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DISQUALIFIED DRIVERS IN VICTORIA: LITERATURE REVIEW AND IN-DEPTH FOCUS GROUP STUDY

by

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Abstract: This report outlines a two phase project into disqualified drivers in Victoria. The first phase of the project comprised a review of the literature related to licence disqualification and explored the feasibility of conducting an in-depth study of disqualified drivers in Victoria. The second phase of the project, which resulted from the feasibility study, involved conducting an in-depth investigation into the behaviours and attitudes of disqualified drivers, including contributing family and social influences. Forty disqualified drivers participated in seven focus group discussions and 13 partners/parents of disqualified drivers participated in three separate focus group discussions. The results showed that approximately 60% of the driver participants continued to drive during disqualification. The following factors were found to have a key influence on the decision to drive during disqualification: negative attitudes towards the sanction; denial of the risk of one's own driving behaviours; very low perceptions of the risk of detection; personal and vicarious experiences of punishment avoidance; and negative attitudes towards alternatives. The most common reason provided for the decision to continue driving was to maintain one's employment, although driving for family and social reasons was also commonly reported. Most participants described personal hardships caused by the sanction, with this impact being greatest for those who adhered to the sanction and stopped driving. The majority of partners/parents also reported being negatively affected, as the sanction resulted in extra burdens for them and often created relationship tensions. Many partners/parents expressed concern about their partners'/children's dangerous driving behaviours and the ineffectiveness of the sanctions in deterring illegal driving behaviours. The findings of the present study were consistent with previous research. Recommendations were made for further research into Victorian Registration and Licensing data and Victorian crash data to quantify the number of disqualified drivers and the extent of the risk they pose on the road. Recommendations were also made for publicity campaigns to raise the perceived risk of detection, improvements in enforcement (e.g., increased checking of licences at RBT sites; possible extension of compulsory carriage of licence legislation), and the design and implementation of best practice rehabilitation programs.

Key Words:

Disqualified drivers; licence disqualification; licence cancellation; licence suspension; focus groups; recidivism; drink driving; demerit points; driving while disqualified.

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Preface

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EXECUTIVE SUMMARY

This study was conducted as part of the MUARC Baseline Research program to investigate the profile of disqualified drivers and the extent and patterns of disqualified driving.

ORIGINAL OBJECTIVES OF THE STUDY

The original aims of this study were to: (a) review the literature relevant to disqualified drivers; and (b) to identify and analyse relevant data in Victoria about the number of disqualified drivers, the circumstances of their disqualified status, their driving behaviours, and subsequent crash involvement.

A comprehensive literature review was carried out and is included in this report. However, practical difficulties with accessing disqualified drivers data from the Registration and Licensing database prohibited the analyses of relevant data. It was then decided to postpone this line of investigation, and instead to focus on an in-depth investigation of the behaviours, attitudes, and motivations of disqualified drivers.

REVISED AIMS OF THE STUDY

The revised aim of this study was to carry out an in-depth investigation into the behaviours, attitudes, and motivations of disqualified drivers in Victoria, including risk factors that compel these drivers to continue offending, as well as protective factors that play a role in reducing the risk they pose on the road. More specifically, the following research questions were investigated:

1. What are the behavioural and attitudinal characteristics of disqualified drivers?
2. Do homogenous subgroups of disqualified drivers with different risk profiles exist, based on reasons for disqualification, as well as other behavioural and attitudinal characteristics?
Does disqualification have differential effectiveness for these groups?
3. What are the patterns and reasons for driving under disqualification?
4. What motivates disqualified drivers to alter their behaviour?
5. What is the role of partners/family members of disqualified drivers: (i) How does licence disqualification impact on them; and (ii) do they assert an influence on the attitudes and behaviours of disqualified drivers?

SUMMARY OF LITERATURE REVIEW

Profile of disqualified drivers: In Victoria disqualification can occur for a variety of reasons: driving offences, accumulation of demerit points, medical reasons, or ineligible driving skills. No recent data is available in Victoria regarding the demographic and personal characteristics of disqualified drivers. However, older Victorian studies (Healy &

Harrison, 1986), as well as more recent studies from interstate (e.g., Ferrante, 2003 from WA) and from overseas (e.g., Scopatz et al., 2003; from the US) consistently suggest that the overwhelming majority of disqualified drivers tend to be young males. In 1986, Healy and Harrison reported that in Victoria the majority of licence disqualifications were automatic cancellations or suspensions resulting from driving under the influence offences. A recent study of licence disqualification in Western Australia (Ferrante, 2003) found that more than a third of traffic related disqualifications were for drink driving, another third were through the demerit points system, and most of the remainder were for licence offences. In recent years new road safety initiatives have been introduced into Victoria making it easier for motorists to incur demerit points, as well as increasing the chances of detection for traffic related offences. Therefore it is expected that more drivers are becoming disqualified through the demerit point system.

Methodological issues: Various methodological and practical challenges present in the study of disqualified drivers. There are two main methodological approaches used in the study of disqualified drivers: (1) analysis of official databases; and (2) self-report studies involving surveys, interviews, or focus groups. Both of these methodologies have their strengths and limitations. For a more comprehensive understanding of the issues associated with licence disqualification it is best to incorporate both these methodological approaches into a longer term research program.

Driving behaviours: Many studies have found reasonably high rates of self-reported disqualified driving, ranging from 30% to 70% (e.g., Ferrante, 2003; Scopatz et al., 2003; Smith & Maisey, 1990; Watson, 2004). Disqualified drivers have also consistently been found to be up to four times more likely to be involved in fatal crashes than legally licensed drivers (e.g., FORS, 1997; Gebers & DeYoung, 2002; Harrison, 1997). Despite the disqualified drivers' risky behaviour and lack of deterrence from driving and re-offending, as suggested in the above studies, there is some evidence from roadcheck studies (e.g., Malenfant et al., 2002) and self-report studies (e.g., Ferrante, 2003; Robinson 1977; Mirrlees-Black (1993), Smith & Maisey, 1990) to indicate that disqualification does lead to decreased driving exposure. Disqualified drivers have also reported that they modify their driving behaviour such as trying to drive more carefully in attempts to avoid detection. Although such reports seem inconsistent with the results obtained from crash data (e.g., FORS, 1997), it may be that disqualification does reduce the risk some drivers pose, but that a subgroup remains for which disqualification is less effective as a restraint and a deterrent. Perhaps this subgroup represents the high risk group in serious crashes. It is thus important to obtain a better understanding of characteristics that may differentiate subgroups of disqualified drivers with different road risks.

Causative factors underlying driving behaviours: It is imperative to understand causative factors underlying the behaviours of disqualified drivers in order to improve the effectiveness of sanctions and intervention programs. Watson's (2004) theory of disqualified drivers' behaviour, which is the most comprehensive one to date, suggests that in many cases the necessary conditions to deter unlicensed driving are not currently being achieved by simply applying classical deterrence theory. His theory suggests that drivers will be deterred from unlicensed driving if they perceive a high likelihood of apprehension and if the resulting penalties are perceived to be sufficiently certain and swift. Watson drew on Stafford and Warr's (1993) expanded deterrence theory and on social learning theory of criminal behaviour (Akers, 1990) to propose and test a theory that predicted better disqualified driving in a sample of 309 disqualified drivers in Queensland. Watson found that in addition to perceived risk of apprehension, for a better predictive model of disqualified driving it is also imperative to include punishment avoidance experiences, as

well as psychosocial variables such as exposure to models who drive without a valid licence and hold positive attitude towards the behaviour; punishment avoidance; personal attitudes to unlicensed driving and alternative behaviours; and the perceived rewards and punishments associated with the behaviours. Watson's model does not contradict classical deterrence theory, but rather subsumes it under a model of higher predictive utility.

Overall, the studies discussed above indicate that disqualification is only partially effective as a specific deterrent. That is, the penalty does not seem to prevent those disqualified from continuing to drive, but it does seem to at least partially reduce exposure for certain groups of drivers. A recent Western Australian study (Ferrante, 2003) found that those most likely to be deterred by the disqualification were drivers without criminal record, non-repeat offenders, females, and non-Indigenous drivers. These findings are consistent with literature on the effectiveness of deterrence from the field of criminology, which asserts that deterrence works best for those with strong ties of attachment to familial or social groups, and in a context where those groups clearly disapprove normatively of the behaviour (Bottoms, 2002; cited in Ferrante, 2003).

METHODOLOGY OF THE IN-DEPTH STUDY OF DISQUALIFIED DRIVERS

In order to achieve the aims of the in-depth study, seven focus group discussions were conducted with 40 disqualified drivers and three focus groups with 13 partners/parents of disqualified drivers. Participants were recruited through advertising in the media and at VicRoads licensing offices. A mail out was also carried out by VADDS (Victorian Association of Drink Driving Services). Discussion guides were used to facilitate the focus groups to assist with in-depth coverage of each research question. All discussions were audio recorded. The focus groups were successful in facilitating open and detailed discussions among the disqualified drivers and among the partners/parents.

KEY RESULTS

Demographic characteristics of the participants

The majority of disqualified driver participants were men (85%), consistent with existing data of disqualified driver populations (e.g., Ferrante, 2003; Healy & Harrison, 1986; Scopatz et al., 2003). The sample of disqualified drivers, however, was skewed in respect to age groups and education level. Most of the existing research cited above indicates that the majority of disqualified drivers tend to be younger men (under 35 years of age), and generally from lower socioeconomic backgrounds. Older and higher educated participants were overrepresented in the present sample, with 45% of the drivers being over 35 years of age, 38% having higher education, and most tending to be in skilled or professional occupations. This population demographic along with the relatively small sample size must be borne in mind when interpreting the results.

Of the 13 partner/parents participants, 11 were partners and only two were parents of disqualified drivers. All were residing with disqualified drivers.

Behavioural and attitudinal characteristics of disqualified drivers

Reasons for disqualification

Just over half of the driver participants (55%), and by far the largest group, were disqualified for drink driving, with the next biggest group (25%) being disqualified for excessive speeding, followed by disqualification through accumulation of demerit points (12.5%). These results are consistent with previous Victorian data (Healy & Harrison, 1986) and with studies in other jurisdictions (Ferrante, 2003; Watson, 2004) that show drink driving to be the most common reason for disqualification. Evidence exists that in Victoria overall the last several years the number of people accumulating a high number of demerit points has been steadily increasing, although data about the present proportion of disqualifications due to demerit points is not available.

Impact of disqualification

Life disruptions caused by licence disqualification were commonly reported. Those that continued to drive following their disqualification were least affected. A small minority of drivers reported that following their disqualification their behaviours were modified in a way that helped them deal with the disruptions while complying with the sanction. These behaviours included reorganising work and social commitments, using public transport, and removing easy access to a vehicle.

Factors associated with compliance with the sanction

Compliant behaviours were usually associated with underlying attitudes and psychosocial factors, including fear of further penalties and disruptions; considering one's own disqualification to be just; recognition of one's past driving behaviour as risky; humiliation/shame about the disqualification; and constructive attitudes towards available alternatives. This emphasises the important role of various psychosocial factors, in addition to being capable of finding practical alternatives. Some of those who complied with the sanction reported that the disqualification experience had resulted in them taking increased responsibility of their future driving behaviour due to becoming more aware of the risks that their past behaviours may have posed to themselves and others. It is important to note, however, that this increased responsibility was more commonly reported by women and older drivers, whereas disqualified driver populations tend to be dominated by young men. Others attributed the major deterrent effect to fear of further sanctions.

Factors associated with driving under disqualification

Over half of the participants (about 60%) reported resuming driving, either straight away or some time during their disqualification. Maintaining employment was the most common reason given for driving under disqualification, although driving for other purposes was also very common. Driving under disqualification was often associated with not considering one's driving behaviour to be dangerous, judging one's disqualification to be unfair, and rationalising fears of further penalties by the belief that maximum penalties were rarely applied in the legal system. Denial that one's driving behaviours may present a danger on the road appeared to be especially salient in participants' accounts of disqualified driving.

Two other key factors contributing to driving while disqualified were low perceived risk of detection, and instances of personal and vicarious experiences with punishment avoidance. Most of the driver participants, as well as the partner/parents participants, expressed views that the likelihood of getting apprehended for disqualified driving was very low. To further reinforce this perception, many recounted incidents of either themselves or acquaintances avoiding detection in situations where they could have been easily detected. Many of these examples involved going through an RBT and either not having their licence checked, or being pulled over for a different reason and giving false licence details to Police.

Traditionally, the perceived risk of detection has been considered to be a central factor in the deterrence of offenders. However, as discussed in the literature review summary, in the case of disqualified drivers various other attitudinal and psychosocial factors were found to be important as well, as suggested by Watson's (2004) theory, and also consistent with other research by Ferrante (2003) and Mirrlees-Black (1997). Overall, the present findings were consistent with past findings, although the present study did not set out to quantitatively test a theory of disqualified driving, as Watson (2004) did.

Reports by drink driving participants highlighted the challenges faced by any sanctions or rehabilitation programs dealing with substance abuse issues, namely that lifestyle change strategies and interventions must also be addressed by best practice programs (Sheehan et al., 2005).

Homogenous subgroups of disqualified drivers

Due to the small sample size of this study, it was not possible to divide the driver participants into comparison groups in order to explore this question in more detail. Demographic differences and different reasons for disqualification have been discussed above. Associated differences in attitudes between compliant and non-compliant participants were also discussed earlier.

Patterns and reasons for driving under disqualification

Over half of the participants admitted to driving under disqualification. Similarly, most previous studies have reported high rates of driving under disqualification, ranging from 30% to 70% (e.g., Ferrante, 2003; Scopatz et al., 2003; Smith & Maisey, 1990; Watson, 2004). Employment reasons were most commonly given for not complying with the sanction, although reports of driving for other reasons were also common, including a complete disregard for the sanction. However, the majority of those who drove under disqualification reported attempts to restrict the frequency of their driving, and/or modifying their driving behaviours to decrease the chances of detection. Such reported behaviour modifications included increased adherence to road rules, taking alternative routes, removing P-plates, and acquiring a car that was more conservative in appearance. A general belief prevailed that such behaviours would further lower the risk of detection. These findings are consistent with most other self report studies of disqualified driving (e.g., Ferrante, 2003; Watson, 2004).

The safety benefits of the above behaviours are doubtful. Studies examining fatal crash records have consistently found over representation of unlicensed drivers involved in these crashes who have exhibited more risky behaviours compared to legally licensed drivers (FORS, 1997; Harrison, 1997; Watson, 2004). To reconcile the conflicting findings from self-report studies (such as the present one) and from crash data studies, it is possible that even if driving exposure and risk-taking behaviours are decreased to some extent during disqualification periods, much larger changes in behaviours are needed to substantially reduce the risk that disqualified drivers continue to pose on the roads.

Factors that motivate disqualified drivers to alter their behaviour

Fear of larger fines, further disqualification periods and associated hardships, and especially fear of going to jail, were commonly cited by drivers as factors that would make them consider changing their behaviours in the future. Drink drivers commonly reported a fear of court orders to fit interlock devices into their cars, or of having their cars impounded. However, as reported earlier, many participants continued to drive under disqualification despite these fears. There was a fairly common perception that magistrates are often inconsistent in applying sentences, and that the maximum sentence of a jail term was rarely applied. Such perceptions tended to dampen the effect of a fear of further penalties. Furthermore, this ultimately feared penalty had a reduced effect for participants that had already served a jail term for disqualified driving because of networks they had built within the jail system.

Thus, it appears unlikely that for many of the participants harsher penalties would significantly improve the deterrence effect of the sanction. The underlying negative attitudes towards the sanction, denial of the danger of one's driving behaviour, low perceived risk of detection, and personal and vicarious experiences of punishment avoidance all served to undermine any existing motivations for these participants to change their driving behaviours in the future. These findings strongly suggest the need for incorporating rehabilitation programs aimed at changing attitudes and perceptions into existing sanctions. Media campaigns and changes in enforcement practices (e.g., licence checks at RBTs; compulsory carriage of licences) are also indicated to increase the perceived risk of detection and to reduce experiences of punishment avoidance.

The role of partners/parents

Most partners/parents reported that their partner's or child's disqualification had resulted in personal and financial hardships, in being burdened by extra responsibilities, and in relationship tensions. Generally partners/parents reported attempting as much as possible to assert an influence on the disqualified drivers to stop them from driving under disqualification. This included reasoning or arguing with the driver, expressing disapproval, taking over the driving responsibilities, and even some attempts to remove access to vehicles. It is difficult to draw conclusions from this study about the extent to which the partners'/parents' influences were successful in reducing disqualified driving. These findings do suggest that if attempts were made to improve the sanction by incorporating appropriate rehabilitation programs, many disqualified drivers would probably be encouraged and supported to participate by their partners or parents who reside with them. The introduction of further initiatives to curb disqualified driving, such as publicity campaigns and enforcement practices, are also likely to be approved by partners/parents of disqualified drivers. The importance of family and social influences on various illegal behaviours, and specifically on disqualified drivers (Watson, 2004), have

been widely recognised. However, research with partners and family members of disqualified drivers has been unprecedented.

STRENGTHS AND LIMITATIONS OF THE PRESENT STUDY

The present study was the first study in Victoria in the last three decades to provide in-depth information about the behaviours, attitudes, and motivation of disqualified drivers, although more recent studies into disqualified drivers have been conducted in Western Australia (Ferrante, 2003) and Queensland (Watson, 2004).

This study utilised the methodology of focus groups discussions with the aid of discussion guides. This methodology has various strengths and limitations. A main advantage of the methodology was that it succeeded in facilitating detailed and open discussions among disqualified drivers and among partners/parents of disqualified drivers, including issues (such as illegal driving behaviours) that are often difficult to elicit with other research methodologies. These discussions were invaluable in enhancing our understanding of the research issues.

Despite the advantages discussed above, the methodology also contributed to the main limitations of this study, which are the small sample size and the lack of quantitative data allowing for more objective data analysis. Small sample sizes often lack representativeness and limit generalisations of the study to the true population of interest. In the present sample relatively older drivers and more educated drivers were overrepresented. Although this study provided rich information about the attitudes and cognitions underlying the behaviours of disqualified drivers, it is not possible to use more sophisticated statistical analysis to quantify the relationships between the variables that were investigated. Nevertheless, the findings of this study contribute to a more in-depth understanding of the underlying behaviours and cognitive processes of disqualified drivers, which is of vital importance for the future design of more effective policies and rehabilitation programs, as well as for defining directions for future research.

CONCLUSIONS

This study reports a literature review and an in-depth study of disqualified drivers in Victoria. As part of the in-depth study, 40 disqualified drivers and 13 partners/parents of disqualified drivers participated in separate focus groups discussing issues about their experiences, behaviours, and attitudes. Most participants reported experiencing lifestyle hardships as result of the sanction, with those that continued driving being least affected. Consistent with previous findings, more than half of the driver participants admitted driving under disqualification. Driving under disqualification was associated with negative attitudes towards the sanction, denial of the danger of one's own driving behaviours, very low perceived risk of detection, and personal and vicarious experiences of punishment avoidance. Driving for work purposes was the most common reason reported for disqualified driving, but driving for other reasons was relatively common. Partners/parents

reported that the hardships caused by the sanction transferred to them as well, and were generally disapproving of their partners'/children's behaviours. The findings are consistent with other research pointing to the underlying importance of psychosocial factors, in addition to the traditionally recognised importance of perceived risk of detection. This emphasises the need for incorporating rehabilitation elements into existing sanctions, as well as taking actions to increase the perceived risk of detection and decrease instances of punishment avoidance.

RECOMMENDATIONS

Based on the findings discussed above the following key recommendations were made:

- It is of primary importance to access and investigate Victorian Registration and Licensing data, as well as crash data, in order to quantify the risk that disqualified drivers pose on Victorian roads and to obtain more representative information about their profile, reasons for disqualification, and pattern of offences.
- It is strongly recommended that action is taken to increase the perceived risk of detection for disqualified driving through media campaigns, similar to the way that such campaigns were used for speeding and drink driving.
- It is imperative to take action to decrease instances of punishment avoidance through enforcement practices. Alternatives such as checking of licences at RBT stations, introduction of compulsory carriage of licence, and electronic licences need to be seriously considered.
- Further investigation of incentives that can be offered to drivers to keep them within the licensing system.
- Improvement to the clarity of information provided to drivers about the disqualification process.
- Incorporation of best practice rehabilitation programs within existing sanctions.
- Introduction of preventative education programs in schools.

1 INTRODUCTION

1.1 BACKGROUND

Licence disqualification and the accrual of demerit points have been emerging topics in Victoria over recent years. Reports have frequently been appearing in the media about these issues, and lately particularly about the disqualification through the demerit points system. This is especially important, as the demerit points system was introduced in Victoria in late 1969 and amended in February 1989 and no further research studies have been published since the 1970s. The introduction of increased speed camera hours and the lowering of the speed limit tolerance in Victoria are expected to result in increased licence suspensions and cancellations. Currently, little is known about the extent of disqualified driving in Victoria, the profile of these drivers, and their current involvement in casualty crashes. The overall aim of this research was to determine the extent and profile of drivers in Victoria in order to recommend ways to best assess the frequency and patterns of driving while disqualified. This study was conducted as part of baseline sponsored research.

1.2 INITIAL OBJECTIVES OF THE STUDY

The initial aim of this project was to conduct a feasibility study of disqualified drivers in Victoria.

The feasibility study aims were:

- To identify road safety literature regarding disqualified drivers, including their profile, the context of their disqualification, patterns of driving while disqualified and subsequent crash involvement
- To identify available information sources in Victoria regarding numbers of disqualified drivers and the circumstances of their disqualified status.
- To determine the proportion of disqualified drivers in Victoria for the years 2000 to 2002 and to estimate the potential increase for 2003 and subsequent years.
- To recommend research methods for examining the frequency and patterns of driving while disqualified and the subsequent crash involvement of disqualified drivers.

