findings on the frequency of driving while disqualified are higher than might be expected in a less deviant or anti-social group of offenders.

Kaestner and Speight (1974). As part of a study of the effectiveness of various driver improvement programmes operated by the state of Oregon, Kaestner and Speight (1974) investigated the effectiveness of discretionary licence suspension. To gain a minimum estimate of the frequency with which the sanction was violated, a mail survey of 250 suspended drivers was conducted. The mail survey achieved a response rate of 43.6%, and 52.3% of the respondents admitted driving one or more times during the suspension period. This proportion of admissions is substantially higher than that found by Willett (1973), and also notably higher than the officially detected frequency of violations reported by Coppin and van Oldenbeek (1965) for suspended drivers. Almost half of those who admitted driving indicated that they had done so on 21 or more occasions, and a majority noted that they drove in a variety of circumstances. Approximately 75% suggested that they drove more carefully than when they

were licensed.

Subjects who denied driving during their suspension period were asked about the alternative means of transport they used to reach their place of employment and to do their shopping. In both these situations about 68% of the non-drivers were driven to their destination by a friend or a member of their family, and less than 10% indicated that they used public transport.

The sample contained a very small number of females, a finding which is consistent with those of Coppin and van Oldenbeek (1965) and Willett (1973). Comparisons between those subjects who admitted driving and those who denied driving showed that these two groups were not significantly different in terms of age, previous accident record, or previous conviction record.

Kaestner and Speight concluded that their figure was an underestimate and that "probably no fewer than two out of three drivers do continue to drive during suspension" (p. 63). Even so, they suggested that, because a reasonable number of drivers did not drive, and because a clear majority of those who did drive claimed that they drove more carefully than usual, the sanction could at least be seen as producing some temporary benefit.

The Oregon study paralleled the Coppin and van Oldenbeek (1965) study and investigated only individuals

who, as part of a Driver Improvement programme, were suspended because they did not respond favourably to a warning letter or a subsequent interview with a "driver improvement analyst". A demographic study of suspended drivers indicated that a majority were under the age of 25 years, and about 75% had been licensed for less than 6.5 years. Thus it must be noted that the results may not be representative of the total population of disqualified drivers in Oregon. Even so, the use of a mail survey methodology is interesting as subjects are likely to see a greater degree of anonymity in this response situation than would be the case for an interview survey, and also the response rate of 43% is a favourable one for a single phase mail survey. The authors reported that some attempts were made to crossvalidate their findings by interviewing reinstated drivers, but the interview survey was terminated because of its prohibitively high cost; results from the completed interviews were consistent with those of the mail survey. It is unfortunate however, that Kaestner and Speight felt constrained to ask their small sample only a small number of questions; additional information about the motivation of those who drove could have allowed more detailed explanations of the operation of the sanction.

B. RELATED STUDIES

Timberlake (1970) surveyed police agencies and motor

vehicle administrators in the United States, Puerto Rico, and Canada to gain their reactions to the problem of persons who drove while under suspension or revocation. It was found that 98% of administrators kept no statistics of the proportion of suspended drivers who continue to drive, but their estimates of this proportion ranged from 3% to 90% with three-quarters of the agencies estimating 50% or less. The estimates provided by police agencies showed a similarly wide distribution, but over half of the police respondents saw the proportion of persons who continue to drive after disqualification as being 50% or more. The police suggested that road block checks were a relatively efficient method of enforcing the sanction, and noted that the task of enforcement was made difficult because information about disqualified drivers was not sufficiently up-to-date. Timberlake concluded that few systems for detection of the drive-while-disqualified offender appeared to be effective, and that there was a pressing need for identification of the extent of the problem. Hricko (1970) has echoed these sentiments, and suggested that penalties for driving while disqualified were insufficient to deter offenders; Hricko concluded that, under existing systems, licence suspension was a "paper tiger". Joscelyn (1976), in a review of the influence of the legal system on driver behaviour, has also noted that licence suspension lacks effectiveness.

Rahn (1970), a Municipal Court judge in California, has also commented on penalties for driving while disqualified, and noted that judges who have to pass sentence on drive-while-disqualified offenders are placed in a difficult position because of the lack of a suitable educative or rehabilitative penalty. In the light of this difficulty Rahn recommended the imposition of extended gaol sentences only for offenders who repeatedly violate the sanction, and called for research to produce evidence on the types of treatment programmes which could rehabilitate problem drivers.

Klein and Waller (1970), Stevenson (1970) and Little (1972) have found that both the police and the courts are reluctant to impose sentences of licence disqualification because they believe that such a penalty will cause economic hardship for a disqualified driver, the assumption being that the offender needs to drive to reach his place of employment. Baker and Robertson (1975) have empirically tested this assumption by asking a sample of drivers how they would get to work if a broken leg prevented them from driving. It was found that 79% believed that they could make alternative travel arrangements, and in most cases not suffer any increase in their transport costs, and so the assumption of an employment-related need to drive was considered to be unfounded. However, the study excluded commercial drivers and also ignored other transport needs (for example, shopping or social requirements), and thus

it seems that these results need to be treated with some degree of caution when considered for their applicability to the motoring population at large.

A study reported by Kriefman (1975) sought to distinguish "the type of offender for whom disqualification is most useful as a penalty, that is, the driver who, if disqualified, is least likely to breach that disqualification" (p.3). The study investigated differences between offenders convicted of driving while disqualified (DWD) and drivers who were not known to have driven (DD) during a period of disqualification. Results indicated that length of disqualification was not significantly related to the probability that the offender would drive during the disqualification period. Other findings showed that the convicted DWD offenders were significantly more likely to have been first convicted of a traffic offence before the age of 21 years than were the DD group. The DWD offenders also showed a higher number of traffic convictions and previous DWD violations, and a significantly greater probability of having a criminal record. However, as has already been noted, the probability of apprehension of a disqualified driver who continues to drive is generally regarded as low, and it is likely that Kriefman's results are applicable only to the small proportion of DWD offenders who are either unusually delinquent (and this selectivity could be the reason for the high number of convicted DWD offenders who had a

criminal record), or else unlucky to be apprehended. The group which showed no DWD convictions is likely to have included a sizable number of persons who did, in fact, drive while disqualified, and this problem can be seen as due to the researcher's reliance on official records as a data source. Harper (1975) has noted that Kriefman's study is also weak in its investigation of background social characteristics of those in the DD and DWD groups.

C. CONCLUSIONS FROM AVAILABLE EVIDENCE.

The major conclusion to be drawn from the literature reviewed here is that a substantial number of disqualified drivers continue to drive, and available research evidence indicates that the proportion of drivers who violate the sanction is between 32% and 68%. However, the methods by which these figures have been obtained have varied considerably and, in many cases, there can be some doubts about the validity of the results obtained. Some studies have examined evidence contained in official records, and the results of these studies appear to be particularly limited in their generality, while other projects have involved the surveying of drivers who have been disqualified, and these investigations have provided only a minimum of information about possible differences between those who do drive while disqualified and those who do not.

There is some evidence that length of the imposed period of disqualification is a determinant of whether or not an offender continues to drive, although other evidence is not in accord with this conclusion. Some findings indicate that those who do drive during a period of disqualification tend to be members of younger agegroups and low status occupation groups but, again, the evidence is not unanimous. It must be concluded, then, that additional evidence is needed on the operation of the sanction of licence suspension and its effects on those upon whom it is imposed. Further, it is apparent that this additional evidence should not be gleaned from official records but should come from direct investigations of disqualified drivers.

The present study was conceived from the outset as a large scale survey of disqualified drivers, and sought to provide information about the operation of the sanction which, it was hoped, would be more detailed and comprehensive than that which was previously available. As the existing evidence was unclear, no specific hypotheses were formulated, but several general questions were decided upon as focuses of the project. These questions involved the following issues:

- a. What proportion of disqualified drivers continue to drive?
- b. Are some persons more likely than others to drive while disqualified?

- c. For those who do drive while disqualified, is their driving different from when they were not disqualified?
- d. For those who do not drive while disqualified, what alternative transport arrangements do they make?
- e. What are the attitudes of disqualified drivers toward the sanction?

CHAPTER 3

THE LAW

In general, it can be said that Australian legislation in the field of motor vehicle operation is based on legislation enacted in Great Britain, the development of which has been described by Plowden (1971). As a consequence, the traffic laws of the Australian states are generally consistent, but they do differ in some respects from laws in other countries where research into licence disqualification has been conducted. For example, there are variations in the relevant laws between the various states of the United States of America; Antony (1970) has provided a comparative analysis of the laws existing in the American states. The present Chapter provides a brief analysis of the law in Victoria as it pertains to the suspension and cancellation of drivers' licences; this account should allow readers to assess the extent of differences between their own legal system and that operating in Victoria. To assist this process Figure 1 presents a tabular comparison of background provisions in the Australian states.

For the purposes of this study, suspension of a driving licence will be defined as a temporary withdrawal of a person's legal authority to drive a motor vehicle, and

FIGURE 1: BACKGROUND LEGAL PROVISIONS IN THE AUSTRALIAN STATES.

	VICTORIA	SOUTH AUSTRALIA	NEW SOUTH WALES	QUEENSLAND	TASMANIA	WESTERN AUSTRALIA
PROBATIONARY/ PROVISIONAL LICENSING SYSTEM	Yes	No	Yes	Yes	Yes	Yes
DEMERIT POINTS SYSTEM	Yes	Yes	Yes	Yes	Yes	Yes
MINIMUM LICENSING AGE	18 years	16 years	17 years	17 years	17 years	17 years

cancellation will be defined as a non temporary removal of the driving privilege where the offender, after a specified period, may apply for a permit to learn to drive and proceed as if he were seeking a licence for the first time². The term disqualification will be used here as a general one to include both suspension and cancellation.

For convenience, a distinction can be drawn between cases where the suspension or cancellation of a driving licence is an obligatory penalty for a driving offence and cases where there is a power but no obligation to suspend or cancel a driving licence (in this latter instance, the penalty will be termed 'directory disqualification'). However, it should be noted that, under the Justices Act (1968) and the Magistrates' Courts Act (1971), the Court is allowed discretion in the type and severity of penalty it imposes (including disqualification). Consequently, the distinction between obligatory and directory disqualification should not be seen as an absolute one.

2. These terms are not defined in the Motor Car Act (1958), but the present definitions appear consistent with with usages and practice within the Victorian legal system.

DIRECTORY DISQUALIFICATION.

The power to impose directory disqualification of driving licences is vested by the Motor Car Act (1958) in magistrate's courts and, in certain circumstances, to the Chief Commissioner of Police:

(i) Section 26 (1) Motor Car Act 1958

"any magistrate's court before which a person is convicted of an offence under this act or of any offence in connection with the driving of a motor car -

(a) may suspend the person's licence for such time as the court thinks fit, or may cancel the licence, and if the court thinks fit also declare the person convicted disqualified from obtaining a licence for such time as the court thinks fit."

(ii) Section 21F (1) Motor Car Act 1958

"Upon the recommendation of the Safety Inspection Advisory Committee the Chief Commissioner may by notice in writing under his hand cancel such licence or suspend such licence for such period as the Chief Commissioner thinks fit." Subsection (2) however, grants the right of appeal to the Minister on such a case.

(iii) Section 25 (1) Motor Car Act 1958

"The Chief Commissioner may refuse to issue a

licence to drive a motor car under this Part or may cancel or suspend any licence to drive a motor car issued under this Part for such time as the Chief Commissioner thinks fit -

(a) if the applicant or holder of the licence... has at any time been convicted in Victoria or in any other State or Territory of the Commonwealth of any offence which renders that person unfit to hold such a licence; or

(aa) if the applicant or holder of the licence... has within the period of three years then last past been convicted in Victoria on more than three occasions for offences connected with the driving of a motor car; or

(b) if by reason of illness or bodily infirmity defect or incapacity or by reason of the effects of treatment for any such illness bodily infirmity defect or incapacity it would be dangerous for the person ... to drive a motor car; or

(ba) if the applicant or the holder of the licence ... having been required in writing by the Chief Commissioner pursuant to [Section 25 (5)] to submit himself for examination by a legally qualified medical practitioner or certified optician fails, neglects or refuses so to do within the time specified by the Chief

Commissioner in the writing aforesaid; or

(c) if the applicant or holder of the licence... is by reason of any judgement order or decision given or made pursuant to any law of any other State or Territory of the Commonwealth disqualified from driving any motor vehicle; or

(d) he has failed to comply with certain conditions of the licence in question or of an earlier conditional licence issued to him; or

(e) if the Chief Commissioner is satisfied upon information supplied by an authorised insurer pursuant to the provisions of Section 27 of this Act and after causing the applicant or the holder of the licence to be tested or examined that the said applicant or holder is unfit to be issued with or to hold such a licence upon the ground that the Safety of the Public is being or is likely to be endangered".

Subsection (2) of Section 25 allows a person to appeal to a magistrate's court against a decision of the Chief Commissioner to suspend or cancel a driving licence, and Subsection (4A) states that the Chief Commissioner is not to suspend or cancel a licence where a court declines to do so.

Under Section 83 (2) (a) of the Crimes Act (1958), a judge or magistrate's court may, in a case of illegal

use or larceny of a motor vehicle, cancel the offender's licence and may also disqualify him for an additional time after the expiration of the period of cancellation.

OBLIGATORY DISQUALIFICATION.

The Motor Car Act (1958) provides for obligatory disqualification subject to the court's discretion in the following cases:

- (a) a second or subsequent speeding offence [Section 33 (6)],
- (b) a second or subsequent offence of failure to stop, exchange names and addresses, or give assistance after an accident [Section 80 (1)],
- (c) any offence of driving recklessly or in a manner dangerous [Section 80A (1)],
- (d) driving under the influence of alcohol or drugs [Section 80B (1)],
- (e) refusing to undergo a breath test to determine the level of alcohol intoxication [Section 80E (5)], or refusing to furnish a sample of breath for analysis [Section 80F (11c)].

The Motor Car Act also provides (Section 27B) for obligatory disqualification for a period of three months of drivers who record 12 or more demerit points within a three year period. Table 1 presents the scale of demerit points applicable for offences.