The first aim of identifying current literature on disqualified drivers is presented in this report as the literature review section (see Sections 2, 3 & 4). The second and third aims involved analysis of data from the VicRoads Registration and Licensing system. However, due to problems that arose with extracting such data, these aims were postponed, with the notion of re-exploring data accessibility in the future. Following this data accessibility limitation the original proposal was revised and it was decided that an in-depth study of disqualified drivers in Victoria could still be undertaken.

Ideally, a survey would have been conducted after the analysis of the Registration and Licensing data however, it was decided that a "stand alone" detailed focus group study of disqualified drivers would still be extremely beneficial in answering important questions about this population, and in providing valuable future directions for research and policy making.

1.3 REVISED AIMS OF THE STUDY

The revised aim of this study was to investigate the behaviours and motivations of disqualified drivers in Victoria, including risk factors that contribute to re-offending, as well as protective factors that play a role in reducing the risk they pose on the road. More specifically, the following research questions were formulated:

1. What are the behavioural and attitudinal characteristics of disqualified drivers?
2. Do homogenous subgroups of disqualified drivers with different risk profiles exist, based on reasons for disqualification, as well as other behavioural and attitudinal characteristics?
 - 2.1 Does disqualification have differential effectiveness for these groups?
3. What are the patterns and reasons for driving under disqualification?
4. What motivates disqualified drivers to alter their behaviour?
5. What is the role of partners/family members of disqualified drivers: (i) How does licence disqualification impact on them; and (ii) do they assert an influence on the attitudes and behaviours of disqualified drivers?

1.4 OUTLINE OF THIS REPORT

This first part of this report presents the findings of a feasibility study into licence disqualification in Victoria, including a review of the relevant literature, and a discussion of emerging issues and available methodologies. Some preliminary estimates of the increase in the number of drivers approaching licence disqualification through demerit point loss from 1994 to 2003 are also presented. The following sections outline the method and results from the focus group interviews of disqualified drivers and parents/partners of disqualified drivers. Finally, the overall findings from this study are discussed, with both recommendations and future research suggestions.

2 DRIVER DISQUALIFICATION

2.1 DISQUALIFICATION AS A SANCTION

In Victoria, as well as in other states and countries, licence disqualification is applied as a sanction against drivers committing serious traffic offences in an attempt to discourage future offending and to reduce the risk that these drivers may present on the road. Three objectives of disqualification have been identified: retribution, deterrence, and restraint (Home Office, 1988; cited in Mirrlees-Black, 1993). Retribution is concerned with punishment for the purpose of justice. Deterrence is concerned with stopping disqualified drivers from committing any future offences due to fear of the consequences. Disqualification is intended to act as both a general and a specific deterrent. General deterrence refers to a response to the threat of punishment in those who have not experienced a punishment. Specific deterrence refers to a response to the punishment of those who have actually experienced it. Restraint refers to reducing the opportunity for disqualified drivers to commit further traffic offences (Mirrlees-Black, 1993). The effectiveness of disqualification as a sanction would be indicated by how well each of these aims is achieved (Mirrlees-Black, 1993), in particular the aims of deterrence and restraint. If disqualified drivers continued to drive, and in particular if they continued to commit traffic offences, the implication would be that disqualification is not effective as a restraint or a deterrent. However, if driving exposure, offence rate and/or crash risk are reduced following disqualification, this would imply that licence disqualification is at least partially effective.

The model of deterrence described above is based on rational choice theory, which assumes that people are rational beings who chose actions to maximise their expected utility. Therefore, deterrence policies and sanctions assume that drivers will abide by the law if the expected utility of law-abiding actions is greater than the expected negative consequences of committing a particular offence (Palmer, 1977). The central assumption of rational choice theory is that the decision maker is an "Economic Man" who makes choices in order to maximise subjective utility (Edwards, 1954; 1984). This model has been criticised by researchers in a variety of fields and has generally not been supported by research into many 'real-life' decision making situations (e.g., Beach & Lipshitz, 1993). The main criticism of the theory has been its lack of recognition that in real life people are not perfect rational decision makers and that with decision making many social and personal factors come into play. However, in the field of driver disqualification, little work has been carried out on understanding factors causal to compliant behaviour. Thus, research into the factors contributing to compliance with road rules and imposed sanctions would improve the overall effectiveness of deterrents.

2.2 DEFINITIONS OF DRIVER DISQUALIFICATION IN VICTORIA

Prior to embarking on a more detailed discussion, it is important to define what driver disqualification entails in Victoria and the various paths that may lead to it. Descriptions of disqualification and related offences in Victoria, obtained from the VicRoads website (2006) are provided below.

Cancellation refers to the withdrawal of a driving licence or permit. Driving or learning to drive is prohibited during the period of cancellation. The licence or permit is not automatically returned after the period of cancellation. An application must be made at a VicRoads office after the cancellation period for re-issue of a licence or a permit. Drivers whose licences have been cancelled for drink driving are usually required to complete a drink driver education course, and complete at least two assessments for alcohol problems. They may also have to attend the Magistrates' Court to argue the case for the re-issue of their licence or permit and may be ordered to have an alcohol interlock device fitted in their vehicle. (See Table 2.1).

Suspension refers to the withdrawal of a licence or a permit for a period of time, after which the licence or permit automatically becomes valid.

Disqualification refers to the effect of a cancellation or suspension by a Court, a Traffic Infringement Notice, or by VicRoads of a driving licence or permit. For people who do not hold a licence or permit, disqualification refers to the withdrawal of permission for a person to apply for a licence or a permit. It is illegal for a person to drive while disqualified or to apply for a new licence or permit. Severe penalties exist for people found to drive while disqualified: up to \$3000 or four months imprisonment for a first offence and mandatory imprisonment for up to two years for a second offence (VicRoads, 2002).

Table 2.1 Victorian drink and drug driving penalties

Requirements	Drink Driving Offence					Drug Driving Offence	
	First offence ¹ BAC of 0.01-0.069	First offence ¹ BAC of 0.07-0.099	First offence ¹ BAC of 0.1-0.149	First offence ¹ BAC of at least 0.15, or non-BAC offence	Second or subsequent offence ³ within 10 years or non-BAC offence ²	First offence ¹	Second or subsequent offence within 10 years
10 Demerit points	Yes (see exemptions) ^{4,5}	No	No	No	Only if your BAC was less than 0.05 and the court does not cancel your licence	No	No
Driver education course ⁶	Yes, if under 25	Yes, if under 25	Yes if under 25, if not, check with court	Yes if under 25, if not, check with court	Yes if under 25, if not, check with court	Yes, if under 25	Yes if under 25, if not, check with court
Licence Restoration Order (LRO) ⁷ and "Z" Condition ⁸	No	No	Yes	Yes	Yes	Yes	Yes
Assessments	No	No	No	Yes	Yes	Yes	Yes
Alcohol Interlock licence condition when re-licensed	No	No	No	Court decides ⁹	Yes ¹⁰	N/A	N/A

Note:

1 You have no prior offences, or the prior offence is more than 10 years old at the time of application.

2 Non-BAC drink-driving offences, including driving under the influence of alcohol or drugs, refusing to provide a test sample, and refusing to stop at a breath testing station or to co-operate in the conduct of a test. These requirements also apply to drivers found guilty of manslaughter, culpable driving causing death, dangerous driving causing death or serious injury, or negligently causing serious injury where alcohol or drugs was a contributing factor.

3 You have at least one prior offence within the last 10 years at the time of application. Prior offences include all drink driving or drug offences, including interstate ones; and to drivers found guilty of manslaughter, culpable driving causing death, dangerous driving causing death or serious injury, or negligently causing serious injury where alcohol or drugs was a contributing factor. These count as prior offences whether or not a conviction was recorded.

4 If you have a zero BAC limit (P-plater drivers, truck and bus drivers, re-licensed drink drivers etc.), an offence involving a BAC of at least 0.05 but less than 0.07 incurs licence cancellation for up to six months. If this occurs, you will not incur demerit points.

5 If the offence involves a BAC of at least 0.05, but less than 0.07, and you choose to go to Court rather than pay an Infringement Notice, then if you are convicted, your licence must be cancelled for at least six months. If this occurs, you will not incur demerit points.

6 VicRoads may exempt any person from the requirement to complete an accredited driver education program.

7 For more information on how to apply for an LRO, contact the Magistrates' Court.

8 If the LRO is not subject to an "I" condition (that you only drive a vehicle fitted with an alcohol interlock), then your licence or permit will be subject to a "Z" condition for three years, or until the "I" condition is removed, whichever is longer.

9 If the court does impose an alcohol interlock condition, it will set a period of not less than six months within which you will not be eligible to apply for removal of the alcohol interlock condition.

10 If your licence was cancelled on or before 13 May 2002, the court will decide whether you have to have an interlock condition on your licence. For the purposes of the interlock requirements, previous convictions or findings of guilt for drug-driving offences are not to be regarded as prior offences. The period of time that the interlock requirement will be imposed will vary according to your BAC and/or whether the offence is your first or subsequent offence.

Source: VicRoads (2006)

Paths to disqualification: Disqualification can result from a one-off serious driving offence or from accumulation of demerit points, licences can also be cancelled or suspended for medical reasons, or for ineligible driving skills (i.e., failing a driving skills test, failing to undergo a test, obtaining a licence or a permit by fraudulent means, failure to undergo a drink drive course).

Driving offences resulting in immediate disqualification: Offences which can result in immediate disqualification include: drug/alcohol and driving offences, excessive speeding, manslaughter, culpable or negligent driving, serious accident offences, tampering or interfering with specified equipment, theft of a motor vehicle, and some overseas or interstate offences.

Disqualification through the accumulation of demerit points (see Table 2.2): Any person who incurs 12 or more points in a 3-year period (5 within 12 months for learner or probationary licence) is sent a combined option/suspension notice giving two options:

Option 1: Bond

Elect to keep the licence/permit. However, during the next 12 months period the licence holder must not incur any points. If points are incurred during this period, the licence /permit will be suspended for double the amount of time it would have been suspended under the original penalty. A person choosing Option 1 must contact VicRoads and confirm this selection at least seven days before the Option 2 suspension starts (which is 28 days after the notice is printed).

Option 2 (default option):

Elect to have the licence suspended by not responding to the option notice. The option notice lists all demerit points recorded at the time the notice is printed.

*Demerit points listed on the option notice cannot be used for any further demerit points matters after successful completion of Option 1 or completion of a demerit point suspension (Option 2).

At the end of the suspension period the licence is mailed back to the driver. At the end of any demerit points suspension or at the successful completion of the 12 months bond under Option 1, all demerit points that were included in the option/suspension notice will be removed from VicRoads current demerit points records. Demerit points that caused a breach of a 12-month bond are not removed, as they relate to a new demerit point period.

A demerit point suspension cannot be imposed or operate at the same time as another suspension or cancellation. Where a demerit point suspension is in place or is about to be served and another suspension is imposed, then the demerit point suspension will be stopped and reimposed at the end of the other suspension. Where a cancellation is imposed, the demerit point suspension is stopped and will recommence when the licence or permit is reissued.

Table 2.2 Victorian demerit point offences schedule

Demerit Point Offences	No. of Points
Drivers subject to zero BAC* with a BAC of between 0.00% and .05% Drivers subject to .05% BAC with a BAC of .05% but less than .07%	10
Exceed speed limit by 45km/h or more (12 month suspension)	8
Exceed speed limit by 35km/h or more but less than 45km/h (6 month suspension)	6
Exceed speed limit by 25km/h or more but less than 35km/h (1 month suspension)	4
Exceed speed limit by 10km/h or more but less than 25km/h Disobey traffic lights, signs or police directing traffic Fail to give way or stop Drive without wearing a helmet (motorcycle), seat belt, or a properly adjusted and fastened seat belt, or with an unrestrained passenger under 16 Drive on wrong side of double lines, or divided highway Risk colliding with alighting, boarding or waiting tram passengers Driving contrary to a major defect notice Careless driving Using a hand held mobile phone while driving Driving with an obscured or improperly displayed number plate Failure to display P plates Driving under the influence of illicit drugs	3
Improper overtaking or passing Turn or stop without signalling Turn improperly Fail to keep left	2
Exceed speed limit by less than 10km/h Driving contrary to a minor defect notice Fail to dip headlights Driving at night without headlights and tail lights on Follow too closely	1

* BAC = blood alcohol content

Source: VicRoads website (2006)

2.3 PROFILE OF DEMOGRAPHIC AND PERSONAL CHARACTERISTICS: WHO ARE THEY?

No recent published data exists for Victoria to describe the profile of the current population of disqualified drivers. However, reported investigations of the demographic characteristics of disqualified drivers, both in Australia and overseas, have consistently reported that the majority of disqualified drivers tend to be young males. In Victoria, Healy and Harrison (1986) found a greater proportion of males than females having their licence suspended or cancelled. Similarly, Siskind (1996) found that the majority of drivers disqualified due to a drink driving offence in Queensland in 1988 were young males. A recent report (Scopatz, Hatch, DeLuci, & Tays, 2003) stated that of disqualified drivers in the US in the period 1993 to 1999, 85% to 90% were male and their median age was 29 to 33 years. Males also tend to commit the more severe driving offences. For example, a much higher proportion of men than women, have been found to commit the more serious speeding offences of 16 km/h or greater over the speed limit (Victorian Parliamentary Road Safety Committee, 1994).

Gebers and DeYoung (2002), found that different subgroups of disqualified drivers in California differed in demographic characteristics. Drivers who were disqualified due to physical and mental conditions and for lack of skill were from the oldest group (mean ages of 56 and 72 years respectively), with nearly half of these drivers being female. In contrast, the drivers from all other disqualification categories were predominantly males (with only 14% to 38% of females) and were much younger (mean ages ranging from 29 for drivers disqualified through a demerit points type system to 35 years for driving under the influence). This emphasises the importance of taking into account the differences in demographic characteristics when specific subgroups of disqualified drivers are examined.

Although a body of literature exists on personal characteristics associated with risky driving, there is little research on the personal characteristics associated with disqualified drivers in particular. However, as disqualification results from a driving offence and is therefore associated with risky driving behaviours, it is expected that the group of disqualified drivers would possess the characteristics of offending or risky drivers in general. For instance, Wells-Parker, Cosby, and Landrum (1986) developed a means of classifying alcohol related offenders using criminal and traffic offence histories. They identified five groups of offenders using factor analysis and discriminant analysis. Of particular interest were three groups: a young traffic group who had many risky driving violations but few alcohol violations, and two small chronic offender groups differentiated by the extent of licence violations and alcohol related offences. Evidence exists that when intervention programs for the more problematic groups of disqualified drivers are tailored to match heterogeneous characteristics of different subgroups they tend to be more effective (Bakker, Hudson, & Ward, 2000). Similarly, enforcement and deterrence methods can have a differential effect on various driver groups. For example, Wieczorek, Mirand, & Callahan (1994) found that different groups of drink driving offenders had different perceptions regarding risk of arrest. Heavier drinkers, in particular, seemed to require efforts other than deterrence. Bakker et al. (2000) point out that licences of heavy drinkers are often suspended or revoked for extended periods, and offenders report that they give up trying to stop drinking because they see it as hopeless, suggesting that specifically tailored intervention programs are more likely to be effective for this group. Intervention programs and enforcement initiatives aimed at disqualified drivers would benefit greatly from better understanding of the personal and social characteristics that are associated with disqualification related offences.

2.4 CONTEXT OF DISQUALIFICATION

Again, there is a lack of recent studies describing the context of licence disqualifications in Victoria. In 1986, Healy and Harrison investigated the driving behaviour of disqualified motorists in Victoria. They found that the majority of licence cancellations or suspensions resulted from driving under the influence offences, which had resulted in automatic cancellation or suspension. Relatively few drivers were found to be disqualified for an accumulation of lesser offences.

In a recent study from Western Australia, Ferrante (2003) used data from Police records and from the Department of Justice. Ferrante reported that between 1995 and 2001, more than a third (36.8%) of traffic related disqualifications were for drink driving. Another third (31.3%) were through the demerit points system. The remainder (22.6%) were mostly for licence offences, of which 83.5% were for driving while disqualified and 15.4% for driving with an expired licence. Ferrante also found that between 1995 and 2001, the proportion of drink driving and demerit points disqualification decreased from 43.3% to

36.8% and from 33.4% to 30.3% respectively, while disqualifications for licence offences increased from 13.6% to 23.3%. This increase was especially substantial among females, growing from 11.7% to 30.8% for non-indigenous females and from 25.8% to 48.1% for indigenous females (Ferrante, 2003). The above results indicate that although the number traffic related disqualifications in Western Australia has recently shown a general decrease, the number of drivers detected driving under disqualification increased. It is, not apparent whether this increase is mainly due to increased enforcement efforts or to increases in the number of people who chose to drive under disqualification, or a combination of both.

Victorian data regarding what proportion of drivers have disqualified licences and the different violations leading to these disqualifications have yet to be analysed.

2.4.1 Disqualification Through Accumulation of Demerit Points

Recently in Victoria new road safety initiatives have been introduced, making it more difficult for motorists to avoid incurring demerit points, as well as increasing the detection methods for many offences. Therefore, it is expected that the number of drivers disqualified through the demerit points system have increased dramatically. It has also been speculated that a large number of drivers are getting closer to disqualification through an accumulation of relatively minor offences. Thus, these groups warrant special attention when examining the current profile of disqualified drivers in Victoria.

The last detailed study of the demerit points system in Victoria was undertaken by the Parliamentary Committee on Road Safety (PRSC) in 1994. The Parliamentary Inquiry into Demerit Points in Victorian in November 1994 reported a massive increase in the number of drivers reaching 12 demerit points from 300 in June 1990 to about 9500 in March 1993, despite only 38% of detected traffic camera offences resulting in valid traffic infringement notices. Over the same period, the proportion of drivers with one or more demerit points increased from 6% to 32% (or to about one million drivers in 1993). In 1994, 6000 drivers had 12 demerit points and nearly 4000 had more than 12 demerit points. Most of those drivers were males (90%) who typically committed the three, four, and six demerit point offences, rather than the less severe one and two point offences. Speed offences made up about 75% of offences followed by 10% for seat belt and 8% for "disobey sign/signal" (including red light) offences. However, analysis of a sample of option letters (sent when a driver reaches 12 demerit points) revealed that if the "less than 15 km/h offence" was removed from the demerit points scheme, 75% of these drivers would still receive an option letter, whilst a further 16% of drivers in this group would almost certainly receive a subsequent letter due to their continued rapid rate of demerit points accumulation.

The above Parliamentary Inquiry also reported that the highest number of speeding offences was for 0-15 km/h, followed by 16-29 km/h over the speed limit. There was a marked reduction of motorists travelling 30 or more km/h over the limit between 1991 and 1994. The State average of motorists travelling over the designated speed limit declined from 12.2% in July 1991 to 3.54% in July 1994 (PRSC, 1994). Speeding offences were predominantly in the lower range in 1994.

With an expected recent increase in the accumulation of demerit points, it is imperative to consider to what extent drivers who accumulate demerit points, especially for lesser offences, pose regarding a risk to road safety. Of relevance to this issue is Diamantopoulou, Cameron, Dyte, and Harrison's (1997) report on the relationship between demerit points accrual and crash involvement. They found that adding a driver's prior offences (either as demerit point levels or categories of offence) into a prediction model of

driver's subsequent crashes improved the predictive ability of the model. The more efficient model used a driver's prior offences classified into demerit point levels. The authors also found that demerit points can be used to predict a driver's subsequent crash involvement, but an even better model can be produced by including prior casualty crash involvements as well. When Diamantopoulou et al. (1997) examined the number of licence suspensions in the past year (1991-1992), cancellations, and disqualifications separately, they found that 2.1% of drivers with one suspension, 8.9% with two suspensions, 1.4% with one cancellation, 4.8% with two cancellations, 1.5% with one disqualification and 7.1% with two disqualifications were involved in crashes in the following year (1993-1994), compared to only about 0.8% of drivers who did not have cancellations or disqualifications. The numbers of drivers with more than two of any of the above three offences were small. This report, however, did not specifically examine driving behaviour while disqualified. Also, the model was not intended to predict future driving behaviours.

Figure 2.1, present some preliminary estimates of the increase in the number of demerit points accumulated by drivers between 1994 and 2003. The 1994 estimates were obtained from the 1994 Parliamentary Inquiry into Demerit Points. The 2002 figures were supplied by VicRoads. The 2003 figures are quoted from The Age, 12th Jul, 2003 (the source is VicRoads). Presently no data on drivers with 12 or more demerit points is available to include in the estimates.

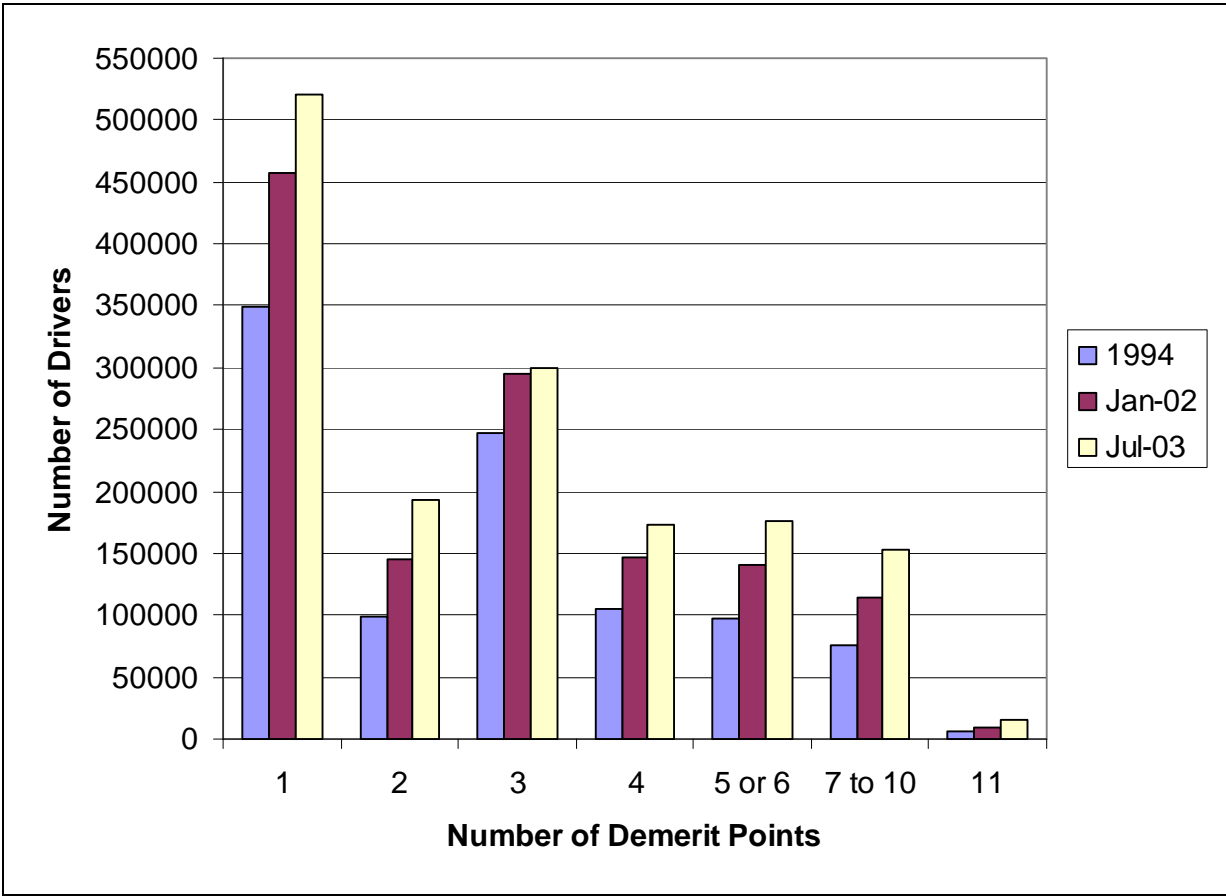


Figure 2.1 Number of drivers and applicable demerit points 1994, 2002, 2003

In July 2003, it is estimated that about 46% of all Victorian drivers had accrued at least one demerit point (1.5 million of the State's 3.3 million licensed vehicle users). Out of the drivers accruing demerit points, the proportion of those accruing 7-11 points has increased from about 9% in 1994 to about 11% in 2003, so the proportion of people approaching licence disqualification for 12 demerit points is also increasing.

The estimated percentage increase in the number of people accumulating demerit points over the years is presented below in Table 2.3.

Table 2.3 Percentage increase in the number of drivers with demerit points from 1994 to 2002, and from 2002 to 2003.

No. of demerit points accrued	% increase from 1994 to 2002	% increase from 2002 to 2003
1	31%	14%
2	46%	33%
3	19%	2%
4	41%	17%
5 or 6	45%	25%
7 to 10	50%	34%
11	56%	66%

It is evident from Table 2.3 that the number of drivers accumulating demerit points has increased substantially from 1994 to 2002, and from 2002 to 2003. During these time periods, and especially from 2002 to 2003, new enforcement initiatives have been introduced, resulting in greater detection rates. Although people accumulating 11 demerit points are a relatively small proportion of all the people accumulating demerit points, their number has risen dramatically, and especially so from 2002 to 2003.

2.5 CRASH INVOLVEMENT OF DISQUALIFIED DRIVERS IN VICTORIA

This section summarises some data that is currently available in Victoria about the involvement of disqualified drivers and motorcyclists in fatal and injury crashes. Table 2.4 below shows the licence status of drivers in fatal road crashes in Victoria between 1999 and 2003.

Table 2.4 Licence status of drivers in fatal road crashes in Victoria 1999-2003

Licence Type	Not known	Cancelled	Disqualified	Expired	Suspended	Surrendered	Valid	Total
Learner	0	1	2	1	0	0	24	28
Probationary	0	3	2	0	2	0	144	151
Full	0	1	8	1	3	1	649	663
Unlicensed	1	3	3	2	0	0	1	10
Not known	1	0	0	0	0	0	1	2
Total	2	8	15	4	5	1	819	854

Source: VicRoads

There were 854 drivers killed in road crashes in Victoria during the five year period, 1999 to 2003. Eight hundred and nineteen drivers had valid car licences or learner permits, 34 drivers were driving without a valid licence, and the licence status for one driver is not known. Drivers without a valid licence were involved in 4% of Victorian fatal car crashes during 2001-2003.

The licence status of motorcycle riders killed in road crashes in Victoria in a three year period, 2001 – 2003, is presented in Table 2.5. Motorcycle riders sometimes have a valid car licence but are unlicensed to ride a motorcycle. There were 140 motorcycle riders killed during the three year period 2001 to 2003. Of these, 100 had a valid motorcycle licence or learner permit, 38 were riding without a valid licence, and the licence information for two riders could not be ascertained. Overall, riders without a valid motorcycle licence or with a car only licence represented 27% of Victorian motorcycle fatalities during 2001-2003. Riders with disqualified and suspended licences represented about 8% of the motorcycle fatalities.

Table 2.5 Licence status of motorcycle riders in fatal road crashes in Victoria 2001-2003

Licence type	Licence status	2001	2002	2003	Total 2001-2003
Car only	Inappropriate	13	7	3	23
	Disqualified	1	2	2	5
Full	Valid	26	33	21	80
Probationary	Valid	4	2	3	9
Learner	Expired	1	0	0	1
	Disqualified	0	1	3	4
	Suspended	1	0	0	1
	Valid	4	4	3	11
Unlicensed	Disqualified	1	0	0	1
	Never held	0	2	1	3
Not known	Not known	2	0	0	2
Total		53	51	36	140

Source: VicRoads

As shown in Table 2.6 below, of the 50,562 reported crashes that occurred in Victoria during 2004, 1022 (2%) involved drivers/motorcycle riders who did not hold a valid licence (5% of all fatal crashes, and 2% of all injury crashes).

Table 2.6 Licence status of Drivers and Motorcycle riders in crashes in Victoria during 2004

Crash severity	Licence status	Unlicensed	Valid	Total per crash severity
Fatal	Full or probationary	19	418	442
	Wrong class	0	1	
	Never licensed	3	1	
Casualty	Full or probationary	424	24,733	25,281
	Wrong class	1	8	
	Never licensed	86	29	
Serious Injury	Full or probationary	154	7,118	7,326
	Wrong class	1	2	
	Never licensed	39	12	
Other Injury	Full or probationary	251	17,197	17,513
	Wrong class	0	5	
	Never licensed	44	16	
Total		1,022	49,540	50,562

Source: VicRoads

In summary, the figures in the above three tables suggest that although disqualified drivers only represent a small group of all drivers in Victoria, some of them continue to drive and be involved in a relatively substantial proportion of serious crashes. This is particularly the case for motorcyclists with disqualified and suspended licences involved in fatal crashes. The above figures are consistent with research showing disqualified drivers to be overrepresented in serious crashes and crashes involving risky behaviour, which will be discussed in the later sections of this report.

3 RESEARCH INTO DRIVING WHILE DISQUALIFIED

It has proven problematic to study the frequency and pattern of driving during disqualification periods. Unless drivers get apprehended for driving during a disqualification period, no information can be inferred from official licensing and police databases about their driving behaviours, or their personal characteristics and motivations that may act as important causal factors in traffic offending.

To some extent the frequencies and driving behaviours of disqualified drivers can be estimated through surveying a sample of them with self-report questionnaires, telephone or face to face interviews, or focus groups. Through such self-report studies it is also possible to find out about demographic, personal, and attitudinal factors that contribute to disqualified driver behaviour.

The most accurate data on the extent of driving while disqualified could be provided through systematic road checks and surveillance. However, such methods require large resources and pose practical and ethical difficulties.

The following sections discuss the various methodologies and associated findings that have been used to study the driving patterns of disqualified drivers. The discussion below has been divided in this way because different kinds of information about disqualified drivers can be gained by using various research methodologies.

3.1 IDENTIFICATION FROM LICENSING AND POLICE DATABASES

To some extent, the frequency of driving by disqualified drivers can be inferred from examining the rate of their involvement in events such as traffic crashes or offences. This method does not permit inferences about the total proportion of disqualified drivers who continue to drive or about those disqualified drivers who attempt to drive safely to avoid detection. Nonetheless, this method does permit examination of the effectiveness of licence deprivation on detected re-offence and crash rates whether due to less driving or more caution (Siskind, 1996). This method also enables estimates to be made of the rate of involvement of disqualified drivers in serious crashes. Watson (1998) points out that it is difficult to estimate the accurate representation of disqualified drivers in minor crashes, since such crashes are not necessarily reported. Relevant studies using registration and licensing databases and offence records to infer the behaviour of disqualified drivers are summarised and discussed below.

3.2 FREQUENCY OF DRIVING WHILE DISQUALIFIED

A recent National Roads and Motorists' Association (NRMA) (2002) report provides some figures on incidents of driving while disqualified in NSW from 1999 to 2001, which were obtained from the NSW Bureau of Crime Statistics and Research. Such incidents were recorded under a category called "drive while disqualified" which is considered as a serious offence. According to these figures, the incidence of driving while disqualified in NSW steadily grew, with increases of 7% from 1999 to 2000 and from 2000 to 2001 (1999: 16,245; 2000: 17,380; 2001: 18,680). The above data, does not include data on what the drivers were doing when detected while driving disqualified (e.g., whether they were committing another offence or were stopped as a routine breath testing or vehicle inspection checks) and is only based on those that were actually detected and apprehended. It is not known what factors might have influenced this increase: possible factors being an

increase in the number of offenders, increase in the number of times offenders drive while disqualified, changes in enforcement practices (NRMA, 2002), or increase in the number of disqualified drivers.

In the above NRMA report, the Ministerial Road Safety Taskforce Road User Behaviour Study Report (RTA, 2001 cited in NRMA 2002) has included analysis of licence status of drivers in crashes from 1993 to 2000 in NSW. The analysis shows that 2.8% of the drivers involved in fatal crashes in 2000 were disqualified. This was an increase from the average of 1% for the previous seven years (1993 to 1999). It is not known what contributed to this increase. The 2004 Victorian data (see Table 2.6, previously) identified that 4.7% of fatal and 2.0% of casualty crashes involved unlicensed drivers/riders. From older Victorian crash data, Healy and Harrison (1986) estimated that 1% of drivers involved in serious casualty crashes had been disqualified from driving. (See Table 2.6 for 2004 Victorian data)

3.3 DRIVING BEHAVIOUR WHEN DRIVING UNDER DISQUALIFICATION

Although a fairly high proportion of disqualified drivers appear to continue to drive, another important issue is to what extent they actually present an increased road risk while driving under disqualification. Even if disqualification was to have only limited effectiveness as a restraint, it is imperative to consider the effect of disqualification on reducing the road crash risk presented by these drivers.

While self-report surveys and interviews with disqualified drivers (e.g., Ferrante, 2003; Mirrlees-Black, 1993; Smith & Maisey, 1990) have found many disqualified drivers report that they made special efforts at law abiding road use to avoid detection, studies examining records of fatal crashes have found a contrary behaviour pattern among disqualified drivers involved in fatal crashes (e.g., Federal Office of Road Safety (FORS), 1997; Harrison, 1997). FORS (Monograph 20, 1997) found from coroners records that among drivers and motor cycle riders involved in fatal crashes between 1992 and 1994 in Australia, disqualified drivers and riders were more likely to be highly intoxicated compared to legally licensed drivers (59% vs 10% respectively). The FORS study also found that unlicensed drivers (including both disqualified and never held a licence) were characterised by higher levels of irresponsible road use, more commonly speeding or driving too fast for road conditions, more commonly not wearing a seat belt or being unhelmeted, and being about seven times more likely to be at fault compared to licensed drivers involved in fatal crashes (FORS, 1997). In these latter findings FORS did not report separate figures about the disqualified drivers and the drivers who had never held a licence. Thus, it is not possible to infer to what extent the disqualified drivers would have contributed to these risky road behaviours compared to the never licensed drivers. Nevertheless, consistent with the FORS study, Harrison (1997) found some evidence to indicate that disqualified drivers involved in injury crashes may be more likely than not to have exhibited risky road behaviours. Harrison's study is discussed below.

Harrison (1997) conducted an exploratory study using data from VicRoads to examine the involvement and the relative over-involvement of disqualified drivers and motorcycle riders in injury crashes in Victoria in 1994. He estimated that disqualified motorists represented 1% of the 26,409 drivers and motorcyclists involved in injury crashes in Victoria in 1994 (after those with unknown licence status were excluded). Harrison found that disqualified drivers were more likely to be involved in certain types of crashes compared to other types of crashes. More specifically he found that the percentage of

disqualified drivers increased with crash severity (2.4% fatal vs 1.4% serious injury vs 0.07% other injury). It is important to acknowledge the limitations of comparing the involvement of disqualified drivers in fatal versus non-fatal crashes. For instance, Watson (1998) points out that it is possible for non-fatal crashes (especially where less serious injuries are involved) to be substantially underreported to the Police. Then disqualified drivers would appear to be more likely to be involved in fatal than non-fatal crashes.

Harrison (1997) also found that disqualified drivers were more likely to be involved in weekend crashes (1.7% on Sat vs 0.4% on Wed), in night time crashes (1.7% night vs 0.6% day), in hit and run crashes (3.3% disqualified vs 0.9% legally licensed), in dry conditions than in wet conditions (1.1% dry vs 0.6% wet), on road curves than on straight roads (1.6% curves vs 0.9% straight), in single than in multiple vehicle crashes (2.1% vs 0.7%), in object collisions than in other vehicle (0.7%) or pedestrian/animal collisions (0.6%). Disqualified drivers were more likely to be fatally injured (4.6% of fatally injured vs 0.7% of uninjured), to have BAC over 0.05 g/100ml (8.9% of disqualified vs 1.4% of legally licensed). Of those with illegal BAC 26.1% were likely to be disqualified, compared with 6.1% of those with legal BAC involved in crashes. Drivers of age 40 years or less were more likely to be disqualified while involved in crashes than older drivers (1.3% vs 0.3%), as were male drivers (1.4% of male vs 0.3% of female). There was no over-representation of disqualified drivers in metropolitan Melbourne compared to rural Victoria and in speed zones above 100 km/h compared to lower speed zones. Also, the patterns described above were not found for the legally licensed drivers involved in injury crashes. Harrison (1997) argued that the disqualified drivers increased risk of crash involvement in certain situations is more likely to be related to individual driver's behaviour, rather than to their increased exposure to high risk situations (e.g., they are not over represented in speed zones over 100 km/h). For example, he argued that their increased likelihood of crashes at night, on curved roads, and in single vehicle collisions is most likely due to drink driving, given the high rate of drivers disqualified for this offence and available data that most drink related crashes happen at night and that drunken drivers are more likely to crash on curved roads. Harrison also argued that the over-involvement in weekend and night crashes reflects the road-user pattern of these drivers i.e., most likely for recreation purposes rather than for work, with public transport more easily available to get to work than for recreation (Harrison, 1997). However, as it has not been possible to control for driving exposure in the above study and it is not clear to what extent these arguments can be substantiated.

Harrison's (1997) results show that although in 1994 disqualified drivers constituted 2.5% of the 486 Victorian drivers (with known licence statuses) who were involved in fatal crashes, they constituted 4.6% of all drivers killed, thus representing a significant road safety problem. Consistent with these findings, a Californian study (DeYoung, Peck, & Helander, 1997) found that suspended/revoked drivers were over-involved in fatal crashes by a factor of 3.7:1 compared to legally licensed drivers. These results suggest that for at least this group of disqualified drivers who continue to drive and are involved in serious crashes that the countermeasures of licence suspension and cancellation had not been effective. This indicates a strong need to investigate the conditions under which disqualified drivers drive, and to investigate their demographic and psychological characteristics (Harrison, 1997). It is possible, for example that they (or a group of them) may share characteristics that make them less likely to be influenced by legal sanctions and

less threatened by enforcement approaches to behaviour modification. Thus, the development of effective countermeasures would require an approach that addresses the particular characteristics of this group of drivers (Harrison, 1997). It is also important to separate groups with different profiles among the disqualified drivers (e.g., by path to disqualification and/or demographics), especially after the recent changes in enforcement initiatives.

Furthermore, recent research from Canada has indicated that disqualification or other traffic convictions may not be effective in reducing the road safety risk for this group of drivers. Redelmeier, Tibshirani, and Evans (2003) investigated the effects of traffic convictions on reducing subsequent crash risk. They found a significant crash risk reduction, 35% (95% C.I.: 20%-45%), for licensed drivers who had received a traffic conviction in the last 12 months. However, these crash risk reductions were not comparable for suspended drivers.

Siskind (1996), on the other hand, has suggested that disqualification may be effective in reducing the risk of these drivers in Queensland. Siskind (1996) carried out a study to investigate whether disqualification for a drink driving offence reduced re-offence rates in Queensland. Siskind conducted a review of the subsequent driving records of over 25,000 Queensland drivers charged with a drink driving offence in 1988, who received at least one subsequent licence restriction. Each driver in the sample was followed up for approximately 3-4 years. For each driver, the total amount of time during restricted (disqualification periods within the 3-4 years) and unrestricted (periods when legal licence was held within the 3-4 years) driving were computed. Then the numbers of events (i.e., crashes and traffic offences) were counted during these periods and rates ratios were calculated while controlling for age, sex and rural/metro area. Siskind found that the rates of crashes and offences during periods of disqualification were about one third of the rates during legal driving. Re-offence rates during periods of disqualification ranged from 25% to 35%. Siskind also found that disqualified drivers tended to be apprehended more frequently earlier, rather than later in the disqualification period. Siskind concluded that, at least during their period of disqualification, convicted drink drivers appear to exhibit better vehicular behaviour, perhaps by restricting their driving or by driving with greater care. An alternative explanation, not considered by Siskind, might be that these drivers learn to avoid detection over time. Siskind did not indicate whether he included minor crashes in his estimates, as discussed earlier, including minor crashes in studies of disqualified drivers can introduce major biases, as minor crashes may be substantially underreported (Watson, 1998).

It is important to consider homogenous subgroups of disqualified drivers, when attempting to study their behaviour, as each group may pose different driving risks and countermeasures may be differentially effective for these subgroups. Furthermore, the overall heterogeneity amongst disqualified drivers is likely to increase over time, as the trend to prescribe licence disqualification for a variety of offences increases (Gebers & DeYoung, 2002). This may be particularly relevant to recent changes in ways that demerit points are accumulated in Victoria, and with recent increases in the number of drivers accumulating a high number demerit points. It would thus be of importance to investigate if there appear to be "new" subgroups of drivers on the verge of disqualification through the demerit points system and how they may differ in their demographics, risk profiles, relevant behaviours and personal characteristics. Gebers and DeYoung (2002) point out that although drivers can be disqualified for a variety of offences, generally laws and policies have reflected viewing them as a single homogenous group of high risk drivers, with similar driving behaviours and crash expectancies. One of the reasons for this is that

little is known about the different types of disqualified drivers. While a significant body of research exists (particularly in the US) that examines the relative efficacy of licence suspension/revocation as a traffic safety countermeasure, comparatively little research has been conducted on the nature of suspended/revoked drivers themselves, and almost none on the suspended/revoked drivers and their risk profiles (Gebers & DeYoung, 2002).

A Californian report by Gebers and DeYoung (2002) examined the characteristics and traffic risk of drivers suspended for various reasons and found that these groups had different risk profiles regarding crash involvement compared to a random sample of non-disqualified drivers. Gebers and DeYoung (2002) sampled three groups of drivers from the Californian licensing database: the first group consisted of all drivers whose licences were suspended/revoked in 2001 ($n=676,623$); the second group was a random sample of Californian drivers with valid licences ($n=200,737$) used as a baseline comparison group; and the third group consisted of a validly licensed sample of males under age 25 years ($n=877,360$), used as a high risk comparison group. Gebers and DeYoung examined risk profiles by category of disqualification, based on historical data on the number and type of past crashes of each group. Risk ratios were calculated based on the number of crash types for total crashes, for serious/fatal crashes, and for total conviction for each group and for the validly licensed groups in the three years prior to the 2001 disqualification. The disqualified drivers in this study were divided into the following groups, based on the reason for disqualification: driving under the influence; physical and mental conditions; lack of skill; negligent operators (somewhat similar to the Victorian demerit points program); serious offenders (i.e., serious offences such as road rage, reckless driving, or manslaughter); failure to appear for a court hearing; financial responsibility (i.e., no insurance at time of crash); proof failure of financial responsibility (i.e., no insurance but no crash involvement) with non-driving offences (e.g., failure to pay child support) a random sample of Californian drivers was used as a comparison group. These groups differed by demographic characteristics. The groups with physical and mental conditions and with lack of skill were older (mean ages of 56 and 72 years respectively), with nearly half of these drivers being female. In contrast, the drivers in all the other disqualification groups were predominantly males (with only 14% to 38% of females) and were younger (mean ages ranging from 29 for negligent operators to 35 for driving under the influence, and 37 for non-driving related offences). The mean age of the validly licensed sample was 45 years, and about half of the drivers in this sample were females. The largest group of disqualified drivers were those failing to appear to a court hearing ($n=252,988$), followed by driving under the influence ($n=162,648$), and the smallest group was that of serious offenders ($n=1,294$). The group of negligent operators was fifth in size ($n=32,783$).