TABLE 1

THE DEMERIT POINTS SYSTEM IN VICTORIA

Act or Regulation	Offence or Class of Offence	Points
Inflammable Liquids Reg. 1968	Driver of vehicle transporting more than 540 gallons of inflammable liquid failing to stop at a railway crossing	4
Motor Car Act 1958	Exceeding a speed limit	2
Motor Car Reg. 1966	Driving an unroadworthy vehicle	2
Road Traffic Reg. 1962	Failing to give way at a pedestrian crossing	3
	Failing to stop at a school crossing whilst any person is thereon	3
	Passing vehicle stopped at a pedestrian crossing or a school crossing	3
	Disobeying traffic control signal	3
	Overtaking or passing on bridge when not permitted	2
	Not keeping left of vehicle travelling in opposite direction	2
	Exceeding speed limit	2
	Failing to pass through intersection at such a speed as to be able to stop to avoid collision	2
	Incorrectly overtaking or passing	1
	Failing to obey a stop sign	1
	Disobeying a minor traffic control item	1
	Failing to pass to left of vehicle about to turn right	1
	Failing to give way to pedestrians or vehicles	1
	Driving between sunset and sunrise without lamps being alight	1
	Passing stationary tramcar	1
	Driving to right of safety zone	1
	Failing to keep left of double lines	1
	Failing to give turn or stop signals	1

Section 26(6) (a) of the Motor Car Act provides for every person who is disqualified by order of the court, or whose licence is cancelled or suspended by order of the court, to appeal to the County Court against the order.

The Crimes Act (1958) provides for mandatory disqualification in cases of manslaughter arising out of the driving of a car [Section 320 (i)], misdemeanours arising out of the driving of a car which result in bodily injury [Section 26], or culpable driving [Section 318].

PROBATIONARY LICENCES.

Probationary licences are issued in Victoria to drivers who are licensed for the first time, and also to those who have had their licence to drive cancelled. Section 22B (2A0) of the Motor Car Act prohibits probationary licence holders from exceeding 80 kilometres per hour during the first twelve months of driving, and during this period the driver's vehicle is required to carry plates signifying that the driver is a probationary licensed driver. A full licence is issued after three years as a probationary driver unless the driver's record indicates otherwise.

Offences for which a period of disqualification of a probationary licence can be imposed are detailed in the Fourth Schedule of the Motor Car Act:

1. (a) Section 81 Crimes Act 1958 - (larceny and illegal

use of a car).

(b) Section 318 Crimes Act 1958 (culpable driving).

2. (a) Section 22B(2A) of the Motor Car Act 1958 (provision which prohibits probationary licence holders to exceed 80 k.m.h. during their first 12 months after the date of issue of such licence).

(b) Section 31 Motor Car Act 1958 (provision relating to side-cars and pillions on motor-cycles).

(c) Section 80 Motor Car Act 1958 (provision relating to the duties of the driver of a motor car in case of accident).

(d) Section 80A Motor Car Act 1958 (reckless driving of a motor car).

(e) Section 80B Motor Car Act 1958 (driving under the influence of intoxicating liquor or drug).

(f) Section 81 Motor Car Act 1958 (careless driving).

(g) Section 81A Motor Car Act 1958 (driving while blood alcohol content is over .05%).

(h) Section 82 Motor Car Act 1958 (being in charge of a motor car while under the influence of intoxicating liquor or drug). It should be noted that subsection (c) of Section 82 defines "being in charge" as attempting to start or drive the motor car, or where there are reasonable grounds for the belief that the offender intends to start or drive the motor car.

(i) Section 84 Motor Car Act 1958 (relates to the

fraudulent use of instruments and forgery of licences and identification marks).

3. (a) Section 401 Road Traffic Regulations 1962 (outlines the duties of drivers applicable to traffic).
- (b) Section 501 Road Traffic Regulations 1962 (driver in an unlaned carriageway, to keep to as far left as is practicable).
- (c) Section 502 Road Traffic Regulations 1962 (rules regarding overtaking of certain vehicles).
- (d) Section 508 Road Traffic Regulations 1962 (keeping left of double lines).
- (e) Section 602 Road Traffic Regulations 1962 (rules relating to who has right of way at intersections).
- (f) Section 603 Road Traffic Regulations 1962 (rules relating to right of way during turns).
- (g) Section 606 Road Traffic Regulations 1962 (regulations regarding entering or leaving a highway).
- (h) Section 701 Road Traffic Regulations 1962 (rules regarding pedestrian crossings).
- (i) Section 705 Road Traffic Regulations 1962 (rules regarding school crossings).
- (j) Section 901 Road Traffic Regulations 1962 (rules regarding level crossings).
- (k) Section 1001 Road Traffic Regulations 1962 (provision which sets out the speed limits to be observed in Victoria).

- (l) Section 1402 Road Traffic Regulations 1962 (rules regarding the passing of stationary trams).
- (m) Section 1403 Road Traffic Regulations 1962 (relates to driving past safety zones).

Section 11A(4B) Road Traffic Act (1958) states that if any person

- "(a) refuses or fails to state -
 - (i) whether or not he is the holder of a licence; or
 - (ii) whether or not he is the holder of a licence issued on probation; or
- (b) states falsely that he is not the holder of a licence issued on probation -
than he shall be guilty of an offence ..."

Finally, it should be noted that a probationary licence holder may also lose his licence if he commits an offence, the penalty of which is a mandatory suspension of licence for a full licence holder.

Under Section 22B (3) offenders so convicted shall have their probationary licence cancelled. A person whose probationary licence has been cancelled is required to undergo a test to satisfy the Chief Commissioner of his qualification to hold a licence, and he is not permitted to undergo the test until the period of disqualification imposed by the court has expired or, if no period was specified, until three months after the licence was cancelled.

DRIVING WHILE DISQUALIFIED

Section 28 (1) of the Motor Car Act (1958) provides that:

"Any person who drives a motor car during the period of any suspension of his licence to drive a motor car or after his licence has been cancelled or during any period of disqualification from obtaining a licence shall be guilty of an offence and liable to be imprisoned in the case of a first offence for a term of not more than three months and in the case of a second or any subsequent offence for a term of not less than one month and not more than six months."

Vickery (1972), commenting on the issue of a driver's knowledge of his suspension, has noted that:

"The language of this section appears to indicate that the prohibition is absolute, and there is no need for the prosecution to prove the suspension, cancellation or disqualification had been communicated to the driver, or that he was aware of it ... It is the usual rule that a court order must be obeyed and it is the responsibility of the individual to ensure that he complies with it during its whole term ..."

(p. 97)

However, Vickery described two cases in which charges of driving while disqualified were dismissed where the defendant demonstrated an "honest and reasonable belief" that he was licensed to drive a motor car.

CHAPTER 4

PRELIMINARY STUDIES.

Three pilot studies were conducted to explore an envisaged problem of response bias. This Chapter describes these studies, the first of which was an interview survey and the second and third studies which took the form of mail surveys of disqualified drivers.

The Problem of Response Bias.

It appeared unlikely that a disqualified driver would admit driving while disqualified to an interviewer who was a stranger and, more importantly, who knew his name and address and that his licence had been suspended or cancelled. The subject, it was felt, would be aware that if he did make such an admission, he was confessing the fact that he was guilty of a serious offence to a person who could well be a member of the police force.

Accordingly, the first study sought information on the willingness to respond of disqualified drivers, and also some indication of their perception of the chance of being caught by police if they continued driving. To assess respondents' willingness to co-operate, the study focused on drivers who had clearly violated the sanction of licence disqualification - those who had been convicted of the

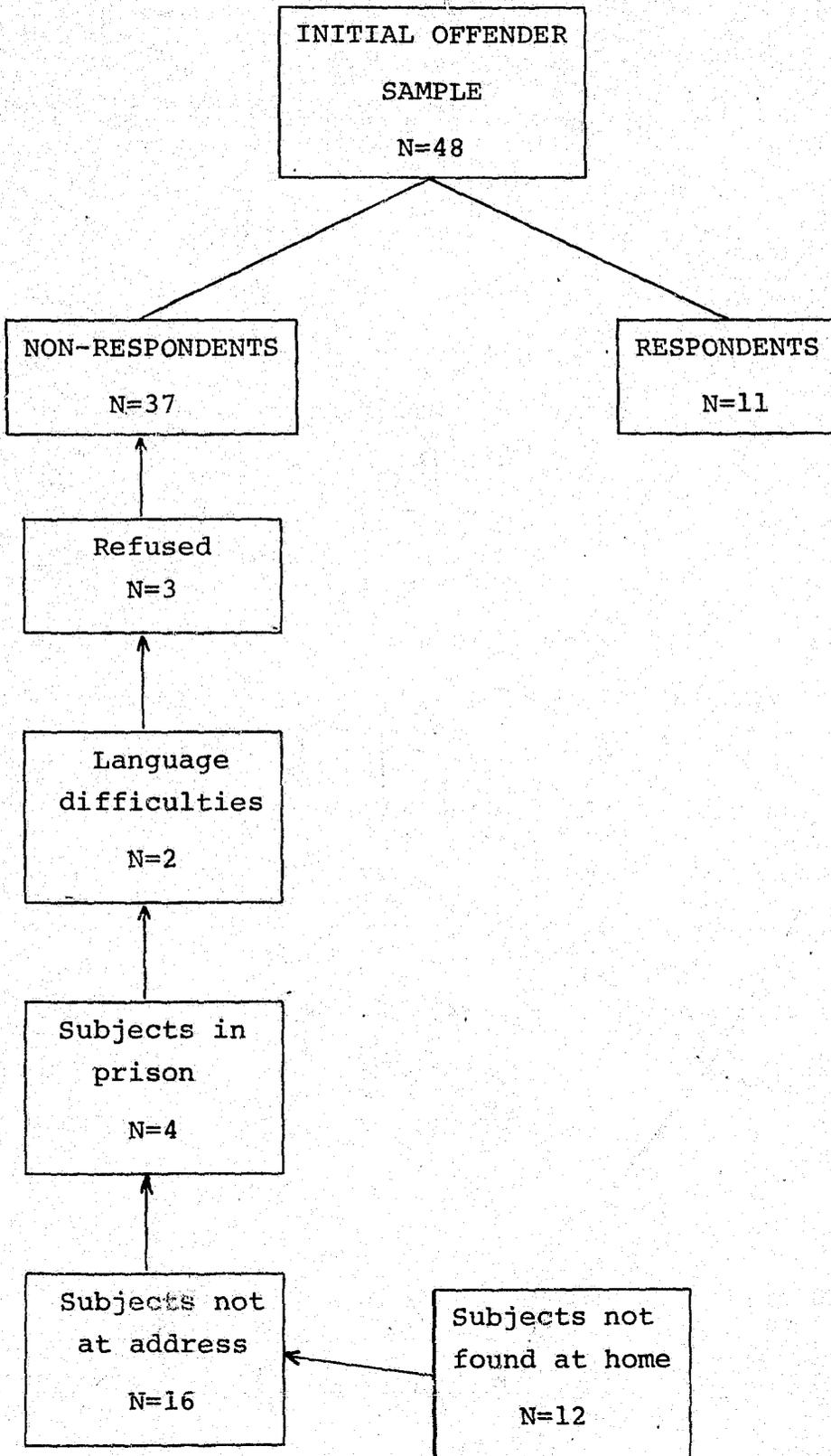
offence of driving while disqualified. In Victoria, the Motor Car Act (1958) provides for a penalty of up to three months imprisonment for a driver's first instance of this offence.

METHOD USED IN THE FIRST STUDY.

The Sample. Notices of conviction processed by the Motor Registration Branch (MRB) of the Victoria Police in the period September 1 to December 31, 1974 show that 149 persons were convicted of driving while disqualified in a period of approximately three months. The present sample was drawn from this group and comprised 48 males resident in metropolitan Melbourne whose conviction for driving while disqualified (DWD) was processed by the MRB in the three months from September 1 to November 30, 1974, and whose gaol sentence, where imposed, for this offence would have been completed by the survey date (March, 1975). Of these 48, 46 were gaoled for periods ranging from 3 hours to 8 months.

In accordance with established survey procedures, an interviewer called at the offender's address (that is, the address noted on police records) and, if he was absent, returned up to three times (making a maximum possible total of four calls to any one address). Figure 2 shows the distribution of respondents and non respondents in the sample.

FIGURE 2: DISTRIBUTION OF RESPONDENTS AND NON-RESPONDENTS
IN THE FIRST PILOT STUDY.



The Questionnaire.

Subjects were asked to complete a short questionnaire containing two personality measures and a number of questions about their driving habits and attitudes towards aspects of the traffic laws.

To minimise subject's fears that the interviewers were connected with the police, young female graduates were employed as interviewers but, even so, television and cinema films appear to be rapidly conditioning people to not expect police to look like police, so it is possible that some subjects may have still harboured some doubts on this matter. The interviewers were equipped with letters of introduction under a University of Melbourne letterhead, and it is suggested that subjects' doubts about anonymity and confidentiality were minimised as much as was possible.

RESULTS AND DISCUSSION

In contrast to the investigator's fears that subjects would be reluctant to discuss their motoring habits, it was found that those interviewed were more than willing to admit driving frequently while disqualified. They appeared to enjoy their participation in the survey, and a number saw the interviewer as a sympathetic listener to be convinced that they had been treated by the law with unjustified harshness, or that the traffic laws were inadequate or the police unfair.

Nevertheless, respondent bias presented as a substantial problem and it could well be said that the test sample 'voted with their feet'. Of the 48 subjects sampled, responses were obtained from only 11, or 23% of the sample. Thus the data were clearly of very limited value, but an examination of the reasons for the low response rate provides several useful insights about disqualified drivers who have been convicted of driving while disqualified.

Of the 37 non-respondents, only three refused to be interviewed, and two others were unable to participate due to language difficulties. The remaining non-respondents were distributed as follows: 5 addresses appeared unoccupied (and no-one was found at home on any of the four calls), 4 subjects were in prison (but not for the criterion offence), 11 had vacated the recorded address and left no indication of any subsequent address, and 12 were not able to be found at home, even though others in their families were found there and usually suggested alternative times to call (in none of these cases was there any indication that the family was "sheltering" the subject from the interviewer).

These figures suggest that the test sample included a substantial number of persons who had relatively impermanent relationships with their place of abode. Sixteen (32% of the sample) had left an address which could have been assumed to be current less than three months previously. In a couple of these cases neighbours told the interviewers that the

subjects had moved interstate so that they could continue to drive. A further four subjects were in gaol for offences other than the criterion DWD offence, and it is quite possible that they were accompanied by some of those who had changed addresses.

More importantly for the main aim of the project, 12 subjects were never at home, and members of their families who met the interviewers' enquiries indicated that most of these subjects were still driving, even though all were still under the criterion suspension. At these addresses interviewers found it common to be told, "you've missed him (again), but if you come past and see his blue Ford out the front, he'll be home, and I'm sure he'd like to talk to you". Often these relatives would suggest likely alternative times, or give friend's addresses as places where subjects could be found, but for the 12 cases under discussion these suggestions bore no reward. In two cases it was learned that the subject was working as an interstate truck driver.

As already noted, these figures constitute slender evidence, but they do suggest that offenders tend to pay little heed to the imposed sanction of licence disqualification. The response rate was, for statistical purposes, unacceptably low and appears to be the result of one main factor; the high level of mobility manifested by the sampled offenders. No doubt some of the changes of address can be attributed to the disruption caused by the

imposed gaol sentence, but analyses indicated that the length of the gaol sentence was not significantly related to whether or not subjects responded, nor was it related to whether or not subjects were still resident at the recorded address.

One of the limitations involved in a study of this type is the delay in processing of official records (the source of subjects' names and addresses) by the MRB before they become available to the investigator, and it was possible that this delay may have been related to subject's propensities to change addresses. However, statistical analysis showed that the elapsed time between court hearing and survey contact was not significantly related to whether or not subjects were still resident at the recorded address.

There were also considerable difficulties involved in finding subjects at home, even though they were disqualified from driving, and it was felt that this problem would remain, regardless of whether or not subjects were convicted of driving while disqualified, and that it was not readily soluble if an interview survey methodology was to be used. A recent study by Kaestner and Speight (1974) in Oregon produced a response rate of 44% by means of a mail survey, and this result suggests that the difficulty of finding subjects at home could be at least partly overcome by having subjects respond in their own time. Thus the second and third pilot studies were run to explore the possibility of using mail questionnaires rather than face-to-face interviews.

METHOD USED IN SECOND AND THIRD STUDIES

The Samples

Once again, conviction notices provided by the MRB were used to select the test samples. To minimise the effects of the delay between the court hearing and interview, the samples were randomly selected from conviction notices processed not more than one month previously by the MRB. The second sample consisted of 100 males whose licences had been disqualified for at least one month and who were resident in metropolitan Melbourne. The third sample was made up of 182 males, disqualified for at least one month, and who were resident outside metropolitan Melbourne. Figure 3 shows the distribution of respondents and non-respondents in these two samples.

The Questionnaire.

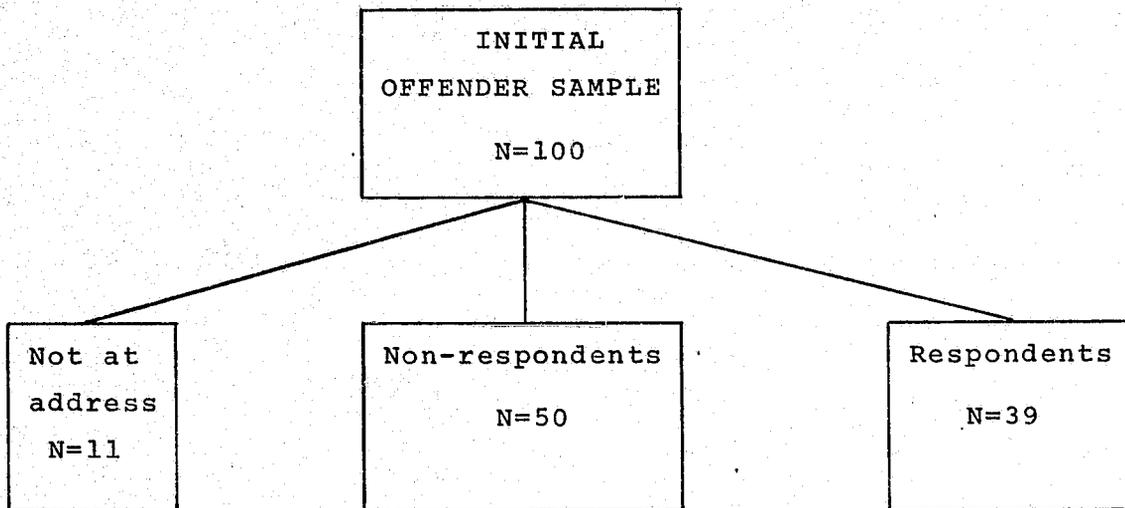
Subjects in both samples were sent a questionnaire consisting of a cover (instruction) page and three pages of questions; the questionnaire was structured in such a way that no subject would have to answer more than 12 items. Enclosed with the questionnaire were a covering letter and an addressed, reply paid envelope.

RESULTS AND DISCUSSION

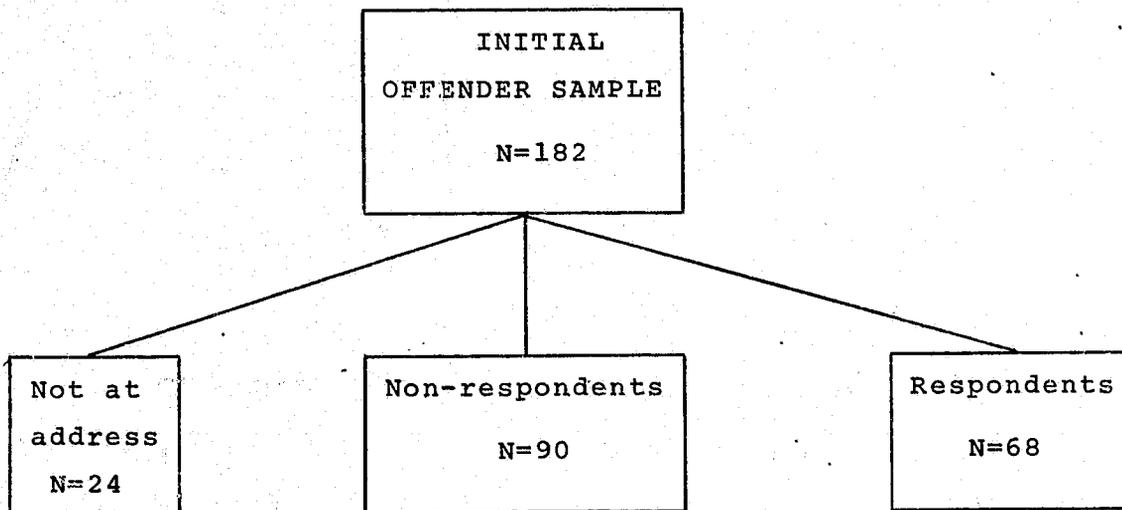
For the first mail survey, a total of 39 completed questionnaires was returned and a further 11 envelopes were returned unopened and marked "not known at this address" or "No longer at this address". In the second mail survey, 68 completed questionnaires were returned, and 24 unopened envelopes were returned by the Post Office. Of those subjects who did reply, 36% in the first study and 36% in

FIGURE 3: DISTRIBUTION OF RESPONDENTS AND NON-RESPONDENTS
IN THE SECOND AND THIRD PILOT STUDIES.

A. Second Study.



B. Third Study.



the second study admitted driving while disqualified.

However, the major consideration in conducting these studies was methodological. Table 2 compares the response rates and major findings produced by the three pilot studies.

TABLE 2
RESPONSE RATES OBTAINED IN 3 PILOT STUDIES USING
DIFFERING METHODOLOGIES

		SAMPLE SIZE	RESPONSE RATE ACHIEVED	% ADMITTING DWD
I	Face to face Interview Survey	48	23%	31%
II	Mail Survey (City)	100	43.8%	36%
III	Mail Survey (Country)	182	43%	36%

The Table offers two major conclusions. The first is that the percentage of subjects who admitted driving while disqualified is relatively consistent across the three studies even though, in the case of the first sample, all had been convicted of driving while disqualified. The second point is that the response rate obtained from the face-to-face interview survey was substantially inferior to the response found by the two mail surveys.

Textbooks on social survey research typically predict a response rate of 70-80% for interview surveys (see, for example Moser, 1958). By such standards the result from the pilot interview survey, although consistent with the findings of other

researchers, is inadequate. Textbooks also predict a success rate of about 30% from single phase mail surveys and, by this comparison, the percentages of response gained for the pilot mail surveys are surprisingly high.

In summary, therefore, it appears that mail surveys are more likely to reach disqualified drivers than interview surveys, and this speculation is consistent with the response rates obtained in the three pilot studies.

CONCLUSIONS AND IMPLICATIONS

The analyses presented here indicate the magnitude of the non-response problem in this research context. Evidence from the present pilot studies illustrates the enduring nature of the problem, particularly in research which uses a face-to-face interview methodology. As has been noted, this type of methodology seems unable to be sufficiently improved to reduce the non-response rate to anything approaching an acceptable level; on this basis, it was decided that the main study would take the form of a mail survey.

CHAPTER 5

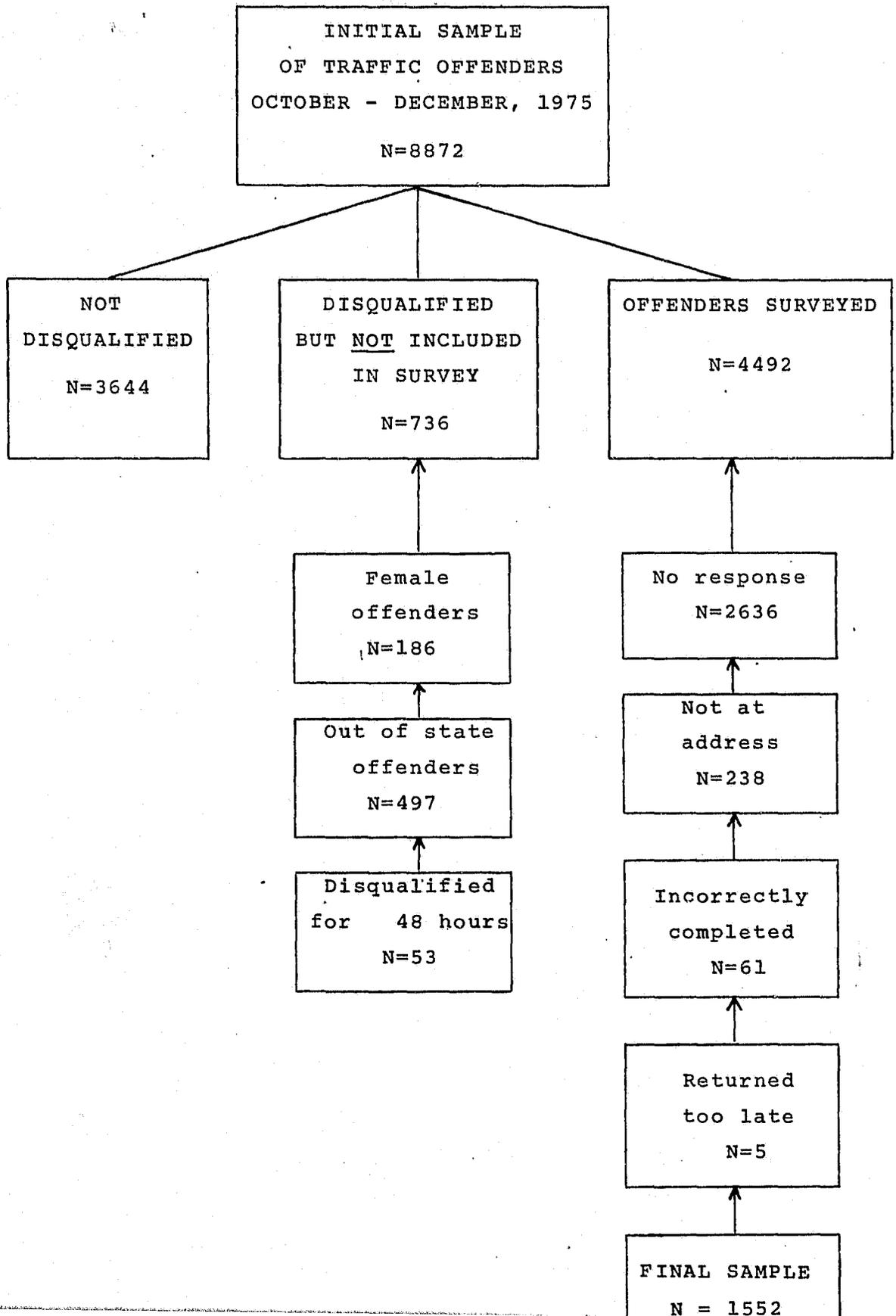
METHOD

In accordance with the implications of the pilot studies noted in the previous chapter, the main study was run as a mail survey. This mail survey took the form of a 'census' of offenders: all drivers whose licences were suspended or cancelled by courts in Victoria during a three month period were contacted; persons disqualified under the points demerit system were not included. It was felt that this approach would provide a sample which was as representative as possible of those disqualified under Victorian laws.

THE SAMPLE

The population from which the sample was derived was gained from records provided by the Motor Registration Branch of the Victorian Police. The appropriate form for the recording of traffic offences is usually the Form 504 (Report of Conviction for an Offence under the Motor Car Acts) and the population was taken as all drivers for whom such a form was processed by the MRB during the period from October 1st to December 31st, 1975. During this period duplicate copies of all processed forms were provided to the investigator; a total of 8872 forms was received. Figure 4 presents the disposition of these subjects in terms of their inclusion or exclusion in the survey, and their response or failure to respond.

FIGURE 4: DISTRIBUTION OF SURVEY PARTICIPANTS AND NON-PARTICIPANTS IN THE OFFENDER POPULATION.



All drivers whose licences were not affected as a consequence of their offences were excluded, as also were those whose licences were affected but who successfully appealed against their conviction or the sentence. Three other groups were also excluded: female drivers, out-of-state drivers, and those whose licences were disqualified for less than 48 hours. Female offenders were excluded because, as was shown in the analyses of records for the same period of the previous year, they appeared to make up only about 4% of all disqualified drivers, and it was felt that there could well be sex differences in reactions to licence disqualification and that these differences, if they did exist, were likely to be effectively disguised by the disproportionate number of male offenders. Out-of-state offenders were not included because the Victorian court before which they appeared did not have power to remove their licenses; it could only prohibit them from driving in Victoria. It is true that there is communication between the traffic authorities of the various states, and that a court appearance in another state can lead to the driver having his licence disqualified by the authority in his own state. However, there is considerable uncertainty about this process, and it is certainly not true that every out-of-state driver prohibited from driving in Victoria is also disqualified in his home state; because of this uncertainty, all drivers whose permanent addresses (as shown on the Form-504) were shown as being in another state were excluded. Offenders who were disqualified for less than 48 hours were excluded because there was no chance of contacting them during their period of disqualification, and because they make up less than 1% of all disqualified drivers.