Gebers and DeYoung (2002) found that there was a significant variation in risk among the different groups of disqualified drivers based on reason for disqualification and that all of the disqualified groups had higher crash and conviction rates than both the validly licensed drivers and the high risk group of the validly licensed under 25 years old males. The serious offenders ($rr=9.49$), the negligent operators ($rr=8.25$), and the financial responsibility ($rr=7.49$) groups had the highest risk rate regarding having been involved in a crash resulting in a fatality or a serious injury in the three years prior to their disqualifications. These groups were followed in risk rate by the drivers disqualified for lack of skill ($rr=4.72$), failure of proof (3.92), driving under the influence ($rr=2.85$), and

failure to attend court. The drivers disqualified for non-driving related offences had the lowest risk ratio of all the disqualified groups, although still nearly twice as high as the validly licensed drivers ($rr=1.71$). The validly licensed under 25 years old males were more likely ($rr=1.37$) to have been involved in fatal or serious crashes than the general sample of validly licensed drivers, indicating they have a slightly higher risk profile, but still substantially lower than all the groups disqualified for a driving offence.

It is important to note that although Gebers and DeYoung's (2002) study gives an indication of past risk of the different groups of drivers studied (i.e., based on historical crash and convictions data), conclusions cannot be drawn about the future driving behaviour of these disqualified drivers (e.g., if driving disqualified or driving after regaining their licence). An important limitation of Gebers and DeYoung's (2002) analysis is that although the subgroups of disqualified drivers had different compositions of age and sex, these variables were not controlled for when the comparisons to the legally licensed drivers were made. Therefore, an inference cannot be made about what the risk of the subgroups of disqualified drivers would be when compared to legally licensed drivers of the same age and sex. That is, it is unclear to what extent demographic differences account for the increased risk of the subgroups, rather than the reason for disqualification by which they were grouped. Gebers and De Young also included what they considered to be a high risk group of legally licensed males under 25 years of age as a way of accounting for age and sex differences.

3.4 DATA COLLECTION METHODS

3.4.1 Using self-report surveys to study the driving patterns of disqualified drivers

As discussed previously in this report, analysing databases such as the ones described above can help us to profile the overall population of disqualified drivers and/or drivers with demerit points. The crash risks of these drivers (or of different subgroups of them) can also be estimated from such analyses. However, in order to answer questions about the factors that contribute to disqualified drivers' increased risk and to design better countermeasures, it is necessary to gain a better understanding of these drivers' behaviours, attitudes, and relevant personal characteristics, and also to identify subgroups of disqualified drivers for which disqualification may have differential effectiveness. Information of this kind is usually obtained through self-report surveys or interviews. Relevant studies using survey and interview methodology are discussed below. The main disadvantages of studies using self-reports are that the samples of participants are usually unrepresentative, due to problems with recruitment and because it is usually less serious offenders who tend to volunteer for such studies (e.g., Smith & Maisey, 1990). Some of these studies have recruited relatively large samples for mail surveys using licensing or Police databases. However, because of recruitment difficulties the studies involving interviews or focus groups usually rely on small samples. An advantage of these smaller studies, is that they provide more detailed data about behavioural factors. Confidentiality and anonymity, and the willingness of the participants to discuss illegal behaviours is also an issue with self-report studies, especially where face-to-face interviews are involved, but less so with mail surveys. Nevertheless, self-report studies can make a valuable contribution to better understanding the causal factors disqualified drivers' behaviours, and therefore can enhance the design of enforcement programs. Self-report study recruitment bias can be estimated and controlled for using licensing data.

3.4.1.1 Robinson's (1977) survey in Victoria

The most extensive survey of disqualified drivers in Victoria was conducted by Robinson in 1977. Robinson used a sample based on notices of conviction processed by the Motor Registration Branch of the Victoria Police, which included all Victorian male drivers disqualified during the period 1 October to 31 December, 1975. Conviction records were collected from the Motor Registration Branch at regular intervals and questionnaires were sent out within four days of each record becoming available. Robinson excluded female drivers, as they formed only 4% of all disqualified drivers in this period. Robinson used a mail survey to which a final sample of 1552 disqualified drivers responded (39% response rate). Prior to conducting the mail survey, Robinson (1975, 1976 cited in Robinson 1977) carried out a pilot study interviewing disqualified drivers, but found difficulties with response rates, and confidentiality and anonymity issues. The face-to-face interview survey only achieved a response rate of 23% due to greater reluctance to discuss illegal behaviours face-to-face. Ultimately Robinson (1977) found the mail survey to be a more suitable means of collecting data on disqualified drivers.

In Robinson's (1977) sample about 36% of the subjects admitted driving while disqualified. Demographic characteristics related to increased likelihood of driving while disqualified were having at least two previous disqualifications, being single, blue collar worker, unemployed, or a professional driver.

Robinson's (1977) questionnaire also included items about perceived risk of apprehension when driving while disqualified, anxiety about apprehension, self-rated driving ability, and disruption of own and family life style due to disqualification. Other questions asked subjects to indicate whether or not they believed that their disqualification was legitimate, and their knowledge of penalties applied to driving under disqualification. Using the survey data, Robinson and Kelso (1981) found that anxiety about apprehension was related to the decision to drive under disqualification, such that subjects with lower levels of anxiety tended to be the ones that admitted driving. Multiple regression analysis revealed that the strongest predictors of anxiety about apprehension were the perceived risk of apprehension and disruption of lifestyle due to disqualification. These findings suggest that steps to increase the perceived risk of detection are likely to lead to a decrease in the amount of disqualified driving. Watson (1998) points out the importance of underpinning a self-report survey of disqualified drivers with a theoretical framework of the drivers' behaviour, such as the one studied by Robinson and Kelso (1981), rather than designing a merely descriptive survey. This approach allows the responses of subjects to be interpreted within a broader conceptual framework so that causative factors can be identified (Watson, 1998). Understanding causative factors of disqualified drivers' behaviours will contribute to improving the effectiveness of intervention programs. Robinson and Kelso's study appears to be the only comprehensive mail survey of disqualified drivers to go beyond the descriptive and explore causative behavioural factors.

3.4.1.2 Smith and Maisey's (1990) survey in Western Australia

Smith and Maisey (1990) in Western Australia also used a survey method: they sent questionnaires to 3,404 drivers who had lost their licence for driving offences and received replies from 1,313 drivers (39% response rate). To increase response rates drivers were sent the survey just prior to regaining their licence. Confidentiality was ensured through a

procedure set up with the Police. The police had access to driver's names and were responsible for sending out the surveys and reminder letters but the completed surveys were returned to the researchers, the police had no access to these. Among the responders, 20% refused to answer the questions about driving while disqualified (missing data).

Smith and Maisey (1990) reported that 36% of a sample of Western Australian disqualified drivers continued to drive after disqualification. Similarly, in the US, Williams, Hagen, and McConnell (1984) have reported that 33% of a sample of American motorists drove the same amount while disqualified as they did prior to disqualification. Other US studies report a wide variability in the rate of driving unlicensed for different States, ranging from about 30% to 70% (e.g., Scopatz et al., 2003).

In their 1990 Western Australia survey of disqualified drivers Smith and Maisey found that while over 60% of all respondents considered their licence disqualification "fair" or "very fair", those who drove while disqualified were significantly less likely to consider it fair (51.5%) than those who did not drive (65%). They also found that 30% of the drivers who lost their licence due to a drink driving offence reported driving while disqualified, compared with the substantially large proportion of 50% among drivers whose licence had been suspended due to the demerit point scheme. It should be noted that the results of Smith and Maisey's (1990) survey are limited by the low response rate (as with Robinson, 1977) and the lack of knowledge regarding the characteristics of non-responders. Although an examination of late respondents indicated that the frequency of driving during disqualification in the sample is probably an underestimation as late respondents tended to report a higher frequency of driving under disqualification (40% of late respondents compared to 31% of early respondents).

Drivers in Smith and Maisey's (1990) study who were disqualified due to accumulation of demerit points were the group most likely to drive while disqualified (about 50% admitted driving) compared to the groups who were disqualified for driving under the influence, drinking, speeding, and dangerous and careless driving (30% to 37% of these latter groups admitted to driving). Other groups with increased likelihood of driving while disqualified were people reporting driving essential to their employment, those driving more hours during the working day and more kilometres during the week [unclear if during or before disqualification], single people, males, those aged between 17 and 24 years, people with at least Year 11 level of education, and people from the country. People with two or more previous disqualifications drove more than those with no prior disqualifications, and those with longer periods of disqualification were more likely to drive. Those who drove while disqualified reported that their work, family, and social life were less affected by the disqualification, compared to those who did not drive.

Smith and Maisey (1990) extracted four factors that describe different groups of disqualified drivers that continue to drive. The first factor described young male disqualified drivers who drove many hours during the working days, considered their disqualification to be unfair, stated that driving was essential to their employment, and had applied for an extra-ordinary licence. The second factor described young drivers with short periods of disqualification who disapproved of driver disqualification, did not think disqualification made drivers obey the road rules, considered their own disqualification to be unfair, and drove while disqualified especially for family and social activities. The third factor described repeat offenders driving for work, family, and social activities who reported little effect of the disqualification on any of these activities. The fourth factor described people of a higher socioeconomic status, longer periods of disqualifications, previous offences, who considered many hours of community work rather than

disqualification to be fair and tended to be from metropolitan areas. Unfortunately, drivers' safety behaviour while driving disqualified was not included in this factor analysis, this would have been useful for investigating which of these groups exhibit riskier driving behaviour while disqualified.

Smith and Maisey (1990) report that around 30% of drivers indicated that they drove with extreme caution and obeyed the road rules to avoid detection while disqualified. The remainder took various other steps to evade detection, such as staying off main roads, but did not indicate extra attempts to drive safely.

3.4.1.3 Job, Lee, and Prabhakar's (1994) survey in New South Wales

Job et al., conducted a survey based on Smith and Maisey's (1990) methodology described above. Questionnaires were mailed out by the Road Traffic Authority of New South Wales to 5160 drivers. These drivers constituted the entire population of drivers being convicted or fined for unauthorised driving from November 1992 to April 1993. The questionnaires were returned to the researcher at the University of Sydney to preserve complete anonymity. A reminder letter was sent six weeks after the first questionnaire. Because there was no way of tracing those who had responded they also received the reminder letter with a notice to disregard it if they had already returned the questionnaire. A total of 877 questionnaires (including 283 after the reminder letter) were returned, with an overall response rate of 19.6%. Job et al., (1994) carried out regression analysis and found that change in the amount of driving for social events was predicted by the deterrence of the fine. Change in the amount of family related driving was predicted by the number of occasions of being random breath tested and by the number of times a licence check occurred when random breath tested. There were no statistically significant predictors for change in the amount of work related driving. Job et al., also found that reported reductions in speeding in 60 km/h zones while disqualified was predicted by the rating of the fine for disqualified driving (rated too high or too low). Thus, fines and perceived risk of detection appear to act at least as a partial deterrent to driving while disqualified.

3.4.1.4 Mirrlees- Black's (1993) survey in the UK

Mirrlees-Black (1993) carried out in-depth and semi-structured interviews with disqualified drivers in the UK regarding their behaviours, motivations, and attitudes. Mirrlees-Black used magistrate courts records to select a range of disqualified drivers in terms of sex, age, offences, and length of disqualification. Letters were then sent to the selected sample by the Home office explaining the purpose of the research and giving them a chance to withdraw from the study. The names of those who did not take the opportunity to withdraw were passed to a market research company who then made further approaches. The interviews were conducted by the market research company as independent researchers to preserve anonymity. A total of 90 interviews were conducted, with response rates varying greatly among different geographical locations. The research aimed to assess how disqualification met the three objectives of retribution, deterrence, and restraint.

Mirrlees-Black (1993) found disqualification to be effective as retribution or punishment. Nearly all participants stated that disqualification had had a major effect on their lives, but the impact of disqualification was related to the length of the disqualification and to the personal circumstances of the offender (e.g., whether other family members or work were affected as well). For some offenders, even intermediate length disqualifications had resulted in extreme hardship.

Mirrlees-Black (1993) suggested that wider publicity about offences that result in disqualification would improve its effectiveness as a general deterrent (i.e., deterring those who have never experienced the penalty), as many first time offenders tended to have a low level of awareness of the possibility of being disqualified. However, the effectiveness of disqualification as a general deterrence was not directly assessed in the study (Mirrlees-Black, 1993).

The interviews with offenders suggested that disqualification appeared to be partially effective as a specific deterrent, with nearly 70% claiming that their experience of disqualification had deterred them from further offending. However, disqualification did not appear to be effective as a specific deterrent for offenders who deny their guilt or claimed they would not have re-offended anyway (Mirrlees-Black, 1993).

As a method of restraint, disqualification appeared to be least effective for offenders who claimed they had a psychological need to drive, and for those suffering financial hardship as a result of their disqualification. However, most offenders reported adopting safer driving styles or driving less frequently. Those who continued to drive were less likely to view disqualification as a deterrent for future offending, suggesting that this may be the most difficult group to deter (Mirrlees-Black, 1993).

The legal consequences of driving while disqualified, such as the threat of prison, were only likely to deter offenders if they were considered as a real possibility. Only half of the respondents were aware of the possibility of a prison sentence, and less than half thought that the police monitored disqualified drivers. Even low levels of police activities appeared to act as a deterrent to driving while disqualified, if drivers were aware of them. Family members and acquaintances were also found to exert a greater deterrent effect if they knew about the disqualification, the chance of being caught driving, and the nature of the possible penalty (Mirrlees-Black, 1993).

3.4.1.5 Ferrante's (2003) survey in Western Australia

Ferrante (2003) recently conducted a study to investigate the key factors that determine the effectiveness of licence disqualification as a sanction in Western Australia. Ferrante recruited a small number of focus group participants through a media campaign conducted by the University of Western Australia and through distribution of posters and flyers in licensing centres in metropolitan and rural areas. Selection preference was given to drivers whose disqualification was relatively recent (since 1995). Initially there were 60 calls from potential participants in Perth, but none from the rural areas. Of those who initially volunteered, 27 attended the focus groups and all but three brought documentary evidence of their disqualification. The participants were allocated to four focus groups, based on type of disqualification: drink drivers; fine suspended drivers (including non-driving related fines); demerit points; and repeat disqualified drivers (those disqualified multiple times for various reasons).

Ferrante (2003) found that licence disqualification had greatest impact on participants' employment and family life. Furthermore, the impact of disqualification on employment was unevenly distributed, with minimal impact for those with family support or living close to work or public transport. The employment impact was quite substantial for tradespeople, those needing their licence for work, and shift workers. The group who experienced substantial impact from their disqualification reported a perception of unfairness regarding this heavy impact and how this perception increased their motivation to drive under disqualification.

Driving under disqualification was frequent among the focus group participants, with two thirds reporting doing so routinely. Repeat offenders reported the highest rates of driving under disqualification. However, participants in all four focus groups considered drink driving as dangerous and foolhardy, even those in the drink driving group who admitted to driving while disqualified.

Ferrante (2003) discusses the implications of the study regarding the effectiveness of licence disqualification as a specific and a general deterrent. The participants' reports of frequent driving while disqualified seem to indicate that the sanction has low effectiveness as a specific deterrent (i.e., the penalty does not seem to prevent those disqualified from continuing to drive). However, the study also found that there were many drivers who were deterred by the sanction. Those most likely to be deterred were drivers without criminal record, non-repeat offenders, females, and non-indigenous drivers. These findings are consistent with literature on the effectiveness of deterrence from the field of criminology, which asserts that deterrence works best for those with strong ties or attachment to familial or social groups, and in a context where those groups clearly disapprove of the behaviour (Bottoms, 2002; cited in Ferrante, 2003).

Similarly to the findings of Smith and Maisey (1990), Ferrante (2003) found that those who drove while disqualified reported a number of behaviours they adopted to reduce the chances of detection, including reducing the frequency of driving, driving only on certain times of day and days of week, and avoiding certain roads. Some also reported attempting to drive safer, such as observing speed limits and other road rules, not drink driving, driving more carefully, and ensuring proper registration and road worthiness of the vehicle.

Consistently with Robinson and Kelso's (1981) study discussed above, Ferrante found that two factors emerged from the focus group discussions as important determinants of the decision to drive while disqualified: the perceived risk of detection; and the level of life disruption caused by the disqualification. Those reporting greater perceived risk of detection were less likely to drive, while those for whom the impact of disqualification was greater were more likely to drive.

3.4.1.6 Watson's (2004) study of unlicensed drivers in Qld

Watson's (2004) theory of disqualified drivers' behaviour, the most comprehensive theory to date, suggests that in many cases the conditions necessary to deter unlicensed driving are not currently being achieved by merely applying classical deterrence theory. His theory suggests that drivers will be deterred from unlicensed driving if they perceive a high likelihood of apprehension and if the resulting penalties are perceived to be sufficiently certain and swift. Watson drew on Stafford and Warr's (1993) expanded deterrence theory and on social learning theory of criminal behaviour (Akers, 1990) to propose and test a theory that predicted better disqualified driving. Watson conducted semi-structured interviews with 309 unlicensed drivers at the Brisbane Magistrate Court. The findings of his study provided minimal support for classical deterrence theory. Watson found that for a better predictive model of disqualified driving that in addition to perceived risk of apprehension it is imperative to include punishment avoidance experiences and psychosocial variables. These psychosocial variables include: exposure to models that drive without a valid licence and hold positive attitude towards the behaviour; punishment avoidance; personal attitudes to unlicensed driving and alternative behaviours; and the perceived rewards and punishments associated with the behaviours. Watson's model does not contradict classical deterrence theory, but rather subsumes it under a model of higher predictive utility.

3.4.1.7 Summary of self report studies

Driving Under Disqualification

Survey and interview studies have consistently found that although many disqualified drivers continue to drive, they have reduced the frequency of their driving and/or they attempt to drive more carefully and comply with road rules to avoid detection (Ferrante, 2003; Smith & Maisey, 1990). Although such reports seem inconsistent with the results obtained from crash data (e.g., FORS, 1997), it may be that disqualification does act to reduce the risk of some drivers, but there remains a subgroup for which disqualification is less effective as a restraint and a deterrent. It may be this latter subgroup that is evident as a high risk group in serious crashes. It is thus important to obtain a better understanding of what characteristics may differentiate subgroups of disqualified drivers with different road risks.

Behavioural Factors

Several survey and interview studies have identified factors that contribute to driving behaviour under disqualification. Robinson and Kelso (1977) found that anxiety about apprehension was related to the decision to drive under disqualification, with those experiencing higher apprehension anxieties being less likely to drive. In turn, the strongest predictors of higher apprehension anxiety were a higher perceived risk of apprehension and a higher level of disruption of lifestyle due to the disqualification. Similarly, Job et al., (1994) found that perceived risk of detection (measured as number of occasions being breath tested and having had licence checks) acted as a partial deterrent to family related driving. They also found that fines acted as a deterrent to socially related driving, although no deterrents were identified for work related driving. Consistent with Robinson and Kelso (1981) and Job et al., (1994), Ferrante found that the perceived risk of detection and the disruption caused by the disqualifications acted as deterrents. In Ferrante's (2003) focus group study, those most likely to be deterred by the disqualification were drivers without criminal record, non-repeat offenders, females, and non-indigenous drivers. This was attributed to having close familial ties that disapprove of the behaviour (Bottoms, 2002; cited in Ferrante, 2003). Thus, there appear to be a group of disqualified drivers, usually ones with past criminal records and without strong social attachments, for whom no existing deterrents appear to be effective. However, it appears that for other groups certain factors, such as increasing the perceived risk of detection and the application of bans and other penalties appear to reduce driving exposure, and perhaps decrease the road risk presented by offending drivers. Despite this, the crash data studies discussed earlier indicate that disqualified drivers still present a serious road crash risk. This implies the need for a better understanding of the behavioural factors that contribute to the increased risk of various groups of disqualified drivers and of the behavioural factors that contribute to effective deterrence for the different subgroups.

3.4.2 Using road checks to study the driving pattern of disqualified drivers

Roadside surveys offer a more direct method of measuring the prevalence of driving while disqualified, compared to the other methodologies discussed previously in this section, even though a sampling technique is still involved (Watson, 1998). Roadside surveys involve checking the licences of random samples of drivers on various roads. Such surveys can provide the closest estimate to the true prevalence of driving while disqualified in the community. However, various practical and legal issues arise with such surveys, as summarised by Watson (1998). These issues include the legitimacy of stopping drivers at random to visually inspect their licence, the need to establish the validity of the licence

through a remote database system, and whether a requirement exists for compulsory carriage of licences. For these reasons roadside surveys are not very often carried out. A summary of roadside studies in Australia and other countries is presented below.

In Victoria, a roadside survey was conducted by the Police in 1984 (Monk & Armour, 1985). Police stopped and interviewed 6000 randomly selected drivers at all hours of the day and all days of the week. Police asked the drivers to produce their licences and recorded the licence status. This road side survey found 0.2% of stopped drivers to be disqualified and 0.5% to be unlicensed but not disqualified. However, the licence status was not verified with database records (Monk & Armour, 1985).

Malenfant, VanHouten, and Jonah (2002) carried out a study to measure the incidence of driving under suspension in the Great Moncton area, Canada. They used roadside checkpoints to determine the percentage of motorists driving while suspended during various times of the day. In order to compare the roadside data to self-report data, the authors also administered a questionnaire to 456 people taking a re-education course for first offenders and to 68 participants taking a re-education course for second offenders. Malenfant et al., estimated that the percentage of motorists driving under suspension was 57% of the expected value relative to their representation among all drivers. That is, there was 43% reduction in driving exposure among disqualified drivers, indicating that although many of them continued to drive they appear to drive less frequently than legally licensed drivers. In the same study, suspended drivers made up a larger percentage of drivers after midnight, with this effect being greater for drivers suspended for alcohol or drug offences. Malenfant et al., stated that it is likely that suspended drivers represent a higher percentage of drivers after midnight because fewer legally licensed drivers were on the road at this time. Malenfant et al., also noted that police only detected a small percentage of the disqualified drivers at the check points because most of the drivers produced a licence. Licence checks were, however, carried out later as part of the study. The results of the Malenfant et al., (2002) self-report survey indicated a tendency by participants to under-represent their own incidence of driving under disqualification, as compared to the road checks. However, their estimates were much closer to those obtained from the roadside survey when asked about the driving behaviour of other suspended drivers. Thus, Malenfant et al., suggest that researchers should use such proxy measures to estimate self-reported driving under disqualification.

McCartt, Geary and Berning (2003) studied the extent of driving while suspended for alcohol impaired driving in Wisconsin (n=57) and New Jersey (n=36) in the US. They used systematic, unobtrusive observations of first time offenders, conducted by surveillance professionals. Observations included two 4-hour periods during suspension (one weekday morning, one Friday/Saturday evening) and two 4-hour periods after licence reinstatement (matched by day of week and time of day). Focus groups of 37 first time offenders, recruited from participants of mandatory alcohol/drug education programs, were also conducted to gather qualitative information on the knowledge, behaviours, and attitudes. The study found that the prevalence of driving among first time offenders was high, and varied substantially between jurisdictions from 36% in Wisconsin to 88% in New Jersey. Moreover, the authors point out that since drivers were observed only for two four hour periods, the extent of driving throughout the entire suspension period was likely to be much higher. The study also found some evidence to suggest that suspended drivers in New Jersey reduced the frequency of their driving under suspension. Those New Jersey drivers who later reinstated their licence were significantly more likely to drive after reinstatement (54%) than during suspension (25%). The findings from the focus groups revealed that compared to Wisconsin drivers, New Jersey drivers had a markedly higher

perceived risk of apprehension and punishment for driving under suspension. Also, in New Jersey the penalties for driving under suspension were more severe than in Wisconsin. These results suggest that compliance may have been increased by strong state laws combined with high levels of perceived enforcement (McCartt et al., 2003).

3.4.2.1 Summary of road check studies

In summary, the road check studies indicate that overall disqualification acts to reduce driving exposure. This is especially indicated by the study of Malenfant et al., (2002), which is the most comprehensive and representative in regard to disqualified drivers. This is consistent with the self-report studies, which found that many disqualified drivers to report reducing the frequency of their driving. It is not clear from road check studies to what extent disqualification may have a differential effect on exposure reduction for different groups of drivers, or what the behaviours and motivations of these drivers are.

4 SUMMARY OF LITERATURE REVIEW

4.1 DISQUALIFICATION IN VICTORIA

In Victoria disqualification can occur for a variety of reasons: driving offences, accumulation of demerit points, medical reasons, or ineligible driving skills. The objectives of disqualification have been identified as: retribution (punishment for the purpose of justice; deterrence (preventing future offences through fear of the consequences); and restraint (restricting the opportunity for future driving offences) (Mirrlees-Black, 1993). Thus the effectiveness of disqualification as a sanction could be assessed by examining how well each of these aims is achieved.

4.2 DEMOGRAPHIC PROFILE OF DISQUALIFIED DRIVERS IN VICTORIA

In Victoria no recent data is available regarding the demographic and personal characteristics of disqualified drivers. However, older Victorian studies (Healy & Harrison, 1986), as well as more recent studies from interstate (e.g., Ferrante, 2003 from WA) and from overseas (e.g., Scopatz et al., 2003; from the US) consistently suggest that the overwhelming majority of disqualified drivers tend to be young males. Nevertheless, it is important to consider that different groups of disqualified drivers may substantially differ in age and sex, as has been reported in a Californian study by and De Young (2002).

4.3 CONTEXT OF DISQUALIFICATION

Again, there is a lack of recent data from Victoria. A past study in Victoria (Healy & Harrison, 1986) reported the majority of disqualifications at that time had resulted from driving under the influence offences leading to automatic cancellations or suspensions. A recent study of disqualification in Western Australia (Ferrante, 2003) reported that more than a third of traffic related disqualifications were for drink driving, another third were through the demerit points system, and most of the remainder were for licence offences. In recent years in Victoria new road safety initiatives have been introduced, making it easier for motorists to incur demerit points, as well as increasing the chances of detection for any offence. Therefore it is expected that more drivers are becoming disqualified through the demerit point system. It remains to be estimated what proportion of drivers are disqualified for different reasons (or the paths to disqualification) in Victoria at the present time and over the last three years.

4.4 DISQUALIFICATION THROUGH DEMERIT POINTS

The last in-depth study of the demerit points system in Victoria was done by the Parliamentary Road Safety Committee in 1994. There have been many changes to the system since, with new enforcement initiatives being introduced. Furthermore, there has been recent speculation that a large group of drivers disqualified through the demerit points system due to relatively minor offences could be emerging. Preliminary estimates from available VicRoads data show that there has been a dramatic increase in the number of drivers accumulating close to 12 points in recent years. Therefore, it is imperative that a better understanding of the characteristics and behaviours of this group is achieved.

4.5 PATTERNS OF DRIVING WHILE DISQUALIFIED

4.5.1 Methodological Issues

It has proven problematic to study the frequency and pattern of driving while disqualified. Unless drivers are apprehended for driving during a disqualification period, no information can be inferred from official licensing and police databases about their driving behaviours. Official databases do not provide detailed information about the behaviours and motivations of these drivers. To some extent the frequency and driving behaviours of disqualified drivers who never get apprehended can be estimated through surveying a sample (of them) with self-report questionnaires, telephone or face to face interviews or focus groups. Through such self-report studies it is also possible to find out about demographic, personal, and attitudinal factors that contribute to disqualified driver behaviour. However, self-report surveys are often biased by small unrepresentative samples, and by the reluctance of participants to report on illegal behaviours. The most accurate data on the extent of driving while disqualified could be provided through systematic road checks. The disadvantage of this method is that it requires large resources and has practical difficulties.

4.5.2 Road crash risk posed by disqualified drivers

Studies using licensing and registration or offence databases have reported that disqualified drivers involved in fatal crashes were likely to have exhibited irresponsible and risky road behaviours (e.g., FORS, 1997; Harrison, 1997). Despite the disqualified drivers' risky behaviour and lack of deterrence from driving and re-offending, as suggested in the above studies, there is some evidence from road check studies (e.g., Malenfant et al., 2002) and self-report studies (e.g., Ferrante, 2003; Robinson 1977; Mirrlees-Black (1993), Smith & Maisey, 1990) to indicate that disqualification does lead to decreased driving exposure. Disqualified drivers have also reported driving more carefully to avoid detection. Although such reports seem inconsistent with the results obtained from crash data (e.g., FORS, 1997), it may be that disqualification does act to reduce the risk of some drivers, but there remains a subgroup for which disqualification is less effective as a restraint and a deterrent. It may be that this latter subgroup who is evident as a high risk group in serious crashes. It is thus important to obtain a better understanding of what characteristics may differentiate subgroups of disqualified drivers with different road crash risks.

4.5.3 Homogenous subgroups of disqualified drivers

It is important to identify personal, social, and behavioural characteristics that may define homogenous subgroups within the disqualified driver group. Generally disqualified drivers have been viewed as one homogenous group of high risk drivers displaying similar driving behaviours and crash expectancies. Respective laws and policies reflect this single homogenous view. However, Gebers and DeYoung (2002) found that Californian drivers' risk profiles (as indicated by their prior serious crash histories) differed with their reason for disqualifications. Evidence exists that intervention programs for the more problematic groups of disqualified drivers tend to be more effective when tailored to match characteristics of different homogenous subgroups (Bakker et al., 2000). Similarly, enforcement and deterrence methods have been found to have a differential effect on various driver groups (Wieczorek, Mirand, & Callahan, 1994).

4.5.4 Causative factors

It has been found that high levels of apprehension anxiety, perceived risk of detection, financial burden from fines and exposure to RBT and/or licence checks contribute to reduced frequency of driving while disqualified (Ferrante, 2003; Job et al., 1994; Robinson & Kelso, 1981). These findings suggest that steps to increase the perceived risk of detection are likely to lead to a decrease in the amount of disqualified driving. While those for whom the impact of disqualification is greater tend to be more likely to drive (Ferrante, 2003). Watson (1998) points out the importance of including a study of motivations and causative factors (similar to the ones discussed above) in self-report surveys, rather than designing a merely descriptive survey. Understanding causative factors regarding the behaviours of disqualified drivers will contribute to improving the effectiveness of intervention programs.

4.5.5 The effectiveness of disqualification as a deterrent

Overall, the studies discussed above indicate that disqualification is only partially effective as a specific deterrent. That is, the penalty does not seem to prevent those disqualified from continuing to drive, but it does seem to reduce exposure for certain groups of drivers as previously mentioned: drivers without criminal records, non-repeat offenders, females, and non-indigenous drivers (Bottoms, 2002; cited in Ferrante, 2003).

4.5.6 Overall conclusions

There is a lack of current data in Victoria regarding both quantifying the extent of and exploring the profile of disqualified drivers. The introduction of new enforcement initiatives in recent years and the substantial growth in the number of people accruing close to 12 demerit points implies the need for research to be undertaken in this area. The issues emerging from the literature review indicate that in addition to using existing databases to profile disqualified drivers, it is also imperative to obtain a better understanding of behavioural factors and motivators that contribute to effective deterrence, as well as to understand how various deterrents may have differential effectiveness on different group of drivers. Such understanding can be gained from surveys of disqualified drivers, whereas the analysis of existing databases can answer questions about the proportion of disqualified drivers, context of disqualification, and crash risk. A research program and appropriate methodologies, integrating the issues discussed so far, are recommended in the next section of the report.

It is proposed that a smaller scale, but more detailed study of disqualified drivers be carried out, similar to the interview surveys and focus groups that have been conducted in Western Australia (Ferrante, 2003), Queensland (Watson, 2004), and the UK (Mirrlees-Black, 1993). Participants will be recruited through media releases and advertisements, and through placing advertisements in licensing offices and court rooms after obtaining permission. A similar approach was used with success by Ferrante (2003). The feasibility of recruitment through accessing electronic court records will also be assessed.

Then in-depth focus groups will be conducted with different groups of these drivers: e.g., those disqualified through the demerit points system, repeat (or multiple) disqualifications, and drink drivers as some distinctions were found between these groups in Ferrante's (2003) study.

Similar studies carried out interstate and overseas have usually managed to recruit 40 to 90 participants. Because of the relatively small numbers of participants, these studies have been more qualitative in nature, with a focus on obtaining detailed information on the participants' behaviours, attitudes, and beliefs. Focus groups have been found to be effective in obtaining good quality detailed self-reports about the behaviours and motivations of disqualified drivers.

It is further proposed that disqualified drivers' partners or family members also be recruited for focus groups through the media. Advertisements can be targeted at disqualified drivers and/or their partners. Family members of drink drivers have been recruited and interviewed before in Victoria for alcohol interlock studies, producing valuable results. Partners and spouses were generally found to be supportive of the interlocks or other measures that would stop their partner from drink driving.

5 IN-DEPTH STUDY OF DISQUALIFIED DRIVERS

5.1 INTRODUCTION

Investigating the behaviours of disqualified drivers often presents methodological difficulties, as has been discussed in the literature review (Section 3). All methods of studying disqualified drivers are challenging, especially in regard to recruiting and obtaining a truly representative sample. However, many of the surveys and qualitative studies (e.g., Ferrante, 2003, Mirrlees-Black, 1993; Watson, 2004) have been able to provide a better understanding about the behaviours of this group and important suggestions regarding policies and intervention programs. Moreover, despite the lack of representative samples, large scale surveys and smaller scale qualitative studies have resulted in consistent findings nationally and internationally.

For this study it was decided that a smaller scale, but more detailed study of disqualified drivers be carried out using focus group interviewing techniques. This methodology is similar to focus groups that have been conducted in Western Australia (Ferrante, 2003 and in-depth interviews conducted in the UK (Mirrlees-Black, 1993). Because of the relatively small numbers of participants, these studies have been more qualitative in nature, with a focus on obtaining detailed information on the participant's behaviours, attitudes, and beliefs. Focus groups have been found to be effective in obtaining good quality detailed self-reports about the behaviours and motivations of disqualified drivers.

It was decided that disqualified drivers' partners or family members also be recruited for focus groups in response to recent research indicating that family and social influences can play an important role in disqualified drivers' behaviours (Watson, 2004). Family members of drink drivers have been recruited and interviewed before in Victoria for alcohol interlock studies, producing valuable results. Partners and spouses were generally found to be supportive of the interlocks or other measures that would stop their partner from drink driving.

5.2 RATIONALE AND AIMS OF THE PRESENT STUDY

The aims and research questions of the present study were briefly summarised in Section 1.3. Here the rationale behind each research question is discussed in more detail and some exploratory hypotheses are outlined based on previous research findings.

1. *What are the behavioural and attitudinal characteristics of disqualified drivers?*

It is important to understand the motivations and causative factors that contribute to the behaviour of disqualified drivers, and therefore the effectiveness of the sanction. Thus, in any self-report study of disqualified drivers it is important to explore their behavioural and attitudinal characteristics.

This research question integrates factors identified in previous quantitative and qualitative research to play an important role in the behaviour of disqualified drivers (see Chapter 3.4 for a summary and discussion of previous research).

Based on previous research, the following behavioural factors were considered important to examine:

- offence type that led to disqualification;
- perceived risk of apprehension;
- anxiety about apprehension;
- exposure to enforcement (including vicarious exposure to enforcement); imitation of friends' and relatives' driving behaviour.

Attitudinal factors would include:

- attitude towards disqualification;
- attitude towards fines and penalties;
- perceived fairness of penalties.

Factors that may serve as a motivation to drive under disqualification would also be explored, including:

- the disruption caused by disqualification to personal/family/work life;
- weighing up of benefits versus risks of disqualified driving.

Based on various past studies (Ferrante, 2003; Mirrlees-Black, 1993; Robinson & Kelso, 1981; Watson, 2004) it was expected that all of the above factors would play an important role in the decision to drive or not to drive under disqualification, and in the effectiveness of the sanction as a deterrent. Watson's (2004) model of disqualified drivers' behaviour, which is the most comprehensive one to date, suggests that in many cases the necessary conditions to deter unlicensed driving are not currently being achieved merely by applying classical deterrence theory. This theory suggests that drivers will be deterred from unlicensed driving if they perceive a high likelihood of apprehension and if the resulting penalties are perceived to be inevitable and swift. The contribution of other psychosocial variables play an important role, such as exposure to models who drive without a valid licence and hold positive attitude towards the behaviour; personal attitudes to unlicensed driving and alternative behaviours; and the perceived rewards and punishments associated with the behaviours. Therefore, similar variables were included in the present study, in addition to those related to perception of the risk of detection. The present study, did not set out to test a specific theory and to empirically test the relative predictive value of each variable. Rather, the aim was to obtain a more in-depth understanding of each of the above issues.

2. *Do homogeneous subgroups of disqualified drivers with different risk profiles exist, based on reasons for disqualification, as well as other behavioural and attitudinal characteristics?*

2.1 Does disqualification have differential effectiveness for these groups?

Past research has suggested that several homogenous groups of disqualified drivers may exist (see Section 3.4). Thus, this research question aimed to explore whether the behavioural, attitudinal, and motivational factors identified in Research Question 1 are differentially related to driving behaviour during disqualification. For instance, are different reasons for disqualification (e.g., drink driving; speeding; accumulation of demerit points, etc.) related to differences in behavioural and attitudinal factors (e.g., driving behaviour under disqualification; attitude to disqualification). Also, this question aimed to examine whether the factors identified in Question 1, such as the perceived risk of apprehension, exposure to enforcement, attitudes towards the sanction, and the disruption caused by the disqualification, are related to different amounts and patterns of driving under disqualification. This knowledge would be valuable for targeting policies and intervention programs specifically to particular groups. Since disqualified drivers are likely to fit several homogenous subgroups, a robust explanation or framework of disqualified driving would have to account for the behaviour among a wide range of offenders (Watson, 2004).

3. What are the patterns and reasons for driving under disqualification?

This question aimed to specifically investigate the frequency and reason for driving under disqualification and for those who don't drive (or drive less) how they manage any disruption to their lives caused by the disqualification and what prevents them from driving. Also for those who admit to driving the patterns of their driving behaviours will be examined: i.e., do they drive less often than before; for what reasons do they drive (i.e., family/work/social); how does their driving behaviour during disqualification differ from their driving behaviour after re-licensing (e.g., speeding, drinking, other risky driving). Because of the expected small sample sizes in qualitative studies, the conclusions about the amounts and patterns of driving will not be generalisable to the whole population of disqualified drivers. Rather, this research question aimed to achieve a better understanding of the underlying factors, such as the reasons that propel people to drive under disqualification, and different ways that people respond to the sanction.

Based on previous research, it was expected that a fair proportion of the participants would have driven under disqualification the range of reasons for this have included employment, personal, and social reasons. Most self-report studies (e.g., Ferrante, 2003; Mirrlees-Black, 1993; Smith & Maisey, 1990) have found that many disqualified drivers report efforts to reduce their driving and to modify their behaviours to avoid detection.

4. What motivates disqualified drivers to alter their behaviour?

This research question aimed to explore the incentives and disincentives for drivers to alter their behaviour in view of improving deterrents in the future. Factors such as: threat of penalties; perceptions and experiences of detection; and anticipated social and personal rewards; and punishments for driving under disqualification were examined. Also, the approval or disapproval of family and friends; effect on employment; and feelings of guilt and anxiety versus positive feelings associated with driving were explored.

5. What is the role of partners/family members of disqualified drivers: (i) How does licence disqualification impact on them; and (ii) do they assert an influence on the attitudes and behaviours of disqualified drivers?

Research evidence emphasising the importance of social influence factors, such as the attitudes and behaviours of family and friends was cited and discussed above (e.g., Watson, 2004). Furthermore, it is expected that the sanction of licence disqualification would impact personally and financially on the lives of partners/parents of disqualified drivers. Therefore, it was decided to also explore the experiences and attitudes of partners/parents, and whether partners/parents play a significant role in influencing the behaviours of disqualified drivers. This research is unprecedented in the field of disqualified drivers.

6 METHOD

6.1 INCLUSION AND EXCLUSION CRITERIA FOR PARTICIPANTS

Participants in the study were 40 disqualified drivers and 13 partners or parents residing with disqualified drivers. The inclusion and exclusion criteria for each of these two groups are discussed below.

Drivers group - Participants were included in the study if they were the holder of a Victorian Driver's Licence (hence 18 years of age or older), and if they have currently or within the last 12 months had their licence suspended, disqualified, cancelled, or were disqualified from licence renewal (see Section 2.2, for more detailed definitions) due to a traffic offence. Participants were excluded from the study if their disqualification was due to a medical reason, a reason other than a traffic offence, or if they were not fluent in English.

Partners Group - Participants were included in the study if they were over 18 years of age and resided with a disqualified driver in the role of partner/spouse or parent. This group was included in recognition of the increased responsibility they may be exposed to if compensating for their significant other's loss of driving independence and in response to recent research indicating that family and social influences can play an important role in disqualified driving behaviours (Watson, 2004). Participants were excluded from the study if their partner's disqualification was due to a medical reason or a reason other than a traffic offence or if they were not fluent in English.

6.2 RECRUITMENT OF PARTICIPANTS

Driver participants were recruited through media releases, newspaper advertisements, mail-outs (for drivers only) by VADDS (Victorian Association for Drink Driving Services), placing flyers in Vicroads Customer Service Centres, and by the researchers addressing drivers at drink-driver education groups run by VADDS. No names, personal information of any kind, or addresses of participants were provided to the researcher by VADDS.

When drivers expressed an interest in participating in the study they were also given information about the study to pass on to their partners/family. However, when partners/family were recruited in this way no records were made in the data whether they were partners/family of any of the participating drivers to preserve the participants' confidentiality. Furthermore, driver and partner focus groups were always conducted independently. There was no disclosure of any information obtained from disqualified drivers to their partners and vice versa. These measures were taken to preserve the confidentiality of the participants and were stated in the Explanatory Statement given to each participant.

In the advertisements, participants were asked to contact the researchers via telephone or email if they were interested in participating in the study. When contacted by interested parties the researcher provided a brief outline of the study aims and the focus group procedure. Interested participants were then allocated into a group according to their availability (see below re: homogeneity). The participants were contacted again on the day of the focus group to improve the attendance rate.

Although all Victorian disqualified drivers were eligible to partake, the study was only advertised in the Melbourne metropolitan area. This decision was made for logistical and financial reasons.

6.3 COMPOSITION OF THE FOCUS GROUPS

It was intended to keep the driver focus groups as homogenous as possible by separating participants into separate groups according to the reason for disqualification (e.g., those disqualified through the demerit points system, repeat disqualifications, drink drivers) as recommended in past research (Ferrante, 2003). However, this was not possible due to slow and irregular participant recruitment rates. A decision was made that it was more important to retain participants by booking them into a group within a few weeks rather than risk losing them due to a delay in organising homogenous groups. Each participant attended one focus group only.

Driver and partner/parent groups were conducted independently of each other. As a number of drivers also had their partners/parents participating, driver and partner/parent groups were conducted at simultaneous times to increase attendance, as partners could provide transport to the venue. However, the driver and partner/parent groups were facilitated in separate rooms and all efforts were made to preserve the confidentiality of each participant as outlined in Section 6.3 above. Participants were paid \$60 each for their participation in the focus group.

6.4 MATERIALS

6.4.1 Demographic Questionnaire

A demographic questionnaire was designed and administered only to the disqualified driver participants (see Appendix A).

The questionnaire addressed the following variables:

- age group;
- gender;
- reason for current licence disqualification;
- number of past disqualifications;
- employment status;
- education level;
- marital status;
- number of children

6.4.2 Discussion guide

A discussion guide was developed to ensure appropriate coverage of each research question and to assist with inter-facilitator reliability between focus groups. The discussion guide was modified for partners/parents addressing the same issues but inquiring about the disqualified driver's behaviour and also the effect of disqualification on their relationship with the disqualified driver (see Appendices B & C).