After these deletions had been made, a final sample of 4492 subjects remained. Completed questionnaires were returned by 1552 subjects, and a further 238 were returned unopened by the Post Office with notations that the addressee could not be found. An additional 61 completed questionnaires were excluded from the analyses because they were not correctly completed or because they were completed by persons other than those to whom they were addressed³. The resulting sample of 1552 subjects represented a response rate of 37.2%. Background characteristics of this sample are described in Chapter 6. A pilot follow up of a sample of 200 non-respondents was conducted to assess the value of reminder letters to all non-respondents, and indicated that an improvement of less than 5% would be produced; this level of improvement was considered insufficient to justify the costs involved in a follow-up of all non-respondents.

PROCEDURE

The questionnaire consisted of a title (instruction) page and four pages of questions, and was structured in such a way that no subject had to answer more than 24 items. A copy of the questionnaire is reproduced in Appendix A.

3. These cases provide interesting evidence of the violability of personally addressed mail. In some cases the person to whom the questionnaire was addressed had left the family home, and the questionnaire was completed by another member of the family who had also been disqualified. In other cases the recorded address was a boarding house or similar establishment and the questionnaire was completed by another resident.

In addition to the questionnaire, subjects received a stamped addressed reply envelope and a covering letter explaining the purpose of the survey and emphasizing the confidentiality of responses and that individuals would not be identified in the results (a copy of this introductory letter is reproduced in Appendix B). The subject's name was typed on the letter, and the reply envelope bore a postage stamp rather than a business reply code. It was hoped that these measures would make the research approach seem as personal as possible and also convey an impression that the co-operation of each individual was important.

Apart from subjects excluded from the sample for reasons outlined above, questionnaires were sent to every person whose licence disqualification was processed in the period from 1st October to 31st December 1975. It has been suggested (Robinson, 1976) that the delay between a subject's court appearance and the research contact may be an important factor in the non-response rate, and so forms were collected from the MRB approximately three times every fortnight, and questionnaires were usually mailed to subjects within three days of collection of the relevant offence report forms. All subjects should have received the questionnaire within three weeks of their court appearance date. They were asked to return completed questionnaires within a fortnight of receiving them, and they were considered to be non-respondents after three months had elapsed from the date of outgoing postage. This procedure led to the rejection from the sample of five subjects whose questionnaires were received after the analyses were completed.

To check the representativeness of the final sample, and to ensure that those who responded were not substantially different from those who did not, data provided by the Form 504 were coded for all subjects and analysed in terms of whether or not the subjects responded. The results of these analyses are presented in Chapter 6.

THE QUESTIONNAIRE

The questionnaire was divided into three sections. Subjects indicated whether or not they drove during disqualification by answering either Part A of the questionnaire (for those who did drive) or Part B (for those who did not drive). Part A included questions about the number of times subjects drove while disqualified, the circumstances in which they drove, the number of weeks which elapsed before they first drove during the suspension period, and subjects estimates of whether or not they drove more carefully during this period. Part B sought information about the alternative modes of transport used by subjects who did not drive to reach their place of employment, and social functions, and to do the family shopping. Both Part A and Part B also asked subjects to rate how worried they were about being caught driving while disqualified, and also their perceptions of the relation between suspension length and their decision whether or not to drive.

Part C of the questionnaire sought biographical information which was not available from the Form 504. Subjects were asked to give details of marital status, occupation, accident record, number of previous disqualifications, and whether or not they were legally represented in court at the time of imposition

of the criterion suspension or cancellation. Subjects were also asked to rate the risk of being caught driving while disqualified, their ability, the amount of disruption caused to themselves and members of their family by their disqualification, and to indicate what they thought was the penalty for a first offence of driving while disqualified; the remainder of questions in this section sought subjects reactions to the penalty of licence disqualification, to the circumstances of their court hearing and asked them to indicate what they considered was the most serious traffic offence.

Part A and Part B of the questionnaire each took up one page of the questionnaire, and Part C consisted of eighteen questions covering two pages. The cover page of the questionnaire reminded subjects of the confidentiality of the information they provided.

ANALYSES

Data from the completed questionnaires were computer analysed using the Statistical Package for the Social Sciences (Nie et al., 1975). For the most part, statistical treatments were limited to computation of frequency distributions or crosstabulations as some of the data were of categorical or nominal level quality (see Hays, 1967) and thus were not considered suitable for more complex analyses. The crosstabulation analyses, using SPSS Subprogram CROSSTABS, produced in each case a chi-square test of significance, and this statistic (represented here as X^2) was taken as an indication of between-group differences.

In some tables the crosstabulations of two variables produced a large number of degrees of freedom. In these cases the criterion suggested by Siegel (1956) was adopted, that a chi-square analysis was appropriate as long as less than 20 per cent of the cells had expected frequencies of less than 5, and no cell had an expected frequency of less than 1. A significant χ^2 value was taken as an indication of a systematic relation between the two variables studied in the relevant analysis; the contingency table was then interpreted by calculation of percentages from the independent variable to the dependent variable.

It should be noted that some of the Forms 504 were not completely filled out, and also that some subjects did not answer all the questions provided. In such cases subjects were excluded from analyses for which data were missing.

BACKGROUND CHARACTERISTICS OF THE RESPONDENTS

As noted in the previous Chapter, the present sample excluded females, out-of-state drivers, and offenders who received periods of disqualification shorter than 48 hours. The present Chapter provides a general analysis of the characteristics of the final sample of 1552 offenders, and a comparison of these characteristics with those of the non-respondents in the present survey; results of the survey in terms of the effectiveness of the sanction of licence disqualification are presented in Chapter 7.

It should be noted that some of the data presented here were gained from the Form 504 and, as such, were subject to recording errors which were beyond the control of the researcher. Some of these errors have been detected, and those subjects to whom they applied were excluded from the relevant analyses. For this reason the total number of subjects included in an analysis will not always be 1552; subjects for whom information was not available, or whose recorded data on some characteristic were obviously incorrect (such as subjects having 1975 recorded as their year of birth), were excluded from analyses of that characteristic unless a data category of "not available" had some clear value.

Age.

Subjects in the sample showed a mean age of 27.9 years, with a standard deviation of 12.7 years. For the purposes

of some of the analyses to be reported here the sample was divided into agegroups, and the distribution of subjects across these agegroups is shown in Table 3 . It is noteworthy that 59.8% of subjects were under the age of 25 years, and this result is clearly related to the finding that 55.3% of subjects held probationary licences. It was anticipated that probationary drivers would make up a majority of the sample because their licences can be (and usually are) affected for a much wider range of offences than is the case for fully licensed drivers, and in fact the proportion of probationary drivers is smaller than that suggested by the overall figures for 1973 which show that in that year a total of 18,999 drivers were disqualified in Victoria, and 12,334 (or 64.9%) of these drivers were probationary licence holders.

TABLE 3

DISTRIBUTION OF THE SAMPLE BY AGEGROUPS

	ABSOLUTE FREQUENCY	RELATIVE FREQUENCY (PCT.)
Under 20 years	106	7.9
20 to 24 years	777	51.9
25 to 29 years	199	13.3
30 to 39 years	201	13.4
40 to 49 years	86	5.8
50 to 59 years	46	3.1
60 years and over	80	5.4
TOTAL	1495	100.0

Type of Licence

Table 4 shows the distribution of subjects in terms of the type of licence they held at the date of commission of their criterion offence(s). It has already been noted that 55.3% of subjects held probationary licences, and the next largest group consisted of those holding full licences. Only 11 subjects (or 0.8%) were shown to be disqualified at the time of the criterion offence.

TABLE 4

DISTRIBUTION OF LICENCE TYPES IN THE SAMPLE

	ABSOLUTE FREQUENCY	RELATIVE FREQUENCY (PCT.)
No Licence	89	5.9
Disqualified	11	0.8
Learner's Permit	16	1.1
Probationary	821	55.3
Full Licence	549	36.9
TOTAL	1486	100.0

Marital Status and Occupation

Table 5 presents the distribution of marital status in the sample. A majority of subjects (64.5%) were single, with 30% being married. Relatively few subjects admitted to being divorced, widowed, separated, or living in a de-facto relationship.

TABLE 5

DISTRIBUTION OF MARITAL STATUS IN THE SAMPLE

	ABSOLUTE FREQUENCY.	RELATIVE FREQUENCY (PCT.)
Single	969	64.5
Married	451	30.0
Divorced	18	1.2
Widowed	4	0.2
Separated	52	3.5
De Facto	9	0.6
TOTAL	1503	100.0

Subjects' occupations were classified according to a rudimentary scale ranging from professional at one extreme to unemployed at the other. Table 6 shows the distribution of subjects in terms of this scale. The largest group were those representing skilled tradesmen (which included

apprentices), and unskilled workers; these two groups together accounted for approximately 59% of the total sample.

TABLE 6

DISTRIBUTION OF OCCUPATION GROUPS IN THE SAMPLE

	ABSOLUTE FREQUENCY	RELATIVE FREQUENCY (PCT.)
Professional	52	3.4
Managerial	54	3.5
White Collar	180	11.6
Skilled Trade	466	30.0
Unskilled	446	28.7
Armed Services	24	1.5
Professional Driver	130	8.4
Student	91	5.9
Pensioner	67	4.3
Unemployed	42	2.7
TOTAL	1552	100.0

Subjects who indicated that they were employed as professional drivers made up 8.4% of the sample. However, 56% of subjects claimed that it was necessary for them to drive as part of their occupation.

Previous Driving Record

To gain some knowledge about subjects' previous driving records, they were asked about the number of times they had previously been disqualified and the number of reportable accidents in which they had been involved. It was found that 475 subjects (or 35%) had been disqualified on two or more previous occasions, and 509 subjects (or 35% of those who provided useable information) had been involved in accidents.

Offences

In court hearings which led to their inclusion in the present sample, subjects were convicted of a total of 2705 offences; Table 7 shows the distribution of offences in the present sample. It is noteworthy that speeding offences are the most frequent, with alcohol related offences being the next most common group. The distribution also includes a large group of "other" offences; this group consisted of minor offences such as not displaying 'P' plates, failing to have lights on, or failing to notify the Motor Registration Branch of change of address.

TABLE 7

DISTRIBUTION OF OFFENCE TYPES IN THE PRESENT SAMPLE

	ABSOLUTE FREQUENCY	RELATIVE FREQUENCY (PCT.)
Exceed .05% BAC	489	18.08
Exceed 60 kph	328	12.13
Exceed 100 kph	292	10.79
Speed Other	267	9.87
Careless Driving	179	6.62
Drive Unlicensed	93	3.44
Speed truck	83	3.07
Drive in a manner dangerous	68	2.51
Fail to yield	63	2.33
Fail to stop at STOP sign or traffic signal	47	1.74
Drive under the influence	41	1.52
Fail to signal	41	1.52
Drive while disqualified	33	1.22
Exceed 75 kph	32	1.18
Fail to obey sign (other than STOP sign)	31	1.15
Fail to exchange name and address after accident	30	1.11
Unregistered vehicle	27	0.99
Fail to stop after accident	17	0.63
Fail to report accident	17	0.63
Unroadworthy vehicle	14	0.52
Larceny of motor vehicle	11	0.40
Refuse breath test	10	0.37
Cross double lines	9	0.33
Log book (truck) offence	9	0.33
Uninsured vehicle	8	0.29
Fail to assist after accident	2	0.07
Other ⁴	413	15.27
Details not recorded	51	1.89
TOTAL	2705	100.00

4. See text.

Length of Suspension

Table 8 presents the distribution of lengths of disqualification in the present sample. It was found that 47.5% of subjects were disqualified for a period of between three and five months, a result which can be attributed to the high proportion of subjects (55.3%) who held probationary licences at the time of their disqualification. Of the subjects who held probationary licences, 74% were disqualified for between three and five months, a finding which suggests that most magistrates are adhering to the minimum length of disqualification for holders of probationary licences.

TABLE 8

DISTRIBUTION OF LENGTHS OF DISQUALIFICATION

	ABSOLUTE FREQUENCY	RELATIVE FREQUENCY (PCT.)
Less than one month	165	10.7
One to two months	107	6.9
Three to five months	732	47.5
Six to eleven months	171	11.1
Twelve months and over	367	23.8
TOTAL	1542	100.0

COMPARISON BETWEEN NON RESPONDENTS AND THE FINAL SAMPLE

The original population upon which the present study was based consisted of all drivers disqualified in Victoria during a three month period in 1975. As a consequence, it can be suggested that the only real limitation on the representativeness of the final sample (that is, those subjects who responded to the mail survey) is that which results from biases in the response rate; as noted above, the main survey achieved a response rate of 37.2% and this rate was considered acceptable for a single wave mail survey which used a four page questionnaire.

To check the representativeness of the final sample, analyses were conducted to detect possible differences between respondents and non respondents in terms of age, type of driving licence, and length of disqualification. It was not possible to make similar comparisons in terms of marital status, occupation, or previous driving record because data on these characteristics were available only for subjects who completed the mail questionnaire.

In the analyses reported here, respondents were defined as those from whom a reply was received, and this group included subjects who replied but whose returned questionnaires were not correctly completed and hence not used; thus, the number of respondents quoted here (N = 1575)

is greater than the number included in the analyses reported in Chapter 7. However, where the questionnaire was known to have been completed by a person other than the originally selected subject (see footnote on p.56), this situation was counted as a non-response. Similarly, the 236 subjects who were "not at address" were counted as non-respondents, although it should be noted that these subjects were excluded from computation of the overall response rate figure quoted on p.56. Table 9 shows the number of subjects who responded to the survey, and of those who failed to respond. A group of 30 subjects was excluded from this distribution because they returned uncompleted (that is, blank) questionnaires, or because they were persons other than those originally selected for the sample.

TABLE 9
DISTRIBUTION OF RESPONSE TO THE SURVEY

	ABSOLUTE FREQUENCY	RELATIVE FREQUENCY (PCT)
Did Not Respond	2887	64.7%
Responded	1575	35.3%
Total	4462	100.0%

Table 10 shows the mean ages for those who responded and those who did not respond. Univariate analysis of variance showed that there were significant age differences between the two groups ($F = 28.2$, $df = 1/4430$; $p < .001$), with the respondents being younger than the non-respondents.

TABLE 10

MEAN AGES FOR RESPONDENTS AND NON-RESPONDENTS

RESPONDENTS	NON RESPONDENTS
26.7	28.5

Table 11 presents the relation between type of licence and whether or not subjects responded; cross-tabulation analyses showed that there were significant differences between these groups ($X^2 = 72.4$, $df = 4$; $p < .001$), with unlicensed, disqualified, or fully licensed drivers being less likely to respond.