The discussion guide contents were developed in line with the research questions of the present study (outlined in Section 5) by integrating questions and issues identified as important in previous studies. It consisted of open ended questions addressing the following topics:

- the impact of disqualification
- attitudes towards disqualification
- experiences of driving while under disqualification
- knowledge of penalties for driving under disqualification
- attitudes towards penalties for driving under disqualification
- perceived risk of apprehension for driving while disqualified
- perceptions of police detection methods
- punishment avoidance
- exposure to models
- family and friends
- social and personal reward/punishment

6.4.3 Notebook

The inclusion of a notebook was recommended by Quantum Market Research Group to assist with engaging reticent participants and also to elicit responses about illegal behaviour that may be denied in the open focus group setting. The notebook was designed by Quantum Market Research Group and contained seven sentence prefaces and provided space for the participant to complete the sentence.

The seven questions were:

- Most people would think of someone who lost their licence as
- The biggest difficulty for someone who has lost their licence is
- Driving without a licence is
- The worst thing about losing your licence is
- The biggest risk when driving without a licence is
- Getting caught without a licence

The last page of the notebook contained a photo of a driver behind the wheel of their car and participants were asked to complete the sentence “A disqualified driver is thinking.....” (see Appendix D).

6.4.4 Focus Group Data Recording

To aid with the accuracy of transcribing and reporting, each focus group was recorded using a digital audio recorder. Verbatim transcripts were then compiled for each focus group.

6.7 PROCEDURE

The participants were informed about the study via newspaper advertisements, flyers at VicRoads’ offices, the MUARC website and a mail out through VADDS (see Section 6.2 for more details). Participants were then allocated into focus groups according to dates that were convenient for them to attend. External consultants with extensive experience in running similar focus groups were contracted to provide the venue and to facilitate the groups.

Participants were instructed to attend the focus group at a venue chosen for its proximity to central Melbourne and easy access by public transport. This was intended to encourage participants from the various areas of Melbourne, while discouraging disqualified driving to the venue. The research team also decided that a formal University setting may deter participants from disclosing information about illegal behaviours such as driving while disqualified.

On arrival participants were greeted at the door by a research team member who provided them with an Explanatory Statement outlining the project and the contact details of the researcher team and the Monash University Standing Committee on Ethics in Research Involving Humans (SCERH). Participants were then asked to sign a consent form and to fill in the demographic questionnaire. Only disqualified driver participants were required to fill in the questionnaire (see Appendix A, Demographic questionnaire).

Participants were then allocated into one of two rooms, one for disqualified drivers the other for partners/parents. The focus group facilitators introduced themselves, provided a brief explanation of the project and the format of the focus groups. The participants were informed that a researcher may be viewing the groups through a video link in another room and that the groups would be audio taped for data analysis purposes but not video taped.

The facilitator then commenced the discussion (see Section 6.4.2 and Appendices B & C). Participants were asked to complete the notebook before the end of the discussion session (see section 6.4.3 and Appendix D). On completion of the focus groups, participants were paid \$60 for their attendance.

The present study has been approved by the Monash University Standing Committee on Ethics in Research Involving Humans (SCERH), and followed the standards outlined by the NHMRC - National Statement in Ethical Conduct on Research Involving Humans.

7 DEMOGRAPHIC RESULTS

7.1 PARTICIPANTS

The response rate from the four types of recruitment techniques was low but comparable to other studies targeting this specific category of participants. Similar studies carried out interstate and overseas have usually managed to recruit 27 to 90 participants (Ferrante, 2003; Mirlees-Black, 1993).

It is difficult to estimate the exposure of the newspaper advertising and the flyers. One hundred drivers who had lost their licence due to drink driving were contacted through the VADDS mail-out. The most successful form of recruitment was the mail-out by VADDS followed by advertisements in the local newspapers. There were a total of 81 responses to partake in the study of which 73 matched the eligibility criteria. Of the 73 eligible respondents three could not be contacted and another seven were unable to be matched with a compatible focus group time schedule. However, after satisfying participant eligibility and being scheduled to attend a specific focus group session, the retention rate was high. Of the 63 respondents that were scheduled to attend a focus group 53 attended, the overall attendance rate for focus groups was 84%. All participants who attended the focus groups engaged in the discussions.

7.2 DEMOGRAPHIC QUESTIONNAIRE

A total of 53 individuals participated in the study. There were 40 disqualified drivers, 11 partners/spouses and two parents. Ten focus groups were conducted, of which seven were disqualified driver groups and three were partner/parent groups. The demographic questionnaire was only administered to the disqualified driver participants.

7.2.1 Gender

Within the disqualified drivers focus groups there were 34 male and six female participants. This is consistent with most other studies of licensing data (e.g., Ferrante, 2003; Healy & Harrison, 1986; Siskind, 1996; Scopatz et al., 2003) that show the majority of disqualified drivers to be male.

7.2.2 Age

The driver participants' age groups ranged from 18-25 years to 76+ years. There were 12 participants aged 18-25 years, 10 aged 26-35 years, 12 aged 46-55 years, two aged 56-65 years, and 3 aged 66-75 years. The majority of drivers were less than 55 years of age. Most studies of licensing data from Australia and overseas indicate that the majority of disqualified drivers are young men less than 35 years of age (e.g., De Young, 2002; Ferrante, 2003; Healy & Harrison, 1986; Siskind, 1996; Scopatz et al., 2003). However, in the present study a fairly substantial proportion (45%) of participants were over 35 years of age. This is likely to be a recruitment bias, perhaps with mature age people being more likely to volunteer to participate in a focus group study.

7.2.3 Education Level and Employment

Eight of the participants had not completed Year 12, nine had completed year 12 or equivalent, six had trade certificates or associated diplomas, and 15 had tertiary degrees. There were two cases of missing data.

One disqualified driver participant undertook full-time home duties, two were pensioners, four were unemployed, eight were students, nine were in part-time employment, and 16 were in full-time employment. The occupational breakdown of the participants was: one manager, four professionals, seven technicians/trade workers, four community/personal service workers, five clerical/administrative workers, two machinery operators/drivers, two students, one household duties.

The above results indicate that a fair proportion of the participants (around 38%) were of high education and most tended to be in skilled or professional occupations. It is not known to what extent this is representative of the population of disqualified drivers in Victoria. However, it is generally people with more education and from higher socio-economic groups that volunteer to participate in studies of this nature, potentially skewing the demographic profile. This must be borne in mind when interpreting the results.

7.2.4 Marital status, information about children

Of the 40 disqualified driver participants, 19 were single, 15 were living with a partner, four were divorced/separated, one was widowed, and there was one case of missing data. Of the 14 participants who were parents, six had children currently residing with them.

7.2.5 Licence disqualification reason and past convictions

The licence disqualification reasons for the participating drivers are presented in Table 7.1. Of the 40 disqualified drivers who attended the focus groups, one participant had his/her licence disqualified for dangerous driving, five for accrual of demerit points, 22 for drink driving, two for driving while disqualified (one of whom was over .05 BAC), and ten for excessive speeding. These results indicate that just over half of the drivers were disqualified for drink driving. This is consistent with findings from other jurisdictions (e.g., De Young, 2002; Ferrante, 2003; Healy & Harrison, 1986; Siskind, 1996; Scopatz et al., 2003) that drink-drivers represent the largest group among disqualified drivers.

As previously mentioned, it was not possible to allocate participants to focus groups based on conviction type however, the blend of conviction history did not appear to hinder responses within the focus groups. To the contrary, the honesty and openness of the participants' responses surpassed the expectations of the research team.

Table 7.1 Offences committed that resulted in licence disqualification

Disqualification offence	No. of participants (n=40)
dangerous driving	1
demerit points	5
drink driving	22
driving while disqualified	* 2
excessive speeding	10

* One participant convicted of driving while disqualified was also over .05 BAC

As shown in Table 7.2, of the 40 Disqualified drivers, 28 (70%) had previous convictions resulting in licence disqualification. For three participants it was their seventh disqualification.

Table 7.2 Number of prior licence disqualifications

No. of licence disqualifications (including current disqualification)	No. of participants (n=40)
1	12
2	19
3	6
4	0
5	0
6	0
7	3

7.3 CROSSTABLATIONS OF QUESTIONNAIRE VARIABLES

Crosstabulations were calculated to provide a more detailed demographic profile of the participants within this study. Due to the small sample size, generalisations to the broader population are questionable.

The most common reason for licence disqualification for males and females was drink driving (see Table 7.3).

Table 7.3 Disqualification offence by gender

Disqualification offence	Gender	
	male	female
dangerous driving	1	1
accumulation of demerit points	6	0
drink driving	17	3
driving while disqualified	2	0
excessive speeding	8	2

For the majority of the male participants this was their second disqualification (see Table 7.4).

Table 7.4 Number of disqualifications by gender

No. of licence disqualifications	Gender	
	male	female
1	9	3
2	17	2
3	5	1
7	3	0

Drink driving was the most common offence for most age groups, with the highest number of these participants within the 36-45 yrs age group. Excessive speeding was the most common offence in the 18-25 yrs group (see Table 7.5).

Table 7.5 Disqualification offence by age group

Disqualification offence	Age group					
	18-25 yrs	26-35 yrs	36-45 yrs	46-55 yrs	56-65 yrs	66-75 yrs
dangerous driving	0	1	1	0	0	0
demerit points	3	1	2	0	0	0
drink driving	4	4	7	2	2	1
driving while disqualified	0	2	0	0	0	0
excessive speeding	5	2	2	0	1	0

For the majority of participants in all age groups this was their second licence disqualification (except for one participant in the 66-75 yrs age group). All three of the participants who had lost their licence seven times were aged 26-35. Seven of the participants who had lost their licence twice were aged 36-45 (see Table 7.6).

Table 7.6 Number of licence disqualifications by age group

No. of licence disqualifications	Age group					
	18-25 yrs	26-35 yrs	36-45 yrs	46-55 yrs	56-65 yrs	66-75 yrs
1	4	1	2	0	1	1
2	4	4	7	2	2	0
3	3	2	1	0	0	0
7	0	3	0	0	0	0

Drink driver participants fell into two main education categories: those with less than Year 12, and those with tertiary education. The majority of participants convicted for excessive speeding had tertiary education (see Table 7.7).

Table 7.7 Education level attainment by disqualification offence

Education level	Disqualification offence				
	dangerous driving	demerit points	drink driving	driving while disqualified	excessive speeding
did not complete year 12	0	0	7	0	1
year 12 or equivalent	0	3	3	1	2
trade cert/associate diploma	1	1	2	1	1
tertiary degree	1	1	7	0	6

The three participants who had lost their licence seven times had an education level of year 12 or less. Of the participants who had lost their licence twice the majority had tertiary degrees (see Table 7.8).

Table 7.8 Education level attainment by number of licence disqualifications

Educational level	number of licence disqualifications			
	1	2	3	7
did not complete year 12	3	3	1	1
year 12 or equivalent	1	4	2	2
trade cert/associate diploma	1	3	2	0
tertiary degree	7	7	1	0

Drink driver participants came from a variety of occupations with slightly more being from the technician/trade professions (see Table 7.9).

Table 7.9 Occupation category by disqualification offence

Occupational category	Disqualification offence				
	dangerous driving	demerit points	drink driving	driving while disqualified	excessive speeding
managers and administrators	0	0	1	0	0
professionals	0	0	3	0	1
technicians and trades workers	0	0	4	1	2
community and personal service workers	0	1	2	0	1
clerical and administrative workers	1	0	2	0	2
sales workers	1	2	1	0	0
machinery operators and drivers	0	0	1	0	1
student	0	0	0	0	2
self-employed no further details	0	0	1	0	0

Slightly higher occurrences of second licence disqualification were reported by participants who were employed as Sales Workers (see Table 7.10).

Table 7.10 Occupational category by number of disqualifications

Occupational category	Number of disqualifications		
	1	2	3
managers and administrators	0	0	1
professionals	1	3	0
technicians and trades workers	3	2	2
community and personal service workers	2	1	1
clerical and administrative workers	2	3	0
sales workers	0	4	0
machinery operators and drivers	0	1	1
student	2	0	0
self-employed no further details	0	1	0

Single participants were slightly more likely to be convicted of drink driving while participants convicted of excessive speeding were slightly more likely to be in a marital/defacto relationship (see Table 7.11).

Table 7.11 Disqualification offence by marital status

Disqualification offence	marital status			
	married/defacto	single	divorced/separated	widowed
dangerous driving	0	2	0	0
demerit points	0	4	1	0
drink driving	7	9	3	1
driving while disqualified	2	0	0	0
excessive speeding	6	4	0	0

Single participants were slightly more likely to have had their licence disqualified twice (see Table 7.12).

Table 7.12 Number of licence disqualifications by marital status

No. of disqualifications	Marital status			
	married/defacto	single	divorced/separated	widowed
1	5	6	1	0
2	6	9	2	1
3	2	3	1	0
7	2	1	0	0

Subsequent disqualifications were most common for participants convicted of drink driving. Excessive speeding was the most common offence resulting in a participant's first licence disqualification (see Table 7.13).

Table 7.13 Disqualification offence by number of disqualifications

Disqualification offence	No. licence disqualifications			
	1	2	3	7
dangerous driving	0	2	0	0
demerit points	1	3	1	1
drink driving	4	11	4	1
driving while disqualified	0	0	1	1
excessive speeding	7	3	0	0

8 NOTEBOOK RESPONSES

The following section outlines (participant's (driver and partner/parent) responses recorded in the notebooks during the focus groups sessions (see Section 6.4.3 and Appendix D)

8.1 MOST PEOPLE WOULD THINK OF SOMEONE WHO HAS LOST THEIR LICENCE AS.....

The most common response to this item was the use of single derogatory descriptions e.g., *stupid, irresponsible, an idiot, dumb, a loser*. The next most frequent response type identified the driver's risk to other road users e.g., *someone who is inconsiderate of others, a rule breaker, dangerous*. The third most common response referred to them as unlucky.

8.2 THE BIGGEST DIFFICULTY FOR SOMEONE WHO HAS LOST THEIR LICENCE IS.....

The most common response was in reference to personal mobility issues and the associated inconvenience of getting to places now they were unable to drive. These responses ranged from getting to work (the most frequently mentioned), getting to social events, and reliance on public transport.

The next most frequent topic identified psychological/emotional feelings such as loss of independence, loss of self esteem, feelings associated with having to rely on others.

The third most common theme was in relation to the lifestyle changes/adaptations resulting from their licence disqualification such as maintaining the lifestyle you had before, having to plan more due to the extra time taken to get places.

Just missing driving as an activity and the effects on employment opportunities was also mentioned.

8.3 THE BIGGEST DIFFICULTY LIVING WITH SOMEONE WHO HAS LOST THEIR LICENCE IS..... (PARTNER/PARENT RESPONSES)

As with the disqualified driver response the most common issue was the inconvenience of having to drive them around, the added burden of doing all the family driving, finding alternative ways for the disqualified driver to get around when they could not drive them .

The emotional impact on the relationship was the next most frequent issue such as the disqualified drivers mood swings and/or depression, and increased tension in the relationship arising from their increased dependence.

The effects on their daily lifestyle were mentioned such as changing their schedules to accommodate driving their partners'/sons' places, or organising lifts for the disqualified driver if they themselves had other commitments.

One partner mentioned the difficulty of living with someone who won't accept the consequences of their penalty.

8.4 DRIVING WITHOUT A LICENCE IS.....

Similar to the responses reported in Section 8.1, the majority of participants referred to *Driving without a licence...* as a stupid, irresponsible behaviour that doesn't consider the safety of others however, nine responses referred to driving while disqualified as being a necessary option or something that happens. An interesting result was how numerous responses conveyed mixed messages about driving while disqualified. While acknowledging it was an unacceptable thing to do many participants then admitted doing it e.g., *is risky but fun, is easy yet frowned upon, is not smart but essential*. Eight of the participants who did elaborate on why it was an irresponsible behaviour attributed this to a fear of facing harsher penalties, omitting to identify their risk to other road users. All the partner/parent responses to this question identified the behaviour in terms of being irresponsible and not acceptable.

8.5 THE WORST THING ABOUT LOSING YOUR LICENCE IS

The most frequent response to this item was the inconvenience associated with not driving such as getting to and from places, catching public transport in winter, the extra time it takes to get from place to place.

The next most frequent response was in reference to their loss of independence/freedom and the associated social stigma and embarrassment. The impact of their disqualification on their family and friends was also acknowledged. Partners/parents also felt that the loss of freedom and independence, and their emotional reactions to having to rely on others was the hardest thing for the disqualified driver.

The third most frequent issue was the financial impact such as: paying fines, losing jobs, and rising insurance costs

8.6 THE BIGGEST RISK WHEN DRIVING WITHOUT A LICENCE IS

The overwhelming response to this item from both the disqualified drivers and the partners/parents was getting caught again and having to face harsher penalties.

The second but very frequent response was having an accident. This single word response was somewhat ambiguous because for some it meant the cost of having to pay for the accident as they would not be covered by insurance while driving under disqualification. For others having an accident represented the fear of injuring another road user, while for others it meant that they risked detection if they were involved in an accident.

8.7 GETTING CAUGHT WITHOUT A LICENCE

The vast majority of responses reflected a great concern regarding being detected for driving without a licence. The greatest concern was facing the harsher penalties. e.g., *my biggest fear, fear of police of court of jail, will be the start of a big ordeal*.

Several participants mentioned the issue of having to pay large fines.

The most common response from the partners/parents and a few disqualified driver participants was a notion that it was deserved if someone was irresponsible enough to ignore their penalty and take the risk. A couple of participants referred to it being just bad luck.

8.8 A DISQUALIFIED DRIVER IS THINKING..... (PHOTO WITH THOUGHT BUBBLE)

The majority of participants identified their self talk regarding keeping a constant vigilance for police. This also involved self talk about keeping below the speed limit and not driving in a way that would attract attention. When reading through the responses one gets the impression of constant tension for these participants when driving while disqualified. Four participants described self talk that was encouraging such as: *I'm OK I won't get caught, what are the risks of getting caught*. While a couple of participants indicated disregard for their disqualified status, *"it's pretty funny how you can get a licence suspension and then no-one keeps tabs on what you're doing"*. The majority of partners/parents assumed that the driver would be fearful of getting detected and hyper vigilant for the presence of police.

8.9 SUMMARY OF NOTEBOOK RESPONSES

Overall, the notebook responses supported the information that participants disclosed during the focus groups discussions (see Section 9). This included the interruption to their lifestyle and the associated challenges of maintaining daily living schedules such as getting to and from work. Their increased reliance on family and friends and resulting feelings of depression and loss of self-esteem, and increased relationship stress was also noted. Again, the contradiction between recognising that illegal driving behaviour is irresponsible, while choosing to continue to drive while disqualified was apparent. The final response regarding the thoughts surrounding a driver while driving under disqualification, such as their hyper vigilance in keeping a look out for police, provides insight into the level of driver distraction that may be occurring for these individuals.

9 FOCUS GROUP RESULTS AND DISCUSSION

9.1 INTRODUCTION

In this chapter, the results of the ten focus group discussions are presented and discussed. As this was an exploratory project with a relatively small sample size, it was originally decided that if a theme obtained three or more similar responses the response would be reported. However, even though a single response has questionable generalisability, if it was a particularly pertinent or insightful to the study aims it was included in the results.

In the following sections the results from the focus groups are reported under the topics defined by the discussion guide: the impact of disqualification; attitudes towards disqualification; experiences of driving while under disqualification; knowledge of penalties for driving under disqualification; attitudes towards penalties for driving under disqualification; perceived risk of apprehension for driving while disqualified; perceptions of police detection methods; punishment avoidance; exposure to models; family and friends; social and personal reward/punishment. *Slight modifications to verbatim responses may have occurred for confidentiality reasons.

9.2 THE IMPACT OF DISQUALIFICATION

9.2.1 Impact on Self

9.2.1.1 Impact on self – Driver reports

To explore this theme, participants were asked “*How did you feel when you lost your licence?*” and “*For those who have had their licence disqualified more than once, do these feelings change over time?*” These questions were designed to explore the more immediate emotional effects of detection and licence disqualification on individual participants.

Four of the participants identified their immediate feelings at the time when realising they had been detected by the police, describing feeling such as: a bad, sinking, hollow feeling, another described feeling stupid.

Anger and frustration was a common feeling reported by 18 of the respondents. This feeling of anger and frustration was attributed to three main explanations: the conviction was unjust or the punishment too severe, they were unlucky to be detected, and the inconvenience of not being permitted to drive.

The majority of participants who reported anger and frustration attributed this to a sense that the punishment was unjust or too severe. Examples of this can be found in the following responses:

Duded by the system

I was only doing 97 in a 60 zone

I could have got home safely

I wasn't massively over (referring to friends who engage in “worse” driving behaviours and received less punishment)

The second most common attribution for anger or frustration was directed at a sense of being unlucky in being detected. Examples of this are references to drivers in other cars who didn't get pulled over:

I was just over the limit

Other friends drink and drive all the time and never get caught, whereas I've been caught twice

It was also interesting to note that in many cases where the participant felt that being detected was unlucky they also admitted to engaging in the same or other illegal driving behaviours in the past and having avoided detection. These participants used justification, argued the finer details of the event at the expense of accepting their law breaking behaviour, and played down the seriousness of their offence. For example, a driver who was convicted for drink driving stated that:

No, no, no, I wasn't doing anything wrong, just driving at 40 k's. I didn't do nothing wrong at all. Just... pulled me over.... Wasn't doing nothing wrong yeah

In all, these types of attributions reflected a lack of ownership or responsibility for the behaviour.

The third most common attribution for anger and frustration was at inconvenience resulting from their licence disqualification such as catching public transport, loss of freedom/spontaneity in their social life and loss of independence from having to rely on others for transport. Irritation at paying the fines was also mentioned by several participants.