TABLE 11

RELATION BETWEEN LICENCE TYPE AND WHETHER OR NOT SUBJECTS RESPONDED

LICENCE TYPE	DID SUBJECTS RESPOND?	
	NO	YES
No Licence	321 (77.7%)	92 (22.3%)
Disqualified	27 (67.5%)	13 (32.5%)
Learner's Permit	30 (58.8%)	21 (41.2%)
Probationary	1158 (58.8%)	829 (41.7%)
Full Licence	1151 (67.6%)	552 (32.4%)

Table 12 shows the relation between length of disqualification and whether or not subjects responded.

TABLE 12
RELATION BETWEEN LENGTH OF DISQUALIFICATION AND WHETHER OR NOT SUBJECTS RESPONDED

LENGTH OF DISQUALIFICATION	DID SUBJECTS RESPOND	
	NO	YES
Less than one month	221 (56.8%)	168 (43.2%)
One to two months	205 (65.3%)	109 (34.7%)
Three to five months	1068 (58.9%)	746 (41.1%)
Six to eleven months	469 (73.1%)	173 (26.9%)
Twelve months and over	875 (70.2%)	372 (29.8%)

Significant differences were found between the groups ($X^2 = 73.5$, $df = 4$; $p < .001$), with subjects disqualified for six months or longer being less likely to respond.

It is evident, then, that the final sample of respondents was significantly younger than the total sample, and that unlicensed, disqualified or fully licensed drivers, and also those disqualified for six months or more, were under represented in the final sample. These deficiencies should be borne in mind when the results detailed in Chapter 7 and 8 are considered. However, it is not suggested that these under-representations invalidate the result of the present study; rather, they can be viewed as biases operating to make the final sample atypical, to some extent, of the population of all disqualified drivers.

CHAPTER 7

RESULTS.

In assessing the effectiveness of licence disqualification as a sanction, the major issue is the extent to which offenders are prepared to accept and obey the sanction. As has been noted, other sanctions operate in such a way that a failure to conform can be readily detected, and thus statistics of violations are relatively easy to obtain. Violations of an imposed period of disqualification, on the other hand, are extremely difficult to detect and statistics on the rate of violations are usually no more than estimates. In this Chapter, results are discussed which provide a substantial answer for questions about the rate of violation of imposed disqualifications, and also about some of the major factors which appear to influence the level of violations. The results are discussed in terms of the five questions posed at the end of Chapter 3.

A. WHAT PROPORTION OF DISQUALIFIED DRIVERS CONTINUE TO DRIVE?

A total of 1508 subjects provided useful responses about whether or not they drove while disqualified. Of these subjects, 547, or 36.4% admitted driving at some time when they were disqualified. Table 13 shows the distribution of these subjects in terms of the number of times they admitted violating the sanction. It is noteworthy that approximately 40% of these subjects admitted driving more than 20 times while disqualified and that a similar percentage claimed that they drove on fewer than 5 occasions.

TABLE 13

ADMITTED FREQUENCY OF DRIVING WHILE DISQUALIFIED

	ABSOLUTE FREQUENCY	RELATIVE FREQUENCY (PCT.)
Once	86	15.8
2 to 4 times	125	22.9
5 to 10 times	75	13.7
11 to 20 times	40	7.3
Over 20 times	97	17.8
As often as usual	123	22.5
TOTAL	546	100.0

Subjects were asked to indicate the purpose or purposes for which they drove while disqualified, and Table 14 shows the frequency with which various reasons were mentioned. It

TABLE 14

REASONS FOR DRIVING WHILE DISQUALIFIED

	ABSOLUTE FREQUENCY	RELATIVE FREQUENCY (PCT.)
Business or employment	149	27.6
Family or social	96	17.9
No public transport	56	10.6
Exceptional circumstances only	217	40.4
Whenever transport needed	154	28.8

should be noted that some subjects indicated that they drove for a number of reasons and, as a result, the percentages shown in Table 14 do not accumulate to 100%. The most common response was that subjects drove only in exceptional circumstances, and the next largest group indicated that they drove whenever they needed transport. This latter group is noticeably larger than the group shown in Table 13 consisting of subjects whose admitted frequency of driving was "as often as usual", and further analyses showed that some of the subjects who continued to use their own vehicles to satisfy all their transport needs admitted relatively low frequencies of driving. Thus, 27% of these subjects said they drove 10 times or less, and only 52% said that they drove as often as they would have when they were licensed. It seems possible, then, that some subjects reconsidered their transport needs after they were disqualified, and only drove when they felt it was really necessary.

Analyses of the frequencies of driving admitted by those who drove "only in exceptional circumstances" suggest that, for some of these subjects, a considerable number of exceptional circumstances presented themselves. Thus, 39% of these subjects admitted driving on 5 or more occasions, and 20% drove more than 10 times. It was also found that, of the 217 subjects who agreed that they drove only in exceptional circumstances, 17.5% also said they drove for business reasons, 14.4% also admitted driving for social reasons, and 8.4% also said that they drove whenever they needed transport. These subsidiary findings suggest that

"exceptional circumstances" were not generally seen to imply emergency situations or isolated instances, but rather circumstances where, regardless of the imposed disqualification, use of a motor vehicle was considered to be the only suitable course of action. Thus, employment circumstances were more likely to be associated with "exceptional circumstances" than were social needs.

Subject's age was found to be related to some of the reasons given for driving while disqualified, with older subjects found to be more likely to agree to reasons of business or employment, family or social commitments, or all transport needs. Marital status was also associated with differing reasons for driving while disqualified; business or employment reasons were more likely to be important for married subjects than they were for single subjects, and social reasons were more likely to be important for single subjects as also were "exceptional circumstances".

Summary. Results presented in this section show that 36.4% of subjects admitted driving while disqualified, and over 40% of these subjects admitted driving on more than 20 occasions. The most common reasons for driving while disqualified were "exceptional circumstances", business or employment needs, or all transport needs, and it was found that subject's age and marital status influenced the reasons given for violations.

B. ARE SOME PERSONS MORE LIKELY THAN OTHERS TO DRIVE
WHILE DISQUALIFIED?

To answer this question, subjects who admitted driving while disqualified were compared with those who indicated that they did not drive. Crosstabulation analyses were used to test the effects of penalty-related variables and personal variables on whether or not subjects drove.

Penalty-Related Variables.

It was predicted that three penalty-related variables would be important in determining whether or not subjects drove while disqualified: the length of the imposed disqualification, whether the licence was suspended or cancelled, and the type of offence for which the disqualification was imposed.

i. Length of disqualification. Table 15 shows the relation between length of disqualification and whether or not subjects were found to have driven; crosstabulation analyses indicated that the differences between those who drove and those who did not were significant ($\chi^2 = 16.09$, $df = 4$; $p < .01$). It is noticeable that the proportion of subjects who drove was relatively low when the period of disqualification was less than one month or twelve months or longer. The highest frequency of driving was found in the group disqualified for a period of between one and two months.

TABLE 15

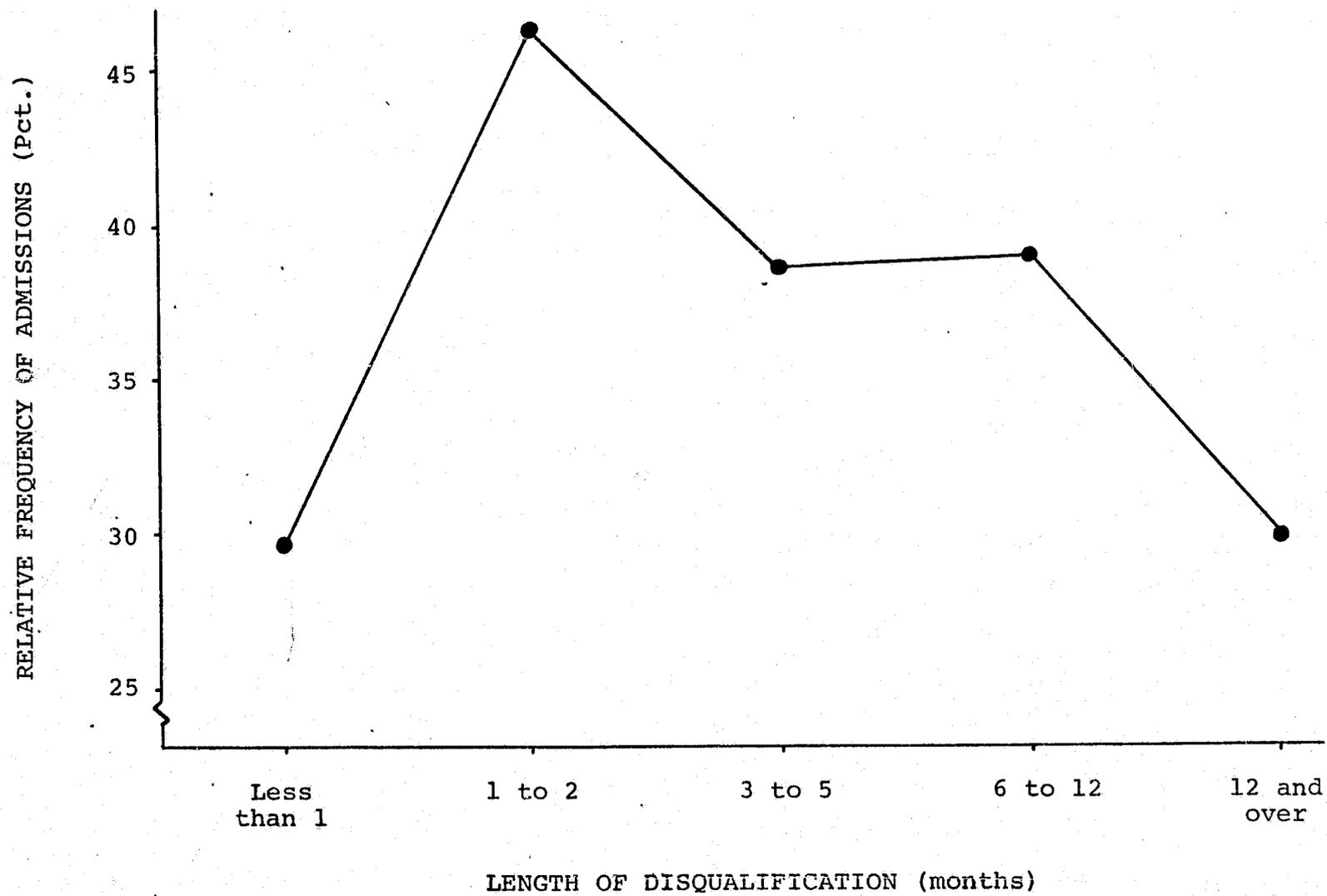
RELATION BETWEEN LENGTH OF DISQUALIFICATION
AND WHETHER OR NOT SUBJECTS ADMITTED DRIVING.

	DISQUALIFICATION LENGTH				
	Under 1 month	1-2 months	3-5 months	6-11 months	12 months and over
<hr/>					
DID SUBJECTS					
DRIVE?					
<hr/>					
YES	46 (29.5%)	48 (46.2%)	277 (38.7%)	66 (39.1%)	106 (29.9%)
NO	110 (70.5%)	56 (53.8%)	438 (61.3%)	103 (60.9%)	248 (70.1%)

These results on the effects of the length of disqualification suggest that the relation between length of disqualification and tendency to drive while disqualified is not a simple, linear one, but rather is curvilinear (see Figure 5). To check this proposition, analyses were carried out on the tendency to drive of subjects whose length of disqualification was less than three months or three months and over; no significant difference between these groups was found ($\chi^2 = .001$, $df = 1$; NS). Similar analyses of subjects disqualified for less than six months or for six months and over also showed no significant differences ($\chi^2 = 3.70$, $df = 1$; NS).

ii. Type of disqualification. Table 16 shows the relation found between type of disqualification (that is, suspension or

FIGURE 5: LENGTH OF DISQUALIFICATION AND ADMISSIONS OF DRIVING WHILE DISQUALIFIED.



cancellation) and driving while disqualified; crosstabulation analyses showed that there were significant between-group

TABLE 16

RELATION BETWEEN TYPE OF DISQUALIFICATION AND
TENDENCY TO DRIVE WHILE DISQUALIFIED.

DID SUBJECTS DRIVE?	TYPE OF DISQUALIFICATION	
	CANCELLATION	SUSPENSION
YES	304 (37.8%)	146 (27.7%)
NO	500 (62.2%)	381 (72.3%)

differences ($\chi^2 = 14.1$, $df = 1$; $p < .001$). Results showed that suspended drivers were significantly less likely to drive than were drivers whose licences were cancelled, a finding which indicates that offenders are more likely to comply with a period of disqualification which is defined and which does not require them to undergo again, at the end of their disqualification, the necessary instruction and testing to gain a licence.

iii. Type of Offence. Subjects in the present sample were convicted of a wide range of traffic offences (see Table 7, on page 67) and thus it was considered impractical to crosstabulate the whole spectrum of offences with whether or not subjects drove. As an alternative to this unwieldy procedure, a method of categorising offences was sought, and the method used by Willett (1973, pp. 7-8), which distinguishes between offences of high and low severity, was adopted. Thus, subjects were considered to have committed 'serious' motoring offences if they were convicted of causing death by driving, driving in a manner dangerous, exceeding the prescribed blood alcohol limit or driving under the influence of alcohol or drugs, failing to stop after or report an accident, driving an uninsured vehicle, or driving while disqualified. Table 17 presents the relation between offence severity and whether or not

TABLE 17

RELATION BETWEEN OFFENCE SEVERITY AND WHETHER
OR NOT SUBJECTS DROVE

DID SUBJECTS DRIVE?	OFFENCE SEVERITY	
	NOT SERIOUS	SERIOUS
YES	375 (39.8%)	172 (30.4%)
NO	567 (60.2%)	394 (69.6%)

subjects drove. Crosstabulation analyses showed that the differences between these groups were significant ($\chi^2 = 13.2$, $df = 1$; $p < .001$), indicating that "non serious" offenders were significantly more likely to continue driving than serious offenders.

Personal Variables

i. Age. Table 18 shows the frequency of admissions of driving for each of the seven age groups; chi-square analysis showed that the age groups differed significantly in their tendency to drive ($\chi^2 = 21.4$, $df = 6$; $p < .005$), with subjects in the 40-59 years groups being least likely to drive. The tendency to drive was greatest for those aged 20-24 years or 60 years and over.

TABLE 18
RELATION BETWEEN AGE AND WHETHER OR NOT SUBJECTS DROVE

AGEGROUP	DID SUBJECTS DRIVE?	
	YES	NO
Under 20 years	54 (34.4%)	103 (65.6%)
20 to 24 years	308 (40.6%)	451 (59.4%)
25 to 29 years	63 (33.0%)	128 (67.0%)
30 to 39 years	64 (32.5%)	133 (67.5%)
40 to 49 years	17 (21.0%)	64 (79.0%)
50 to 59 years	10 (21.7%)	36 (78.3%)
60 years and over	31 (40.3%)	46 (59.7%)

CONTINUED

1 OF 2

ii. Marital Status. Table 19 presents the relation between marital status and whether or not subjects drove; it was found that the differences between these groups were significant ($\chi^2 = 15.9$, $df = 4$; $p < .01$).

TABLE 19
RELATION BETWEEN MARITAL STATUS AND WHETHER
OR NOT SUBJECTS DROVE

MARITAL STATUS	DID SUBJECTS DRIVE?	
	YES	NO
SINGLE	371 (39.0%)	580 (61.0%)
MARRIED	129 (29.0%)	316 (71.0%)
DIVORCED	4 (22.2%)	14 (77.8%)
SEPARATED	22 (42.3%)	30 (57.7%)
DE FACTO	4 (44.4%)	5 (55.6%)

These results indicated that subjects who were separated, single, or living in a de facto relationship were more likely to drive while disqualified than were subjects who were married or divorced.

iii. Occupation. Results on the relation between occupation and whether or not subjects drove are presented in Table 20; significant differences were found between the occupational groups ($X^2 = 21.11$, $df = 9$; $p < .05$). Members of the armed services showed an unusually high tendency to drive, with 62.5% of those subjects admitting driving. Subjects employed as skilled tradesmen, unskilled workers, professional drivers, or students, and also those who were unemployed, showed a notably greater tendency to drive than did those in professional or managerial occupations. This finding may be, in part, a reflection of economic differences between the occupational groups: it is possible that persons in professional or managerial occupations are better able to afford legally acceptable transport alternatives (such as taxis, or being driven about by an employee or a family member who does not work) than are those in the other occupational groups. Alternatively, and following Klein's (1971) suggestion of the relatively greater importance of driving for those in routine occupations as a means of achieving personal power, it may be that those employed in professional or managerial occupations are simply more favourably disposed towards means of transport other than the private car.

It is also possible that there are occupational differences in the extent to which a subject feels a need to continue driving for reasons of employment. Table 21 shows the relation between subjects' stated occupational driving

TABLE 20

RELATION BETWEEN OCCUPATION AND WHETHER OR NOT

SUBJECTS DROVE

DID SUBJECTS DRIVE?

YES

NO

OCCUPATION

OCCUPATION	YES	NO
PROFESSIONAL	13 (25.5%)	38 (74.5%)
MANAGERIAL	11 (20.8%)	42 (79.2%)
WHITE COLLAR	54 (30.3%)	124 (69.7%)
SKILLED TRADE	173 (37.6%)	287 (62.4%)
UNSKILLED	168 (38.1%)	273 (61.9%)
ARMED SERVICES	15 (62.5%)	9 (37.5%)
PROFESSIONAL DRIVER	49 (39.8%)	74 (60.2%)
STUDENT	28 (40.0%)	42 (60.0%)
PENSIONER	20 (30.3%)	46 (69.7%)
UNEMPLOYED	16 (38.1%)	26 (61.9%)

needs and whether or not they drove; crosstabulation. analyses showed that there were significant differences

TABLE 21
RELATION BETWEEN STATED OCCUPATIONAL DRIVING
NEEDS AND WHETHER OR NOT SUBJECTS DROVE.

	WAS DRIVING NECESSARY FOR JOB?	
	NO	YES
DID SUBJECTS DRIVE?		
YES	214 (33.0%)	308 (38.1%)
NO	435 (67.0%)	500 (61.9%)

between groups ($\chi^2 = 3.92, df = 1; p < .05$), and suggested that those who needed to drive as part of their occupation were significantly more likely to do so than those who did not need to drive for reasons of employment. This result may reflect a process of rationalisation of their behaviour on the part of subjects who drove, although, in an attempt to minimise this type of effect, the two relevant questions were widely separated on the questionnaire.

iv. Legal Representation. Subjects were asked whether or not, at the time of their conviction for the criterion offence(s), they were legally represented in court. Table 22

shows the relation between the presence or absence of legal representation and whether or not subjects drove while disqualified. Crosstabulation analyses showed that

TABLE 22

RELATION BETWEEN LEGAL REPRESENTATION
AND WHETHER OR NOT SUBJECTS DROVE.

DID SUBJECTS DRIVE?	LEGAL REPRESENTATION	
	NO	YES
YES	372 (38.0%)	153 (31.6%)
NO	607 (62.0%)	331 (68.4%)

there were significant differences between these groups ($X^2 = 5.47, df = 1; p < .05$). Subjects who were not legally represented in court were significantly more likely to drive while disqualified than were those who were legally represented, and this result suggests that lawyers, after representing a client in court, may fulfill a function not always carried out by the court: they are emphasizing to their clients the legal dangers of driving while disqualified. However, it is also possible that this variable is, like occupation, related to economic circumstances, with wealthier persons possibly being more

likely to seek (and afford) legal representation, and also more likely to be able to afford alternative and legally acceptable methods of transport. Subsidiary analyses provided some support for this latter proposition: Table 23 shows the relative frequency of legal representation in the occupation groups ;

TABLE 23

FREQUENCY OF LEGAL REPRESENTATION IN OCCUPATION GROUPS

OCCUPATION	RELATIVE FREQUENCY OF LEGAL REPRESENTATION (PCT)
Professional	44.0%
Managerial	58.0%
White Collar	37.9%
Skilled Trade	41.3%
Unskilled	32.3%
Armed Services	20.8%
Professional Driver	22.0%
Student	27.8%
Pensioner	20.9%
Unemployed	19.5%

managerial, professional, and white collar groups showed the highest frequencies of legal representation, and pensioners, servicemen, and unemployed persons showed the lowest frequencies of legal representation.

v. Driving Record. Following the suggestion of Cleland, Robinson and Simon (1971), drivers who had been involved in two or more reportable road accidents were distinguished from those who had one accident or no accidents. The use of this criterion minimises the effects of any reporting errors or biases on the

part of the subjects, and also eliminates from the 'unsafe' category subjects whose record (as it is known) includes a substantial element of uncertainty - those who have had only one accident; it is not possible to tell whether these single accident subjects will continue to be involved in accidents or not, and Robinson (1970) has shown that, in personality terms at least, they are notably different both from subjects who have had no accidents and from those who have had two or more accidents. Table 24 shows the relation between accident record and whether or not subjects drove while disqualified;

TABLE 24

RELATION BETWEEN ACCIDENT RECORD AND WHETHER OR NOT SUBJECTS DROVE

DID SUBJECTS DRIVE?	ACCIDENT RECORD	
	Less than 2 accidents	2 or more accidents
YES	501 (36.1%)	46 (37.7%)
NO	885 (63.9%)	76 (62.3%)

crosstabulation analyses showed that there was no significant difference between these groups ($\chi^2 = 0.06$, $df = 1$; NS).

Subjects' previous disqualifications were also categorised in terms of two or more previous disqualifications versus one disqualification or no disqualifications, Table 25 shows the relation between number of previous disqualifications and whether or not subjects drove during the criterion period of disqualification. Significant differences were found between these groups ($\chi^2 = 27.6$, $df = 1$; $p < .001$), with subjects who had been previously disqualified two or more times indicating a significantly greater tendency to drive than was

TABLE

RELATION BETWEEN RECORD OF PREVIOUS DISQUALIFICATIONS AND WHETHER OR NOT SUBJECTS DROVE.

DID SUBJECTS DRIVE?	PREVIOUS DISQUALIFICATIONS	
	Less than 2	2 or more
YES	331 (31.9%)	216 (46.1%)
NO	708 (68.1%)	253 (53.9%)

shown by those with one or no previous disqualifications. This result suggests that those who have had a number of previous experiences of disqualification were more willing to violate the sanction, and could indicate that they had learned that the risks of apprehension were acceptably low, or that increasing familiarity with the penalty had produced an increased contempt or disrespect for the sanction.

vi. Other Variables. Three other variables were examined as possible influences on whether or not subjects drove while disqualified: the area in which they live (that is, city or country areas), subjects' knowledge of the penalty for driving while disqualified, and the delay

between commission of the offence(s) and the court hearing of charges arising from these offences.

On the basis of the Local Government Areas in which subjects' addresses were situated, subjects were divided into city residents (N = 955), where the Local Government Area was part of a proclaimed city, and country or rural area residents (N = 553). Crosstabulation analyses showed that there was no significant difference between city and country residents on whether or not they drove while disqualified. Thus the data provided no support for either of the two contradictory notions (a) that country residents would be more likely than city residents to drive because of less access to alternative forms of transport, or (b) that country residents would be less likely to drive because, in the lower traffic densities existing in the country, they would be more visible (and perhaps better known) to police.

It was found that only 232 subjects (or 15.4% of the sample) were able to identify the correct penalty for a first offence of driving while disqualified, a result which suggests that the deterrent effect of this penalty must be very low. However, crosstabulation analyses showed no significant differences in the tendency to drive while disqualified between those who knew the correct penalty and those who did not.

The mean delay between offence and court hearing for

subjects who drove and for those who did not drive were 2.84 months and 2.76 months respectively; univariate analyses of variance showed no significant difference between these groups ($F = 0.49$, $df = 1/1428$; NS). This result suggested that immediacy of punishment (in this case, the penalty imposed by the court) did not affect subjects' tendency to drive while disqualified.

Summary. A number of variables has been found to distinguish between those who drove while disqualified and those who did not drive. Previous studies have found length of disqualification to be a significant factor in the tendency to drive while disqualified and the present results also support this proposition; however, evidence has been presented here that there is a curvilinear relation between length of disqualification and tendency to drive, with the highest frequency of violations of the sanction being found among those disqualified for a period of one to two months. Subjects whose licences were cancelled were more likely to continue driving than were those whose licences were suspended, and this finding too is consistent with previous evidence. Offence severity was also related to the tendency to drive while disqualified, with subjects convicted of non serious offences being more likely to drive. Other results showed that only 15.4% of the sample was able to correctly identify the penalty for a first offence of driving while disqualified and, even though knowledge of the penalty was not significantly related to

whether or not subjects drove, it has been suggested that the penalty is unlikely to be operating as a deterrent to those who drive while disqualified because it is not widely known among disqualified drivers.

A number of personal variables were found to distinguish between those who drove and those who did not, and these findings can be summarised by describing the person who does drive as follows: he tends to be under 40 years of age or over 60 years; he is single, separated from his marital partner, or living in a de facto relationship; he is employed as a skilled tradesman, an unskilled worker, a professional driver, a member of the armed services or a student, or he is unemployed; he claims that he needs to drive as part of his employment; he was not legally represented at his court hearing; and he has been previously disqualified two or more times.

C. FOR THOSE WHO DO DRIVE WHILE DISQUALIFIED,
IS THEIR DRIVING DIFFERENT FROM WHEN THEY
WERE NOT DISQUALIFIED?

Answers to this question, as they are available from the present study, are, of necessity, subjective, being based only on subjects' reports of changes in their driving behaviour. Results have already been presented (see Section A of this Chapter) on the frequency of driving while disqualified, and it has been found that 22.5% of those who drove did so as often as they would usually, with the remaining 77.5% presumably driving less often than they would have when they were licensed. Other data on subjects'

reasons for driving while disqualified showed that 28.8% drove to fulfill all their transport needs and, presumably, that 71.2% drove only for some of their transport needs, including 40.4% who said they drove 'only in exceptional circumstances'. Some apparent inconsistencies in the data on frequency of driving and the reasons given have already been noted in Section A, but it can be concluded that a substantial majority of those who drove did so less often than when they were licensed, and for a restricted range of needs; that is, it can be suggested that this majority of those who drove did in fact drive differently from when they were licensed.

Hricko (1970) has raised the issue of whether or not a person who drives while disqualified is more careful than he would be if he was licensed. Subjects in the present study who admitted driving were asked whether or not they drove more carefully than they would usually, and Table 26

TABLE 26

CARE TAKEN IN DRIVING WHILE DISQUALIFIED.

	ABSOLUTE FREQUENCY	RELATIVE FREQUENCY (PCT.)
MORE CAREFUL THAN USUAL	263	49.4%
AS CAREFUL AS USUAL	269	50.6%

presents the relative frequencies of responses to this question. It was found that approximately half of those who drove considered that they were more careful than usual. Additional analyses showed that subjects' assessments of care taken were unrelated to age, marital status, occupation, previous driving record, or frequency of driving while disqualified.

Summary. Approximately 50% of subjects who drove while disqualified indicated that they drove more carefully than was usual, and the level of care taken was not found to be related to any of the personal variables available for subjects. Results reported in an earlier Section of this Chapter also suggested that most ~~of those who drove did so~~ on fewer occasions, and for a more restricted series of reasons, than they did when licensed.

D. FOR THOSE WHO DO NOT DRIVE WHILE DISQUALIFIED, WHAT ALTERNATIVE TRANSPORT ARRANGEMENTS DO THEY MAKE?

The 961 subjects who said that they did not drive while disqualified were asked about how they travelled to their place of employment and to social functions (parties, dances, visiting friends, and so on), and also about the transport they used for their family shopping.

Table 27 shows the transport alternatives chosen for travel to place of employment. Some subjects indicated more than one alternative, and thus the relative frequencies do not sum to 100%. Those who indicated "other means" were

TABLE 27

TRANSPORT USED TO REACH PLACE OF EMPLOYMENT.

	ABSOLUTE FREQUENCY	RELATIVE FREQUENCY (PCT.)
BUS, TRAIN OR TRAM	229	23.5%
DRIVEN BY MEMBER OF FAMILY	203	20.9%
DRIVEN BY GOOD FRIEND	101	10.5%
DRIVEN BY FELLOW EMPLOYEE	211	21.8%
OTHER MEANS *	271	27.9%
DID NOT WORK	91	9.4%

* See text.

asked to specify the means of transport they used, and most said that they walked, hitch hiked, or cycled. The results show that a majority of subjects were driven to work by others, usually family members or fellow employees, and that only 23.5% used any form of public transport.

Table 28 shows subjects' responses on the type of transport used to attend social functions; again, "other means" was specified as walking, hitch hiking or, in a small number of cases, cycling. The most common means of transport was provided by good friends, with the next most popular response being "driven by member of family". Public transport (that is, bus, train, or tram) was used by few subjects, but taxis were more commonly used, no doubt due to the tendency to attend social functions at night or

3-97-

TABLE 28

TRANSPORT USED TO REACH SOCIAL FUNCTIONS.