I had to pay fines, its put me back years financially

Five participants reported that the punishment had resulted in recognition of their problem behaviour and/or resulted in positive behaviour changes. This was more in reference to recognition of their drug and/or alcohol addictions, and the participants who were older (possibly more mature) or those who had been exposed to higher penalties such as jail. One driver attributed his *realisation* to attending a drink driving course but also felt that his maturity played key role in this realisation. One participant admitted that in retrospect he was glad he had been apprehended because "*I was going through a rough time*". Two participants acknowledged the danger they presented on the road and how lucky they had been in the past not to have killed someone.

Best thing that happened to me. I could have killed someone

All of the females in the sample acknowledged their responsibility in the event, one of whom mentioned shame for letting down her family. The other two mentioned a sense of humiliation/embarrassment at their behaviour.

Stick to the rules, they're there for a reason

A few of the participants who worked on cars as hobbies commented on missing driving and found it challenging not to drive their cars that were sitting in the driveway.

A few participants who had been disqualified more than once indicated that the second or third offence had less impact for example:

The second time I got pulled over I just started shaking, I was really scared. The first thing that popped into my head was my mum and dad and what am I going to tell them but the third time it was just a lot easier.... They've been through it before they know what to expect

Three participants did acknowledge increased concern when reaching a stage where they were facing extreme penalties like jail. However, even extreme penalties may not deter certain groups of offenders as evidenced by the following quotes:

... a bit numb to it, I had to drive for work so I just took it into my own hands I had lost my job before, my girlfriend, gone to jail, there was nothing left to deter me

... got to the point where I was immune to it, penalties get worse, felt stupid, not for doing it again but more for getting caught

To further explore the impact of licence disqualification on the driver's lifestyle participants were asked, "How has losing your licence impacted on your life?". This question was designed to explore any effects on the individual's ability to maintain their daily lifestyle commitments. The most common response referred to finding and adapting to alternative modes of travel. Complaints were frequent regarding: the inconvenience of catching public transport (such as: increased planning to schedule outings, and the extra time that public transport takes), the costs associated with using taxis, and the reliance on other people to drive them around. Responses ranged from having to make huge readjustments to making few readjustments. The least effect was reported by participants who continued to drive.

Everything takes an hour longer

I needed my licence for my work and I would never let them know It's just part of your lifeyou need your car.got to go to your job. Your not going to walk

A significant positive impact included life changing realisations about dangerous driving behaviours. Other responses included being taught a good lesson before they actually killed someone, having to reduce their commitments and as a result being more relaxed, enjoying the alternative methods of getting around like rollerblading, riding a bike, and reading more books. However, a few (younger) participants thought that a positive outcome was being able to get intoxicated because friends would drive them home.

...you can go and get as hammered as you like

Negative experiences ranged from the inconvenience of travelling on public transport, being house bound, financial difficulties from paying fines, to embarrassment from having an alcohol interlock device fitted in their car.

...huge effect I was stuck at home going crazy

I wouldn't take anyone in my car because I have an interlock

9.2.1.2 Impact on driver – Partner/parent reports

Contrary to the disqualified drivers' reports of feeling unlucky for being detected, eight partners/parents felt their partners or sons had been lucky not to have been detected earlier, admitting that they had engaged in illegal driving behaviours on many occasions in the past without detection. Eight out of the ten partner/parent participants felt that the punishment was justified and appropriate. The majority of partner/parents felt that their partner'/sons' had not learnt their lesson.

I was so happy because he was so erratic

In reference to how the licence disqualification had affected the driver, a couple of partner/parents identified that their partner'/sons' became depressed and angry.

He was very depressed because it stopped him from doing a lot of things and in turn I became depressed because he was living in my home and you sort of had to tip toe around him

While one partner felt her husband coped quite well with his licence disqualification, she attributed this to her support and availability to drive him around. Some commented on their inability to gauge how partner'/sons' were affected because of their reluctance to talk about the issue.

The majority of partners/parents did not feel that the licence disqualification had enough impact on the driver, especially the younger offenders.

He's lost his licence and he's still driving with not a concern in the world

Frustration with the lack of recognition and ownership regarding their partner'/sons' unlawful and dangerous driving behaviour is captured in the following quote:

... but this is what sort of staggers me about the person who does drink. They sort of seem to think it was bad luck but hey, what if you killed someone? They don't sort of seem to go that next step..... they don't get it. "Oh, that's fine, my partner will drive me around" or "God, I was bloody unlucky to be caught"

9.2.1.3 Impact on self – Partner/parent reports

It was interesting to note that the focus group facilitators found it easier to conduct the driver groups than the partner/parent groups, they attributed this to the mood within the groups. The driver groups were much more relaxed and often jovial whereas the partner/parent groups often resembled a debriefing session. Grievances covered: the impact it has on their lives, lack of acknowledgement from their partners regarding this impact, feeling tired due to compensating for their partners' inability to drive, concern regarding their partners'/sons' continued dangerous driving behaviours, and frustration and anger at the lack of accountability taken by their partners/sons. Most of the partners felt that their partners'/sons' licence disqualification had hugely impacted on their lives as well, and were frustrated feeling that their partners/sons failed to acknowledge this level of impact on them.

It's really annoying.... And you're the one paying for it more than they are

Well, he didn't really appreciate it. He felt that it was something that you had to do because you're there (referring to driving him around)

It was fine for him because he knew he was going to be dropped off and picked up and you know, didn't realise that I was shortening my lunch break because I have to allow to pick you up and drop you off and you know.

I'd get phone calls, "I'm down the pub with such 'n such can you come pick me up?"

Another common theme for partners/parents was the impact on their daily schedule with many of them reporting feeling tired and stressed as an outcome of this increased responsibility.

But it was sort of like, "Oh well, she's prepared to put herself out and be supportive". I have a long day every day doing things. I can't really look after him all the time

It's stressful because it's very inconvenient at times especially if you're tired and you have to get up early, or go out late at night

Although the partners/parents indicated a level of resentment at the impact on their lives and the lack of acceptance by the drivers themselves, often they took on this responsibility to show support for their partners with the aim that it might reduce the chances of their partner/son driving while disqualified.

...and that's the difference you see, I think we can tend to want to rescue them and make it easy for them but who made them drive when they were drunk I sort of come back time and time again to accepting the responsibility of the outcome of your actions. So, it would be quite a different discussion tonight if none of us were able to drive but we all can

... so, I'd have to do it because I'd be afraid if I didn't do it, he'd just hop in this car

Increased stress in relationships was also identified resulting from arguments, fear relationships may end, the effects of their partners'/son's depression and increased alcohol consumption.

...it's caused a lot of stress, a lot shouting, a lot of heartbreak, a lot of money

I already warned him next time that our relationship will finish

...when I drive and he's sitting there, giving instructions

It's like having a kid in day care. You know, you've got to be there to pick them up at this time, pick them up at that time and then you get there ten minutes late and it's like, well, where were you?

...it was just an excuse for him that he could you know, have the mates and have a few drinks and you know everyone came over to our house.

it was always me that was sober and cranky and you know, I want to have a drink too, sometimes you want to do other things but I have to consider him, it's so annoying

Three participants admitted that they were glad their son/husbands lost their licence because they identified that they were endangering themselves and others with their driving behaviours.

I was so happy because he was so erratic.... I could sleep easy at night once he lost his licence

when he lost his licence I was relieved because I knew that he wouldn't be drinking and driving

He was either going to kill himself or kill somebody else

9.2.2 Impact on Family

9.2.2.1 Impact on family –Driver reports

The most frequent response regarding the impact on family members was the decision to disclose the disqualification to their parents. Ten participants referred to the fact that they had not told their parents and/or family about their disqualification and a sense of guilt related to this deception.

... you felt badly lying to people

This decision not to disclose their licence disqualification was most commonly attributed to a sense of embarrassment or shame or anticipation of disapproval.

My parents will have a heart attack. I didn't want the constant disapproval

The first time I felt like an alcoholic around my family every time I had a drink. That's why I've been very secretive this time

Twenty-two of the participants identified the impact of their licence disqualification on their relationships with partners. Seven participants identified that their licence disqualification had led to a relationship separation. Three participants explained that they avoid entering into a relationship due to the challenges of not having a licence and the embarrassment of having an interlock device in their car. Of the 15 participants who live with their partners, six participants identified that their licence disqualification had

detrimental effects on their partner's life as well and three recognised the extra burden on their partners. Another three acknowledged that their partner had to "juggle" driving them around with the extra responsibility of being the only driver for the children.

My wife had to drive me to work at ungodly hours, it was a bit of a strain on her

... my partner's pregnant, she doesn't need the stress on her

One participant explained that her husband was upset because he now had to be the designated driver whereas in the past it had been her.

Overall, there seemed to be limited recognition from the disqualified drivers regarding the extra responsibility and emotional effects on their partners following their licence disqualification.

I don't feel that I am putting anyone out if they are going to the same place anyway

Nine participants acknowledged effects on their relationship with their children, three of whom lost contact with their children. Three participants recognised the effect that their inability to drive had on the parenting routine, such as not being able to drive their children to sport. One participant, who had recently become a father, attributed his realisation about the need to alter his chronic drink driving behaviour, to his new found parenting responsibility.

When you have children in your life as you can probably realise the big R (responsibility) word comes in and you don't do it anymore

9.2.2.2 Impact on family – Partner/parent reports

The burden of increased responsibility from being the only licensed driver in the family was frequently mentioned.

... as the offences continued, and the children were growing up, most of the driving, all of the driving was left to me. ...so some weekends would be over 200 kilometres driving everyone around

As stated in several driver focus groups, many participants chose not to disclose their disqualification to other family members and/or friends. Supporting this deception was difficult for the partners.

... and he doesn't want anyone to know that either so I'm not allowed to tell anybody. ...

Two participants admitted swapping demerit points to another driver.

Increased relationship tension due to a partner's increased drinking habits following licence disqualification is captured in the following quote:

it had big issues for us because he didn't have a drinking problem before, he got one afterwards because he had the complete excuse, "Well, I can't drive so, I'm going to drink" It was getting out of control because he had this excuse he doesn't have to drive anywhere

9.2.3 Impact on Employment

9.2.3.1 Impact on employment – Driver reports

Getting to and from work was identified as the most common reason for driving while under disqualification.

Nine participants admitted that their loss of licence jeopardised their employment, with five participants losing their job as a direct consequence of having their licence disqualified.

Four participants claimed that there had been no impact on their employment, one because he usually travelled on public transport and the other three because they made the decision to continue driving. Four participants were relying on partners, workmates or their boss for transport. Those who changed to catching public transport as a result of their licence disqualification spoke about the associated increased planning and travel time, and challenges of carrying work related equipment on public transport. Five participants commented on financial difficulties such as demotion (pay decreases), having to refuse jobs in places not serviced by public transport, and impacts on small businesses.

... now I have to go out with my boss all the time

I have to work longer shifts as it takes so long to get there

... it slows the whole company down, it's nearly bankrupted me

my boss has taken my hourly rate down because he can't send me to jobs on my own

9.2.3.2 Impact on employment – Partner/parent reports

The most frequent issue regarding employment was the inconvenience of having to drive partners to work, especially at early and late hours of the day.

I had to go to his house, pick him up, take him down to work then come home myself afterwards. It's the same thing at night time. It was a bit of a nuisance but he couldn't lose his job. Like, that was the main thing. He had to keep his employment

Difficulties keeping a job and job losses were also identified.

He lost his job just after he lost his licence and he got another job, now he's lost that

Partners had to alter their work schedules to accommodate driving their partners to work.

I had to change my work roster so that basically I would drop him off at work and still get to my work.

Following the restoration of their licence the relatively long-term challenge of adhering to the zero BAC restriction was noted.

If he goes out and has a drink at night, he still can't drive the next day, he's at zero. So, even if we go out and have a few drinks and then, he has to go to work, I still have to drive him to work because he can't risk that again

There seemed to be less response to questions regarding the impact on employment compared to the impact on family and social life. Partners did not openly admit if their partners/sons continued to drive to work.

9.2.4 Impact on Social Life

9.2.4.1 Impact on social life– Driver reports

The majority of participants acknowledged a negative impact on their social life. This was most commonly related to their inability to “get around” as they had prior to their disqualification. This ranged from a reduction in social activity such as catching up with friends, to isolation because it was too difficult to get home late in the evening from social events.

Participants also acknowledged their increased reliance on friends to drive them around and associated frustrations with this reliance and lack of independence. Some participants explained that friendships had ended due to feeling let down or left out by friends’ lack of support.

Again the increased freedom to drink large quantities of alcohol was acknowledged.

I could drink as much as I liked and collapse in the corner because my friends would drive me around

To the contrary another participant spoke about the continued pressures from his friends to drink.

9.2.4.2 Impact on social life – Partner/parent reports

A couple of partners resented the consequential changes they had to make such as not being able to drink at social events because they were always the designated driver.

... we might be going out somewhere and I might want to have a drink but I can't because I'm the designated driver

Again the choice of whether to disclose the licence disqualification to friends was raised and the associated efforts to cover up the situation.

My friends don't know. They really don't know. I haven't said anything to anyone

No, I didn't tell anyone. I didn't tell any of my colleagues or anything....I feel very embarrassed to tell people things like that

Two partners expressed anger at friends who played down the seriousness of the behaviour.

... friends they don't care because they've all lost their licences.....but if you lose it, it's not head down its like, “Oh, well, you must be driving fast, that's cool” kind of thing”, “.... when they spoke about him it was all you know, “Bad luck mate” and he'd say, “Yeah, what bad luck?” You know, I mean, like he'd never done anything wrong. It was just like luck, the wrong card but it's not luck you got drunk

One partner commented on the positives associated with passenger restrictions:

... also, in some ways when he got his licence back and he was on the twelve months restriction... Like, one passenger restriction, I think he found it like, good because he was at the age where you know, all your mates are asking you to take you everywhere

9.2.5 Impact on finances – Driver and partner/parent reports

Financial issues were commonly raised ranging from bankruptcy to income reductions for participants who had lost their jobs and have had to go on welfare. Many participants identified difficulties with paying fines associated with their licence disqualification and/or the costs of alcohol interlock devices. The extra cost associated with catching taxis was also frequently mentioned.

The increased premiums for or refusal of insurance was a concern for both the drivers and their partners/parents.

... and repairs to his cars... I don't think an insurance company now would actually insure him

9.2.6 Summary of the Impact of Disqualification

9.2.6.1 Summary of impact on self - Driver reports

- Anger and frustration were the most frequently reported feelings following licence disqualification
- Resulting anger and frustration was attributed to three main causes: the conviction was unjust or the punishment too severe, they were unlucky getting detected, and the inconvenience associated with not being permitted to drive
- All three attributions reflected a lack of ownership or responsibility for their behaviour
- All of the females in the sample acknowledged their responsibility in the disqualification
- Five participants attributed the identification of their problem driving behaviours and the resulting positive behaviour changes to their licence disqualification combined with reaching a level of maturity
- Participants who lost their licence more than once indicated that the second or third offence had less impact
- Participants acknowledged greater concerns when they were reaching a stage where they were facing extreme penalties like jail.

Impact on driver –Partner/parent reports

- Identified angry and/or depressed moods in their partners during their licence disqualification period
- Partners/parents did not agree that detection was a result of being unlucky; rather it was a predictable result of illegal driving behaviours often on more than one occasion
- The majority of the partners/parents participants felt that the punishment was justified and appropriate
- Two partners felt that their husbands had learned from their conviction
- Six partners/parents did not feel that the licence disqualification had enough impact on the driver, especially the younger offenders
- Partners/parents expressed a frustration with the lack of recognition and ownership by their partners/sons regarding their unlawful and dangerous driving behaviours

Impact on self (partner/parent)

- Partner/parent focus groups often resembled a debriefing session
- Partners/parents identified the big impact that the disqualification had on their lives
- Partners/parents felt that the degree of this impact was not acknowledged by the partners/sons
- Partners/parents felt tired and stressed due to increased demands and responsibilities since the disqualification
- Partners/parents compensated for the disqualification by driving disqualified drivers around in attempts to reduce the chances of them driving
- Partners/parents identified feelings of fear and frustration when their partners/sons drove while disqualified
- Increased stress on the relationships was reported resulting from: arguments, partner's moods, fear of relationship ending, and partners'/sons' increased alcohol/drug consumption
- Anger and frustration was reported at lack of change in their partners'/sons' attitudes and/or behaviour following disqualification

9.2.6.2 Summary of impact on family

Driver reports

- Many participants chose not to disclose their licence disqualification to their parents and extended family, often based on feelings of embarrassment/shame or fear of disapproval
- This deception often created a sense of guilt
- Over half of the participants identified an impact on their relationships
- Seven participants identified that their disqualification had resulted in a relationship break-up
- Participants avoided forming new relationship due to the challenges associated with not being permitted to drive
- Several participants acknowledged that their disqualification had negative effects on their partners' lives as well
- Overall, the disqualified drivers failed to acknowledge the degree to which the disqualification affected their partners' lives
- Nine participants acknowledged the effects of their disqualification on their relationship with their children
- Three participants reported having lost contact with their children due to their disqualification
- Participants who were living with their children recognised the effect that their inability to drive had on the parenting routine
- One participant who had recently become a father, attributed his realisation about the need to alter his drink driving behaviour, to his new found parenting responsibility

Partner/parent reports

- Partners/parents identified an increased driving burden resulting from being the driver in the family
- Discomfort with supporting their partner's decision not to disclose disqualification to family members
- Swapping demerit points within the family to reduce or transfer penalties
- Relationship tension due to increased alcoholism following disqualification

9.2.6.3 Summary of impact on employment

Driver reports

- Getting to and from employment was the most common reason for driving while under disqualification
- Five participants lost their jobs as a direct result of their disqualification
- Increased reliance on partners or fellow employees to get to work
- Increased working day hours due to extra time needed to negotiate public transport
- Difficulties associated with carrying work related equipment on public transport
- Reports of demotions (pay reductions) or financial burdens on small businesses due to licence disqualification

Partner/parent reports

- The inconvenience of having to drive their partners to work was the most commonly mentioned impact on employment
- Difficulties for their partners/sons in keeping a job and job losses were also identified.
- Partners had to alter their work schedules to accommodate driving their partners to work
- Following the restoration of their licence the relatively long-term challenge of adhering to the .00 BAC restriction was noted
- Partners did not openly disclose if their partners continued to drive to work

9.2.6.3 Summary of impact on social life

Driver reports

- Most of the participants acknowledged a negative impact on their social life following their licence disqualification
- Participants experienced a reduction in their social activities due to transportation limitations
- A couple of participants spoke of a sense of isolation
- Participants refrained from attending events if it was difficult to get home afterwards
- Friendships were tested due to increased reliance on them for transportation

- Increases in alcoholism were reported as the participant no longer had designated driver responsibilities
- Pressure from peers to continue driving while disqualified

Partner/parent reports

- Partners spoke of resentment regarding having to be the designated driver at all social events
- Discomfort with supporting their partner's decision to withhold their disqualification from friends
- Younger partners expressed frustration and anger at friends who played down the seriousness of their partner's conviction
- One partner commented on the positives associated with licence passenger restrictions

9.2.6.4 Summary of impact on finances

- A couple of participants stated that their licence disqualification nearly resulted in bankruptcy from having to pay large fines or not being able to conduct their business/employment without their licence
- Many participants identified how financial difficulties arose from paying fines
- The burden of costs associated with fitting and operation of alcohol interlocks was noted
- Extra costs associated with catching taxis when public transport was not available
- Inability to secure car insurance or increases in insurance premiums due to poor driving history

9.3 ATTITUDES TOWARDS DISQUALIFICATION

9.3.1 Licence Disqualification is Fair – Driver reports

Overall, the general consensus was that the notion of a penalty was fair, especially in the case of drink driving and culpable driving. Several drivers recognised that their behaviour, in particular drink driving, was dangerous.

I was better off the road than on it, better for everybody... I am so lucky now that I think, Geez, I've never hurt anybody

I think that was fair. Shooting up and drink driving in my car and then it was drink driving, reckless driving

Another participant highlighted the importance of apprehension acting as a future deterrent:

... but I think inherent in that original apprehension is a warning or a scare for anyone who's a responsible driver. Like, you know, if you've been convicted once, then you're going to be thinking to yourself, "I better not get in the car if I've had a couple of beers". Or, I better not drive, I better try not to drive at 60 or 70 kilometres per hour. ...and if you don't think that way, then you know, perhaps you deserve to get jail

A couple of participants suggested that the penalties should be harsher however, the majority of participants disagreed with the current penalties.

If they were fair dinkum they'd be a lot harder

It was common for drivers to identify the need for penalties as if they were referring to a third party while, at the same time playing down or making excuses about the seriousness of their own behaviour. For example debating the finer points of the legislation such as; driving only a few kilometres over the speed limit, or a few points above the legal BAC limit. It was apparent that a stereotype of dangerous drivers existed for these participants and that their individual behaviour was outside this stereotype.

I was doing 130km/hr in an 80 zone but it was in the middle of nowhere. The only thing I would have hit would have been a cow

One participant summed up his attitude toward possessing a driver's licence and the challenges of adhering to the disqualification sanction as such:

...it's a privilege to have that licence, and that's the way you have to look at it, it is a privilege and you have to abide by certain rules to keep that privilege. But they keep just raising the bar, and people are just knocking themselves over to get around without a licence. It just becomes an unworkable situation

9.3.2 Licence Disqualification is Unfair –Driver reports

Within the disqualified driver focus groups there was also a general grievance about the severity of the penalty. The severity of the penalty was questioned regarding: its appropriateness, the participant's perceived seriousness of the behaviour, the financial burden of the fines, and the length of time of the disqualification.

References were made concerning the disqualification of drivers with a long standing safe driving record, many participants regarding this as unfair. Comparisons were made between first offences and recidivism, suggesting that some form of leniency should be available for *one-off* offenders. These comments were most commonly from participants who had lost their licence for demerit points.