	ABSOLUTE FREQUENCY	RELATIVE FREQUENCY (PCT.)
BUS, TRAIN OR TRAM	100	10.3%
DRIVEN BY MEMBER OF FAMILY	266	27.2%
DRIVEN BY GOOD FRIEND	447	45.9%
TAXI	196	20.0%
OTHER	127	13.0%
DID NOT ATTEND SOCIAL FUNCTIONS	125	12.8%

on weekends when public transport is infrequent or inconvenient.

Subjects' responses are presented in Table 29 on the

TABLE 29

TRANSPORT USED FOR SHOPPING.

	ABSOLUTE FREQUENCY	RELATIVE FREQUENCY (PCT.)
BUS, TRAIN OR TRAM	152	16.2%
DRIVEN BY MEMBER OF FAMILY	277	29.7%
DRIVEN BY GOOD FRIEND	141	15.0%
TAXI	83	8.9%
OTHER	349	37.5%

type of transport used for shopping; in this situation a majority of those who indicated "other means" did so because they were not offered the option of 'not shopping at all'; most of these subjects left the shopping to another member of their family. Thus, as was found for subjects' employment and social needs, a majority of subjects fulfilled their shopping duties by means of transport provided by friends or members of their families.

Summary.

Subjects who did not drive while disqualified were nevertheless found to have still relied on the private motor vehicle as their major means of transport for employment, social occasions, and shopping. The vehicle was most commonly driven by friends, in the case of social functions, members of the family for shopping, and fellow employees for employment needs. Public transport was, in each situation, used by only a minority of subjects, particularly when they were attending social functions. The finding that most of these subjects relied on other people to drive them suggests that, in many cases, the disqualification was a source of inconvenience for not only the offender but also his family, friends, and fellow employees.

E. WHAT ARE THE ATTITUDES OF DISQUALIFIED DRIVERS
TOWARDS THE SANCTION?

It can be suggested that the clearest indication of disqualified drivers' attitudes toward the sanction is the finding that 36.4% of subjects admitted driving while disqualified, although, to some extent, the impression conveyed by this statistic is altered by a second finding, that 40.4% of those who drove claimed that they did so only in exceptional circumstances. To gain a clear idea of the attitudes of disqualified drivers towards the sanction, subjects were asked to assess the deterrent effect of their disqualification, any driver improvement (or otherwise) produced by the sanction, and the situation of a person who drives while disqualified.

Table 30 presents the distribution of subjects' responses to the following question on the deterrent effect of the sanction: "do you think that the penalty of licence

TABLE 30
SUBJECTS' ASSESSMENTS OF THE DETERRENT EFFECT
OF DISQUALIFICATION

	ABSOLUTE FREQUENCY	RELATIVE FREQUENCY (PCT.)
WILL DETER	749	50.8%
WILL NOT DETER	727	49.2%
TOTAL	1476	100.0

disqualification will make you avoid committing the same offence again?" Subjects were evenly divided in their answers to this question, with 50.8% considering that the sanction would, in their case, have some deterrent effect.

Further analyses showed that these assessments of deterrent effects were influenced by length of disqualification, and whether or not subjects drove. Table 31 presents the relationship found between length of disqualification and assessment of deterrent effects; crosstabulation analyses indicated that there were significant differences in terms

TABLE 31

RELATION BETWEEN ASSESSMENT OF DETERRENT EFFECTS AND LENGTH OF DISQUALIFICATION.

LENGTH OF DISQUALIFICATION	ASSESSED DETERRENT EFFECTS	
	WILL DETER	WILL NOT DETER
UNDER 1 MONTH	48 (30.6%)	109 (69.4%)
1 TO 2 MONTHS	42 (42.9%)	56 (57.1%)
3 TO 5 MONTHS	330 (47.1%)	370 (52.9%)
6 TO 11 MONTHS	103 (61.7%)	64 (38.3%)
12 MONTHS AND OVER	220 (64.0%)	124 (36.0%)

of disqualification length ($\chi^2 = 63.62, df = 4; p < .0001$). It was found that as length of disqualification increased, so did subjects' tendency to provide positive assessments of the deterrent effect of the sanction. Differences in these assessments were also related to whether or not subjects drove, as shown in Table 32; crosstabulation analyses showed significant differences between these groups ($\chi^2 = 46.26, df = 1; p < .0001$), with subjects who did not drive being

TABLE 32

RELATION BETWEEN ASSESSMENT OF DETERRENT EFFECTS
AND WHETHER OR NOT SUBJECTS DROVE

DID SUBJECTS DRIVE?	ASSESSED DETERRENT EFFECTS	
	WILL DETER	WILL NOT DETER
YES	203 (38.9%)	319 (61.1%)
NO	536 (57.6%)	394 (42.4%)

significantly more likely to see the sanction as a deterrent.

Table 33 shows subjects' assessments of the driver improvement effect of the sanction. A majority of subjects felt that the sanction had no effect on subsequent driver performance, although 32.1% saw it as having some positive

effect.

TABLE 33

SUBJECTS' ASSESSMENTS OF THE DRIVER IMPROVEMENT
EFFECTS OF DISQUALIFICATION

	ABSOLUTE FREQUENCY	RELATIVE FREQUENCY (PCT.)
NEGATIVE EFFECT	65	4.3%
NO CHANGE	953	63.6%
POSITIVE EFFECT	481	32.1%
TOTAL	1499	100.0%

These assessments were found to be unrelated to whether or not subjects drove, but the relation between these assessments and length of disqualification, as shown in Table 34, was significant ($\chi^2 = 18.11$, $df = 8$; $p < .05$). Subjects who saw the sanction as having no driver improvement effect were found to be more likely to have shorter terms of disqualification, while the relative frequency of "positive effect" ratings increased with length of disqualification. Subjects who saw the sanction as having a negative effect tended to be disqualified either for one to five months or twelve months and over.

TABLE 34

RELATION BETWEEN ASSESSMENT OF IMPROVEMENT EFFECTS
AND LENGTH OF DISQUALIFICATION

LENGTH OF DISQUALIFICATION	ASSESSED IMPROVEMENT EFFECTS		
	NEGATIVE EFFECT	NO CHANGE	POSITIVE EFFECT
UNDER 1 MONTH	2 (1.2%)	121 (75.2%)	38 (23.6%)
1 TO 2 MONTHS	6 (6.1%)	68 (69.4%)	24 (24.5%)
3 TO 5 MONTHS	33 (4.6%)	447 (63.0%)	230 (32.4%)
6 TO 11 MONTHS	5 (3.0%)	101 (60.1%)	62 (36.9%)
12 MONTHS AND OVER	19 (5.4%)	212 (60.2%)	121 (34.4%)

Subjects showed a considerable degree of unanimity on the issue of whether or not a disqualified driver takes more care if he continues to drive; Table 35 shows the distribution of responses to this question. A substantial majority considered that the disqualified driver would be more careful than if he was licensed, and this finding is consistent with a subsidiary finding that 71.3% of subjects saw a disqualified driver as being most likely to be apprehended by police if he was

involved in an accident (26.1%) or committed a further traffic offence (45.2%). Perceptions of the care taken by

TABLE 35

SUBJECTS' ASSESSMENTS OF CARE TAKEN BY
A DISQUALIFIED DRIVER

	ABSOLUTE FREQUENCY	RELATIVE FREQUENCY (PCT.)
NO MORE CARE THAN IF LICENSED	421	28.6%
MORE CARE THAN IF LICENSED	1052	71.4%
TOTAL	1473	100.0%

a disqualified driver were not related to whether or not subjects themselves drove while disqualified.

Summary. Subjects' attitudes towards disqualification, as they have been assessed here, were largely equivocal on the possible effects of the sanction. Half of the subjects believed that disqualification had some deterrent effect, while the other half of the sample saw no such effect, and those who considered that there was a deterrent effect tended to be those who did not drive while disqualified and who were disqualified for relatively longer periods. Approximately two-thirds of subjects believed that the sanction

did not produce any driver improvement, with subjects who were disqualified for longer periods being more likely than others to perceive a positive effect. When asked about the care taken by a disqualified driver, 71.4% of subjects felt that the disqualified driver would be more careful on the road than he would if licensed, with most subjects believing that he was most likely to be apprehended by police if involved in an accident or detected for commission of another motoring offence.

CHAPTER 8

DISCUSSION

The literature review reported in Chapter 2 indicated that previous studies have produced a wide variety of findings on the incidence of driving while disqualified, and the present finding that approximately 36% of subjects admitted driving is within the range of these earlier results. It is noteworthy, then, that this first Australian study has found a situation not unlike those found by other researchers in Great Britain and the United States of America. However, a more detailed comparison of the present findings with those of other researchers is likely to be highly speculative, and even possibly misleading, given that the present study is the first in this field in Australia, and differences in social or legal contexts may account for differences between the results of the present study and other reported investigations. Methodological variations between this and other studies have also been noted, and it is not possible to assess the effects (if any) of these variations in terms of differences which could be produced in results. Consequently, this final Chapter will concentrate on detailing the implications of the present findings in the Victorian context.

The 36% rate of violations of the sanction found by the present study can best be considered as an estimate

of the minimum proportion of disqualified persons who continue to drive, and most of the previous investigators in this field have concluded that the actual rate of violations is likely to be higher than that found in their research. Viewed in this light, the figure is a high one, and suggests that a significant proportion of offenders do drive at some time during their disqualification. This finding casts some doubt on the value of the sanction, particularly if one accepts the dictum of the American Bar Association (1957) that any unenforceable legal measure be repealed and abandoned, but it has been noted that the sanction of disqualification may still have value as a means of improving the behaviour of these drivers in terms of the care they take (Hricko, 1970; and Kaestner and Speight 1974).

Data from the present study indicated that about 50% of subjects who admitted driving while disqualified thought they drove more carefully than usual. It was also found that most of those who drove did so on a lesser number of occasions, and for a more restricted range of purposes than they did when licensed. Attitudinal questions showed that subjects were evenly divided on the possible deterrent effects of the sanction, but only 32% believed that the sanction actually improved subsequent driver behaviour. Positive responses to these questions were more likely to be given by those disqualified for relatively longer periods, and this trend may be related in some way to the finding that these longer periods of disqualification were less likely to be violated.

In other words, the sanction did produce some change in the pattern of driving behaviour, and perhaps attitudes, among those who continued to drive, but it is debatable whether this level of change justifies the continued use of the sanction as it is presently applied. It seems that few subjects saw the level of police enforcement of the sanction as sufficient to produce a realistic chance of being apprehended if they did drive while disqualified. If the sanction is to be made more effective, then, it would seem that offenders' perceived levels of expectancy of apprehension will have to be dramatically increased, and Robinson and Kelso (1976), in a re-analysis of the present data, found that increases in perceived probability of apprehension (such as could be produced by more random licence checks, or similar measures) would be potentially the most effective way of increasing anxiety about apprehension to a point where it would affect the decision to drive while disqualified. It is unlikely that the available police resources of manpower and equipment are sufficient to meet these new demands and so, if it is decided that the sanction should continue to be applied for the present wide range of offences, consideration may have to be given to additional measures such as confiscation of offender's vehicles, or at least the provision of a system of easily recognised and compulsory identification for drivers who are licensed. Doubts have been expressed (see, for example, Robinson; 1975) about the efficiency of these and other measures to improve the effectiveness of disqualification, and data

from the present study offer no indication that suggested modifications will improve either adherence to the sanction or offenders' acceptance of it.

The penalty for driving while disqualified was found to be known to relatively few of the present subjects and, even though knowledge of this penalty was not found to be related to whether or not subjects drove whilst disqualified, this level of ignorance offers little hope for the deterrent effects of the penalty. Intuitively, the notion of a gaol term should be unpleasant for most motoring offenders, and it is possible that greater publicity for cases where these penalties are imposed for driving while disqualified may deter some potential offenders. It may be, for example, that subjects who drove only a small number of times were those who felt most anxious about violating the sanction, and these subjects (who made up 40% of the present sample) may be particularly susceptible to this type of publicity. In the interim, it can be suggested that courts should emphasize the penalty for driving while disqualified when they take away an offender's licence or, for offenders who do not appear in court, a clear notification of these penalties should be sent to them with the notice of disqualification. Anecdotal evidence, resulting from discussions with disqualified drivers, suggests that those who were aware of the gaol penalty were so advised by their legal counsel rather than by the court, so there does seem to be a need for courts to provide offenders with this information, especially where the offender is not legally represented.

Thus far, it has been assumed that the sanction will continue to be applied as it is at present, and that additional measures should be devised to increase the effectiveness of its operation. However, the present findings do suggest some possible modifications to the existing usage of the sanction, and these changes may be a more realistic alternative (at least in terms of their ease of achievement, given the finite and limited resources available). It has been found that those who drove while disqualified tended to be those whose licences were cancelled rather than suspended, who were convicted of less serious offences, and were disqualified for relatively short periods of time. The implication, then, is that the sanction is at its least effective point when it is imposed on minor traffic offenders, who normally receive short disqualifications, and probationary drivers, whose licences are normally cancelled rather than suspended. Thus, an improvement in the present situation may be effected by imposing disqualifications only in cases of more serious offences. It may well be the case that the present system of applying the sanction to all types of traffic offenders is seen as unjust by the less serious offender, and these perceptions influence offenders against accepting the sanction; the analyses reported by Robinson and Kelso (1976) lend some support, albeit indirect, to this notion. This suggestion raises the question of more appropriate penalties for minor traffic offenders, and it is further suggested that alternatives be researched, such as a revised schedule of fines, perhaps related to the offender's income.

Indeed, this evidence lends support to a suggestion that disqualification could be better used as part of a driver improvement programme, as it is in many American states, than just as a punishment, as it appears to be in Australia. This change of emphasis could produce some reduction in the level of violations, and also improve offenders' attitudes to, and acceptance of, the sanction.

Subjects who drove during the period of disqualification were found to be different in a number of respects from those who did not drive. In particular, it was found that the subject who drove tended to be under 40 years of age or over 60 years, unmarried or separated from his wife, and he worked as a skilled tradesman, an unskilled worker, a professional driver, a member of the armed services, a student, or was unemployed. He was not legally represented at his court hearing, and he had been disqualified two or more times previously. This latter finding suggests that the decision to drive while disqualified is, in part, a product of a learning effect. That is, experience of previous disqualifications may have produced an awareness of the low probability of apprehension if the offender continues to drive; and also perhaps a heightened feeling of disruption of life style if he does not drive. At the least, this finding indicates that it is unwise to impose more than two periods of disqualification on an offender within a reasonable period of time; the additional disqualifications appear to habituate offenders to the idea of driving while disqualified, or else tend to be imposed on habitual offenders who are more likely than usual to ignore restrictions on their behaviour.

There is some evidence here that the person who drives while disqualified tends to be of low socio-economic status, and this evidence can be seen as consistent with Klein's (1971) suggestion that low socio-economic status drivers will be more dependent on the motor vehicle as a means of fulfilling needs for competition and independence; it can be suggested, then, that these needs outweigh any motivations to obey the law. Arens and Lasswell (1964), in discussing sanctions, noted that:

"acts of conformity occur when actors expect to be relatively better off in terms of all values by conforming than by not conforming. It is implied that acts of non-conformity occur when they are expected to yield net value gratification". (pp. 234-235).

Apparently, in the case of minor offenders and/or low status persons, non-conformity with the sanction of disqualification is seen as more gratifying than conformity.

More generally, it seems a sensible principle, in line with the above-noted recommendations of the American Bar Association (1957), that the justice system should avoid wherever possible measures which will need to be applied against a large number of persons in a community, and which tend to produce a disrespect for the legal process because they cause a conflict of values, in this case between the desirability of obeying the law and the need to drive a motor vehicle. This principle reinforces the advisability of using the sanction of disqualification only for serious offences.

Findings reported here provide a clear indication of the perceived importance of use of the privately owned motor vehicle. The most common reason given for driving while disqualified was "exceptional circumstances" but, as has been noted, for some subjects a considerable number of such circumstances presented themselves, and it may well be that many of those who checked this response interpreted it as 'whenever I felt I could not do without my car'. Further, those who did not drive while disqualified were found to have been still heavily dependent on the private motor vehicle as their primary means of transport, but they apparently were able to rely on friends, fellow employees, or relatives to fill the role of the driver. Public transport, or other transport alternatives, do not seem to be regarded as having the same value as the private car, and these findings may well explain the high level of residential instability found in disqualified drivers by Robinson (1975 ; in press).

RECOMMENDATIONS : IMPLICATIONS OF THE FINDINGS

It appears inevitable that one of the recommendations of the present report be for further research in this area, and details of this recommendation are offered at the conclusion of this Chapter. Beyond this point however, a number of more specific and actionable recommendations can be offered. These recommendations can be divided into two categories: those which could improve the effectiveness of the sanction as it is used at present, and suggestions for changing the usage of the sanction to improve its effectiveness.

Improvements to the existing usage of the sanction. If the sanction is to continue to be applied as one of the main penalties for a wide range of traffic offences, then it appears that new measures will be needed to increase offenders' expectancies of apprehension if they continue to drive, or to make it more difficult for them to be able to drive. Given the high densities of traffic on Victorian roads, and the paucity of police resources, it would seem that increased expectancies of apprehension on the part of the disqualified driver can only be produced by a system of vehicle or driver identification which would allow easy discrimination of the disqualified driver from his licensed counterpart, or by special "blitz" measures such as random licence checks. Practical difficulties with identification-type solutions (use of the vehicle by persons other than the disqualified driver, availability of a usable identifying sign which would be recognisable under most driving conditions, and so on) suggest that the latter type of measure may be preferable. The recent introduction of random breath testing in Victoria has created a precedent for both the principle of random licence checks and the practical implementation of this principle, but there remains the major limiting factor of unavailability of necessary additional police resources. Nevertheless, even if such checks were conducted on infrequent occasions, they could, if well publicized, still have substantial effects on disqualified drivers' perceptions of the probability of apprehension, and it is recommended that an evaluation of the effectiveness of this type of countermeasure be made.

The main existing proposal for making it more difficult for the disqualified driver to continue to drive, are concerned with denying him access to a vehicle, by confiscating either his vehicle or its registration plates, and by making it illegal to sell a vehicle to a disqualified driver. However, as Robinson (1975) has noted, there are substantial problems involved in the use of such measures (including the logistics of storing large numbers of vehicles, and difficulties when the vehicle does not belong to the offender or is used by persons other than the offender), and their introduction does not appear to be justified.

Evidence from the present result indicates that few subjects were aware of the severity of the penalty provided for driving while disqualified, and it is apparent that steps should be taken to reduce this level of ignorance. As noted above, the most appropriate venue for making an offender aware of the penalty for driving while disqualified is the court, and it is recommended that standard court procedures be modified to incorporate clear warnings of these penalties from either the magistrate or the clerk of court. Further, it is recommended that, when offenders do not appear in court and are disqualified, they should be clearly notified of the penalties provided for violating the sanction.

Changes in usage of the Sanction. Notwithstanding the above recommendations, it is strongly urged that changes be made in the use of the sanction. Specifically, it is suggested that disqualifications be imposed only for relatively serious

offences, and that minor offenders (particularly those holding probationary licences) should be diverted into a driver improvement programme such as that described by Kaestner and Speight (1974, p.1), wherein disqualification appears only as a higher order penalty directed against those who fail to respond to lesser measures. The introduction of a treatment-oriented driver improvement programme will no doubt have to wait for availability of sufficient resources, and perhaps for a more detailed subsequent evaluation of the philosophy of such an approach, but in the interim, the use of a graduated scale of penalties for minor offenders, with disqualification imposed only when lesser penalties have been tried and found wanting in particular cases, could have a similar effect.

A second recommendation is that the penalty of disqualification should not be repeatedly imposed on offenders and, based on the present results, it is suggested that an offender should not be disqualified more than twice within a reasonable period of time. It appears that more serious penalties may need to be considered for use in cases where disqualification has already been imposed on two occasions, even if there is no evidence to suggest that the offender drove while disqualified. Such a modification to the present usage of the sanction would seem particularly necessary if the former suggestion is adopted, that disqualification be imposed only for more serious offences.

Finally, there have recently been suggestions that licence disqualifications should be added to the existing penalties for criminal offences which involve the use of a vehicle, such as abduction and rape, or robbery where a vehicle was used as a

means of escape. It is suggested that such offenders will be less likely to conform with the sanction than those convicted only of traffic offences, and that the addition of this penalty to those already provided for major crimes is likely to be seen as inconsequential by those concerned. More generally, it would seem inappropriate to extend the use of the sanction when available evidence, including that from the present study, indicates weaknesses in its operation in the present content.

METHODOLOGICAL CONSIDERATIONS

The major finding was that 36.4% of subjects admitted driving while disqualified. There can, of course, be considerable debate about the degree of coincidence between this figure and the actual level of driving while disqualified and a number of possible biases could have operated to produce this result : some subjects who drove while disqualified may not have admitted that they did so, some who admitted driving may have not violated the sanction at all, and the non-respondents to the present survey may have been more or less likely to have driven than those who did respond, with this different level of violation being in some way related to this decision not to respond. It is not possible to assess the effects of the first two postulated biases, although it is possible that they operated to some extent to neutralise one another; the third postulated bias, that due to non response, is considered below.

A methodological factor in the present study may have also influenced this result and, more particularly, findings on the relation between evidence of driving while disqualified and length of disqualification: all subjects received the survey questionnaire at approximately the same length of time after their court hearing, and thus subjects with longer periods of disqualification had relatively less time in which to have decided whether or not to drive and could be more likely to so decide in the period after the survey contact. This complication typifies the difficulties of research in this area, with the investigator in this case having to decide between this problem and that of an increasing number of subjects becoming inaccessible to survey contact with the passage of time (Robinson, 1976; in press). The problem of non-response bias was, as noted in Chapter 4, considered to be of sufficient importance to justify the present method.

Nonetheless, neither problem has been completely solved. The problem of non-response remains, with the survey attaining a response rate of just over 37%, and an exploratory follow up of non-respondents indicated that any significant improvement in this rate would be difficult to achieve. The fact that nothing is known about the response of 63% of the sample to the sanction remains an important qualification to the results presented here. As noted in Chapter 6, differences between respondents and non-respondents were found in terms of age, type of licence, and length of disqualification, but it is not possible to know whether those differences were also related to individuals' responses to the sanction. There appears to be no alternative methodology which could ameliorate this problem.

Similarly, there remains the problem that the period of 2-3 weeks between court appearance and survey contact constituted for some subjects a major portion of their period of disqualification, and for others a relatively small portion. Subjects disqualified for periods in excess of six months, for example, may have decided to drive after returning the questionnaire, perhaps because coping without the use of a motor vehicle became progressively more difficult to accept or more frustrating, while the influence of legal authority decreased as the date of court appearance became more remote. As noted, this complication particularly affects results on the relation between disqualification length and tendency to drive, and may even account, to some extent, for the present finding of a curvilinear relation between these variables, as shown in Figure 5. Indeed, if the tendency to decide to drive in later stages of the disqualification period was sufficiently strong, it could go some way towards making the relation a positive monotonic one, although the high level of admissions indicated by those disqualified for one to two months seems unlikely to fit neatly into a monotonic function.

More directly, it can be noted that this problem does not compromise findings on the rate of violations of the sanction if these findings are taken as a benchmark of the minimum level of violations. The effect hypothesised here could only increase the proportion of subjects who drove while disqualified beyond that found.

FUTURE RESEARCH

The present study has provided a considerable amount of information about traffic offender's responses to and perception of the sanction of licence disqualification. Even so, a number of unanswered questions remain, and relate to two main issues: what enforcement measures could be used to reduce the incidence of violations of the sanction, and what limitations exist in the operation of other penalties for traffic offences (that is, fines and gaol sentences)?

A number of suggestions has been presented here for measures to improve adherence to the sanction, and there is a clear need for further research to evaluate the effects of these measures. To provide an adequate understanding of the operation of these measures, investigations should be conducted of the improvement they produce (perhaps by comparing a incidence of violations before and after introduction of the measure, or by comparing the responses of subjects exposed to different measures), and also of subjects' perceptions of the measures. In this latter case, the object would be to determine subjects' awareness of the measure, and their assessments of the costs of ignoring the measure compared with the perceived benefit of such a course of action.

The present study has focussed only on one part of the system of dealing with traffic offenders, and it is urged that other sanctions used in this context should be subjects of similar, detailed evaluations. It is unlikely that the operation of any sanction will be perfect, and it is important

that weaknesses in the operation of other sanctions should also be identified. It may be, for example, that some of the limitations found here in the operation of licence disqualification may also compromise the effectiveness of other sanctions.

More generally, more detailed investigation should be conducted of driver's perceived transport needs, and the importance of the privately owned motor vehicle in satisfaction of these needs. It is evident from the present data that these issues are important determinants of offender's willingness to accept licence disqualification and, indeed, their respect for the traffic law, but there is no comprehensive and available body of data which would allow legislators to take account of these factors when they consider changes to the justice system as it affects road users.

CONCLUSIONS

A considerable body of evidence has been presented here about the operation of licence disqualifications, and a number of practical implications and recommendations have been offered, based on the present results. It is apparent that there are significant weaknesses in the operation of the sanction, as indicated by the rate of violations and the types of social and demographic factors associated with these violations. There is a clear need, then, for legislators to reassess the use of the sanction, and to decide whether and how the sanction should be revised; the present findings

provide a substantial body of information about the existing system, and should be useful in guiding deliberations on the future use of the sanction. It is to be hoped that any changes in the use of licence disqualifications are introduced in such a way that careful empirical evaluation of their effects is possible.

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APPENDIX A : QUESTIONNAIRE

CONFIDENTIAL
For research
Purposes only

UNIVERSITY OF MELBOURNE
MOTOR VEHICLE DRIVER SURVEY

This short questionnaire has 3 parts.

PART A is for people who did drive while their licence was disqualified (that is, suspended or cancelled). IF YOU DROVE A CAR (OR OTHER VEHICLE) AT ANY TIME WHILE YOUR DRIVING LICENCE WAS DISQUALIFIED, PLEASE FILL OUT PART A AND NOT PART B.

PART B is for people who did not drive at all while their licence was disqualified. IF YOU DID NOT DRIVE AT ALL WHILE YOUR LICENCE WAS DISQUALIFIED, PLEASE FILL OUT PART B AND NOT PART A.

PART C is to find out some general information about the drivers we have selected for this survey.

Please answer all questions as well as you can, and remember that your answers will be kept strictly confidential. After you have answered the questions, post the questionnaire back to us in the stamped, self-addressed envelope provided.

We would very much appreciate it if you could return the completed questionnaire within the next fortnight.

Thank you very much for your help.

13. Do you consider that the court was justified in disqualifying you from driving?

Yes

No

If no, do you think the penalty was

- A Too severe
- B Not appropriate for the offence
- C Unfair, because many other drivers commit the same offence but are not caught
- D Unfair, because the police did not have sufficient evidence that you had committed an offence

(Place an X in one or more of the spaces provided, to indicate your answer; if you agree with none of the above, leave all spaces blank)

14. How do you think a disqualified driver is most likely to be caught if he continues to drive?

- A As a result of an accident
- B Because he commits some other driving offence (e.g. speeding)
- C Other; please specify

15. Which of the following is the correct penalty for a first offence of driving while disqualified?

- A Permanent loss of driving licence
- B One week in gaol
- C Up to one month in gaol
- D Up to three months in gaol
- E Up to six months in gaol
- F A fine of \$2000

16. What do you consider the most serious driving offence?

17. How much do you think your licence disqualification disrupted your activities? (Place an X in one of the spaces below to indicate how much disruption was caused.)

No disruption at all 1 2 3 4 5 6 7 8 A great deal of disruption

18. How much do you think your licence disqualification disrupted the activities of other members of your family? (Place an X in one of the spaces below to indicate the amount of disruption.)

No disruption at all 1 2 3 4 5 6 7 8 A great deal of disruption



TELEPHONE
345 1844

TELEGRAMS
NIMELB PARKVILLE

University of Melbourne

23 Royal Parade
Parkville, Victoria 3052

APPENDIX B: INTRODUCTORY LETTER

Dear

I am writing to ask you for your help in a survey of motorists' attitudes to road traffic laws. The information I am seeking is very important for deciding the value of various possible measures to prevent road accidents.

A number of traffic safety experts believe that taking away a driver's licence is an important way of preventing unsafe drivers from having more accidents, but other experts disagree and say that this measure has no value. In fact, no one really knows the effects of driver licence disqualification.

I am writing to you because I have been through some court records and found that your licence has recently been suspended, and I am particularly interested in your reactions to this penalty.

The information you give us will be treated in the strictest confidence. It will be used only by the University of Melbourne and only for the purpose of this survey. Your answers will be added to the answers that other people give us. The results of the survey will be presented for the groups of persons (such as older people or younger people, country or city people) so that no-one can possibly tell how any one person answered.

There is only a small number of questions to be answered. Please answer them as well as you can, and remember that your answers are strictly confidential. Please return your questionnaire in the self-addressed envelope supplied.

Thank you for your help,

Yours sincerely

A handwritten signature in black ink, appearing to read 'C. D. Robinson'.

C. D. Robinson
Research Fellow

END