... and I think there is an enormous amount of hammering of the most innocent people in society who are driving along, minding their business, never had an accident in 30 years or whatever, and bang theirs gone. I think that's a ridiculous thing to impose upon people who are by and large very solid law abiding citizens

One simple mistake you know should be treated differently

While participants were generally in agreement that licence disqualification was a fair penalty for excessive speeding, there were differing opinions about what defined excessive speeding. Again playing down the seriousness of, or making excuses for the speeding behaviour was common.

When you're on a normal main road you can't really speed that much anyway because there are other cars on the road. It's only because it was an empty highway

Licence disqualification due to the accumulation of demerit points for exceeding the speed limit by less than 10 km/hr, or inadvertently exceeding the speed limit for being unaware of frequent speed limit changes on a section of road was frequently viewed as unfair. Many believed the aim of this type of conviction was revenue collection rather than road safety.

Other criticisms were directed at the judicial system such as the use of mandatory sentencing at the expense of considering individual cases, inconsistencies with sentences, and questioning the overall objectives of the punishments.

What's the point of disqualifying people when they are going to continue to drive anyway

A few participants, even while acknowledging the negative impact of having their licence disqualified, suggested that this punitive approach would not result in behaviour change, stating that they had not learnt anything from losing their licence.

I haven't learnt anything from it. I wouldn't say I'd be a safer driver when I can drive again

... they should educate them about what the impact is rather than punishing the poor because they don't have a good lawyer...

...you're getting this notice in the mail six weeks after you've been done and you sit there and you go, "oh dam I've got this fine" and you go, "when was that?" And like, I feel like I've got an infringement and when was that? It was back in April... And I say to myself, "and this is supposed to do something about reducing accidents"

A couple of participants spoke about their experience of jail sentences suggesting that the first jail sentence can be very confronting but questioning the effectiveness of subsequent sentences. They suggested that consecutive sentences had less impact due to their familiarity with both the system and their social network within it .

One participant highlighted the fact that licence disqualification has longer-term punitive effects beyond the defined disqualification period, referring to a return to P-plates and the associated licence restriction (e.g., .00 BAC)

The amount of time for the disqualification was also mentioned, with one participant admitting that he deserved to lose his licence but also felt that six months would have been a more appropriate sentence than 12 months. A couple of participants suggested that they would prefer to pay higher fines and reduce their disqualification period.

9.3.3 Attitudes towards disqualification – Partner/parent reports

Overall the partners/parents felt that licence disqualification was a fair penalty with some even glad their partners/sons were being caught and punished.

...it's the best thing that ever happened

Another partner acknowledged her relief that the disqualification had stopped her partner drink driving

Well for me it was more that it did stop him from driving and he wasn't put in that position anymore. That if he wanted a drink then he wouldn't be driving so that was peace of mind for me

A common complaint regarding the current penalties was the primary focus on punishment at the expense of rehabilitation, with many partners/parents feeling that counselling and/or education programs should play more of a role. A frequent topic amongst the partners/parents was the importance of re-educating offenders, suggesting that their partners/sons had not learned their lesson from fines and licence disqualification

... courts can't take money out of them so they just end up paying it off So they don't notice it at all

Compulsory community work in a centre where patients have been involved in car accidents was suggested as a means of *getting the message through to them*.

A couple of partners suggested the importance of still being allowed to drive to work. This may be attributable to the high number of disqualified drivers who reported continuing driving to work due to the necessity of maintaining a household income.

Two partners commented on the reduced impact for disqualified drivers with partners who drove them around. One partner felt that she had removed the impact of the disqualification while another suggested that her partner would rather licence disqualification because she could still drive him around compared with “*coughing up big bucks*” for fines.

One partner identified that the fear of having an alcohol ignition interlock was a big deterrent for her partner.

Several partners felt that the financial burden was the greatest deterrent for their partner. To the contrary, another partner commented

He hasn't worried with the fines he got. I think he got a \$... fine and it's like big deal, it's not even a week's wages

9.3.4 Summary of Attitudes Towards Disqualification

9.3.4.1 Summary of attitudes towards disqualification- Driver reports'

- General consensus that the notion of a penalty is fair
- Consensus on necessity of disqualification penalty for extremely dangerous behaviours such as drink driving and culpable driving

- A couple of participants suggested that the penalties should be harsher
- Many participants debated the finer details of convictions that led to their disqualification
- Participants referred to those who deserved the penalties in the third party and viewed their own behaviours as outside this group of drivers
- Excuses made that their behaviours were just outside the regulations and therefore the penalty was too severe
- The severity of the penalty was questioned regarding its appropriateness to the participant's perceived seriousness of the behaviour, the financial burden of the fine, and the length of time of the disqualification.
- Disqualification viewed as unfair for accumulation of demerit points, first offences, for drivers with a long standing safe driving history and especially on roads where the speed limits change frequently and the driver was inadvertently speeding.
- Convictions for less serious offences often viewed as revenue raising attempts rather than road safety initiatives
- Other criticisms were directed at mandatory sentencing, inconsistencies with penalties, and the overall objectives of penalties
- A few participants stated that their disqualification experience would not lead to behaviour change
- P-plate licence restrictions were viewed as extending the penalties for disqualified drivers following re-licensing
- The length of time for licence disqualification was also challenged

9.3.4.2 Summary of attitudes towards disqualification - Partner/parent reports

- Overall, the partner/parents felt that licence disqualification was a fair penalty
- Some were even glad or relieved that their partners/sons had been caught and punished
- Identification that a primary focus on punitive measures (disqualification and fines) at the expense of adopting a rehabilitation philosophy reduced the effectiveness of future driving behaviour change
- Suggestion that community work with road accident victims may have more impact on younger drivers
- The importance of still being allowed to drive to work was also raised due to the necessity of maintaining a household income
- Reduced impact for disqualified drivers with partners who could drive them around

9.4 EXPERIENCES OF DRIVING WHILE UNDER DISQUALIFICATION

9.4.1 Driving While Disqualified – Driver reports

The majority of participants admitted to driving while disqualified. These ranged from infrequent driving such as driving to the local shop or to and from work, to not having restricted their driving behaviour at all. Only 5 participants stated their intention to adhere to their disqualification for the prescribed period.

The law's the law and I'm not pretending to be a goodie goodie but why the hell have laws if we're not going to obey them

Of the few participants who refrained from driving, most admitted being tempted to drive. At the other end of the spectrum, a couple of drivers showed complete disregard for the sanction as indicated by the following response from one participant when asked ***Have there been times when you felt like you wanted to drive but you chose not to?***

Not at all, if I wanted to drive I drove

Again (similar to many disqualified driver responses reported throughout Section 9.2), participants relied on excuses and blame at the expense of acknowledging their inappropriate and often dangerous driving behaviour and the resulting penalty. This attitude is captured in the following participant's response when questioned about changes in his driving behaviour since the disqualification:

It changed in regards to my attitude on the road I think but that was just from fear of getting caught, not from fear of doing the wrong thing again

There was a wide array of excuses for continuing to drive while disqualified ranging from necessity for work, to not trusting their mates with their car. One driver explained that he was more "afraid" of losing his job than the consequences of driving while disqualified.

A few participants referred to a spontaneous decision to drive.

...I got really angry with myself and I thought Oh bugger it you know I'm going to drive

I ducked down the street to warm my car up

Strategies such as: refraining from re-registering their car, making sure their car is parked in and thus inaccessible, leaving their car at their parent's house, were adopted in attempts to reduce this spontaneous temptation to drive. For others, their decision to drive seemed more premeditated and deliberate.

Most participants who continued to drive while disqualified relied on three beliefs: firstly that if they modified their driving behaviour they would reduce their chances of being detected, secondly the probability of being detected was low, and thirdly, if they were pulled over in a random operation there was only a slim chance that they would be asked to produce their licence.

...it's been a dozen times in forty years that I've been pulled over, so you've got to be unlucky

I know that if I'm driving a company car or something like that, no licence, blow .00. OK see you later. They're not interested in checking up on your licence

Most participants agreed that by avoiding other illegal driving behaviours such as speeding or drink driving that the chances of being detected for disqualified driving were very unlikely.

Again the necessity of driving to retain their employment was raised.

Pretty loose situation isn't it? Do your work, you get caught. Don't do your work, you don't have the money, it's taking a chance really

They did have what they called a Trade Licence. It's basically for tradies You can only drive where you can prove you're going for work and that is it

I was driving everyday I had to get to work

It was also interesting to note that, for those who did drive during their disqualification period, the decision was almost immediate with the majority of them driving within days of their disqualification.

9.4.2 Altering driving behaviours when driving while disqualification- Driver reports

There were many strategies suggested for reducing the risk of being detected for driving while disqualified. These strategies were well known amongst many of the drivers and it seemed apparent that there are widespread (word of mouth) anecdotes regarding ways to continue driving and lessen the chances of detection.

Apart from one participant who admitted “*I just carried on as normal yeah whatever time whatever*”, those who continued to drive while disqualified reported modifying their driving behaviour in one or more ways.

The most common modification to driving behaviour was to reduce exposure to detection. Many participants reported reducing the frequency of their driving, such as only driving to work or places that were more difficult to access with public transport. Time of day was also identified as an important factor in reducing exposure to detection with some participants believing that there was less chance of detection during daylight hours while others drove at night to reduce detection. Several participants refrained from driving on weekends as they felt their chances of detection were higher. Again there were mixed opinions about the types of roads that reduced the risk of detection with some believing that back roads were less serviced by the police and others believing that driving with the general population on main roads reduced their chances of detection.

I just sort of knew which roads to take which didn't have the cops on there, so I'd just do that

I drive but only up the road, like I go to the gym... through back streets. So I limit where I go. I don't drive during the day, its only like 7 or 8 o'clock at night that I go up the road or go to a mate's place around the block..... I watch how fast I'm going but otherwise I make sure I use my blinkers all the time, just little stuff you know?

Another common strategy was to become less conspicuous when driving. For example, several drivers had bought or borrowed newer (more conservative) cars this was attributed to anecdotes that police targeted older cars.

You're driving an old Datsun 180B you're going to get pulled up

You're doing the speed limit doing nothing wrong in a nice new car and they won't pull you over

I just bought a Camry and blended in

The importance of adhering to the speed limit and not drink driving was also well promoted. A few participants explained how they removed their P-plates to reduce their chances of being detected.

I wouldn't put my P-plates up if I was driving without a licence

...if I got snapped by a camera as a P-plater then I'm gone because I'm the only P-plater in the family but if there are no plates up then I can stub it on my parents or whatever

A couple of drivers had been pulled over by the police while driving under disqualification.

I got pulled over and breathalysed while suspended but they didn't check my licence (Interviewer: Did that make you think twice about driving the next time?) It's surprising it does work opposite, yeah you drive off and go, Oh no worries

Past research has argued that these changes in driving behaviour to avoid detection actually have a two fold affect reduced driving exposure, and adherence to safer driving methods. These findings were apparent in this research however, a heightened focus on avoiding detection could result in driver distraction which may reduce attention to other important driving demands.

You're not as comfortable as what you would be if you had a licence and that, more conscious of the road rules and that

driving without a licence...it's not a nice feeling it's an awful awful feeling

It is difficult to ascertain the degree to which individuals are distracted when driving while disqualified with some participants suggesting that after a while they forget that they have been disqualified, while others explain that it is always on their mind.

...sometimes you get complacent and you don't think. As long as you're half way through the trip, you think you've just made it...

...you're nervous, you're looking around, you're not concentrating, you're not safe

you know you shouldn't be there and it puts everybody at risk, and it's not a very nice feeling at all...

9.4.3 Abstaining from Driving While Disqualified – Driver reports

The most common reason for abstaining from driving while disqualified was to avoid further, harsher penalties. Participants spoke of not wanting to lose their licence for a longer period of time and/or not having to pay expensive fines.

You know, I knew that what I was doing was wrong and I wasn't really in control but like, the thought of having those restraints for a long period of time was just not an option. It was like, "No way, I'm not going there"

The risk of getting caught and especially increased fines

While for one driver in particular it was more an absence of the decision to drive, the need to drive had not arisen for him as yet.

Well I haven't really made the decision not to drive... because I don't really need to, like I can find and arrange otherwise and also because I don't own a car.... If it was like crunch time and I had to drive I probably would... it's obviously easy to get away with it has deterred me less as of tonight

When asked about their reason for abstinence, no participants mentioned a responsibility to serve their penalty.

9.4.4 Driving While Disqualified –Partner/parent reports

Two partners and one parent out of 13 reported that their partners/sons continued driving while disqualified. However, most of the disqualified drivers reported driving while disqualified. Three possible explanations for this incongruity may be: partners being unsure regarding the confidentiality of the research and not wanting their partners to be exposed to further legal penalties (although it was explained to all participants that their confidentiality and anonymity would be preserved); embarrassment about disclosing their partner's continued driving to others in the group; and/or disqualified drivers concealing their driving behaviour from the partners (there was no indication that the disqualified drivers fabricated their account of continued driving). Comparison of responses between partners and drivers who both attended focus groups were not made for confidentiality reasons.

In response to the question *What stops them from driving?*, the majority of partners/parents felt that they had been burdened with the responsibility of stopping their partners from driving.

I think it's my influence, like him knowing that I would just crack it

I threatened him with everything. Threatened him and threatened him I'd ring the police

When asked about their feelings surrounding their partner's decision to continue to drive while disqualified, partners/parents reported feeling angry and frustrated at this irresponsible decision.

Very angry considering that I was home and just in another room and he just didn't tell me

(Interviewer: And why were you angry? What were you concerned about?)

Just him getting caught again. He couldn't afford to do it, to lose it you know... You know, it's not worth it for a ten minute drive, it's really no... I was just angry. More so that I was there.

9.4.5 Summary of Experiences of Driving While Under Disqualification

9.4.5.1 Summary of driving while disqualified – Driver reports

- The majority of participants reported driving at some time while disqualified
- Only 5 participants stated their intention to adhere to their disqualification for the prescribed period, most of these admitted to being tempted to drive
- A couple of drivers showed disregard for the law, not reducing their driving behaviour at all
- An absence of ownership regarding the identification of their illegal driving behaviour and the resulting disqualification penalty was apparent in those who continued to drive
- Denial and excuse making, regarding the seriousness of their behaviour that led to their disqualification and thus the feeling that the punishment was unjust, was the common pattern for these recidivist offenders
- A few participants referred to a spontaneous decision to drive
- Garaging their cars at another residence or not re-registering them was a strategy used to reduce this spontaneous temptation to drive

For others their decision to drive seemed more premeditated and deliberate.

- Most participants who continued to drive while disqualified relied on three beliefs:
 - if they modified their driving behaviour they would reduce their chances of being detected
 - that the probability of being detected is low
 - if they were pulled over there would be asked to produce their licence

- Most participants agreed that by avoiding other illegal driving behaviours such as speeding or drink driving that the chances of being detected for disqualified driving were very unlikely.
- The necessity of driving to retain their employment was again raised
- The decision to drive while disqualified was almost immediate, within days of their disqualification

9.4.5.2 Summary of altering driving behaviours when driving while disqualification – Driver reports

- Drivers rely on anecdotes spread through word of mouth regarding reducing their chances of being detected when driving while disqualified
- Those who continued to drive while disqualified admitted to modifying their driving behaviour in one or more ways.
- The most common modification to driving behaviour was to reduce their exposure to detection using the following methods:
 - Reduce their driving frequency e.g., only driving to work
 - Driving at times of the day/week when their chances of detection were perceived to be lower e.g., only during the day, not on weekends
 - Choosing types of roads they perceived would lower their chance of detection eg., back streets
 - Increased adherence to road traffic regulations e.g., not speeding, not drink driving
 - Removal of P-plates to reduce their chances of being detected
- A couple of drivers had been pulled over by the police while driving under disqualification and not asked to produce their licence

9.4.5.3 Summary of abstaining from driving while disqualified – Driver reports

- The main reason quoted behind the decision not to drive while disqualified was avoidance of facing higher penalties and fines.
- A responsibility to serve their penalty was not reported as a reason for abstaining from driving while disqualified

9.4.5.4 Summary of driving while disqualified –Partner/parent reports

- Most partners/parents did not report that their partner/son continued to drive while disqualified.
- As many disqualified drivers reported that they continued to drive, three explanations were hypothesised to explain this lack of admission:
 - partners being unsure regarding the confidentiality of the research and thus not wanting their partners to be exposed to further legal penalties
 - embarrassment about disclosing their partners continued driving behaviour to others in the group
 - disqualified drivers concealing their driving behaviour from the partners/parents
- The majority of partners/parents felt that they had been burdened with the responsibility of stopping their partners from driving.
- When asked about their feelings surrounding their partner’s decision to continuing to drive while disqualified, partners/parents reported feeling angry and frustrated at this decision.

9.5 KNOWLEDGE OF PENALTIES FOR DRIVING UNDER DISQUALIFICATION

9.5.1 Knowledge of Penalties – Driver reports

Overall, this question did not extract many concrete responses. This may be due to the individual case factor within the groups - participants were at varying levels of the penalty system e.g., 1st offence, 7th offence. There was also recognition that a good lawyer or attitudes by individual magistrates could affect individual penalty outcomes.

... there’s a lot of minimum penalties... they might give you a minimum or a maximum

Below are some of the replies to the question “**What penalties could you face for driving under disqualification?**”

Added disqualification time

More and increased fines

\$3000 fine or four months jail

\$500 fine for driving without a licence

Heard in the media about confiscating cars

Things are getting harsher

Fitting an alcohol interlock

Extended probation period

I thought but I could be wrong but I thought that you went to jail straight away. I thought that you had to have a very, very good excuse not to go to jail. Like, driving whilst disqualified was just a really, really serious thing. Like, unless there was something exceptional that the matter of course was that you went to jail. That's what I thought.

It was obvious that a few participants felt that they knew what penalties they would face if caught driving while disqualified although it was also apparent that this information is often obtained through informal, word of mouth rumours about fines, jail, alcohol interlock devices etc. One such rumour was that you face lighter penalties if convicted of driving without a licence compared to as a disqualified driver. This myth was not confirmed by legislation which showed the existence of clauses within unlicensed driving legislation bringing the penalties into line with those of disqualified drivers (for repeat offenders). However, it does highlight the perceived lack (within certain driver populations) of incentives to reinstate a licence following disqualification.

If you do drive whilst disqualified, there is a penalty, but once you go over that one day, and you've exceeded your penalty, then you've got a clean slate. And one day can make a difference between one month's jail and \$100 fine.

Some participants had been informed by the magistrate that they could face jail for any subsequent convictions. At times, threats about going to jail were interpreted more as a deterrent than a true indication of the next level of punishment they would incur.

She, the magistrate said to me, "I must emphasize to you that if you are caught driving without a licence", now it wasn't cancelled, it was suspended, "you will go to jail for one month". Now that's what she said, it was the new law, and she was quite definite about that

*No she said if she caught me again, she'd put me in jail for a minimum of I think of two months. **(Does that worry you?)** Yeah. Who knows though honestly? Like I... It's silly of me to keep on driving ... I'd hate to go to jail.*

I think this whole jail thing's a scare tactic

I know heaps of people that have driven without their licence, got caught,... but you just get a lawyer and you get out of it..... I don't think you can actually end up in jail.

Well they tell me. Look there's a good chance that you'll go to jail ... in the end it was straight forward, you know it was \$500 bucks or whatever it was...

Participants suggested that it might be useful for magistrates to clearly outline what the next level of punishment would be or to have handouts that outline the associated stages of convictions and punishments.

I'd make them clearer... Well, I mean, they've got to market and advertise what the laws are. Like, there's almost every day, you read in the paper about legislation change, it's the same with the road rules. It changes fairly often ...just make them more consistent and make people aware of what the penalties are and that sort of thing. Make people aware of what they are and you know sort of have a scale of seriousness

I think if people are aware of the law, then they're going to sort of adapt their behaviour to it

The degree of apathy displayed by some of the participants regarding what penalties they risk facing by continuing to drive while disqualified was well captured in the following quote. It is worth noting that this participant could not remember the penalties for his second conviction.

First time, it's three months. Well, the first time I got three months, the second time... I can't remember what I got the second time, the third time I got four months, four months suspended jail term but it was suspended for twelve months

9.5.2 Knowledge of Penalties – Partner/parent reports

Only two parent/partner participants addressed the topic of future penalties if caught driving while disqualified.

... they can't afford to put repeat offender drivers in jail unless it becomes culpable driving. It's very rare that an offender of drink driving actually goes to jail.

... with the multiple offences that he'll be going to court for, he probably still won't go to jail. I think that they'll fine him, and he'll probably won't pay the fine

9.5.3 Summary of Knowledge of Penalties

- Overall this question did not extract many concrete responses.
- Participants were at varying levels of knowledge about the penalty regime
- Participants identified that lawyers and magistrates can alter individual outcomes
- Many participants were relying on word of mouth information regarding penalties
- Some participants were unsure about the next level of penalties they would face but still chose to drive while disqualified
- Several participants had been advised by the magistrate that they would face jail if facing another conviction
- For some the threat of jail was a deterrent while for others it was dismissed as a scare tactic

9.6 ATTITUDES ASSOCIATED WITH DRIVING UNDER DISQUALIFICATION

9.6.1 Is driving under disqualification a big deal anyway? – Driver and parent/partner reports

The participants who accepted personal responsibility for their disqualification and committed themselves to adhering to the prescribed punishment were often indignant that driving while disqualified was a big deal. They felt that the punishment was part of the necessary reform process toward law abiding driving. Most of the partner/parent participants felt that it was stupid and irresponsible to drive while under disqualification.

The majority of participants did not view driving while disqualified as a big deal if the driver was driving safely (i.e., not drink driving or speeding). Many drivers explained that they were fairly good drivers and therefore not a danger on the road. This was especially so for drivers within the groups who considered themselves to have years of driving experience and those who had lost their licence for accrual of demerit points. These participants failed to show concern for other road users but did show concern for themselves regarding increased penalties if detected.

The majority of participants who continued to drive had created a personal narrative that avoided ownership of the seriousness of their disqualification offence, often viewing themselves as victims of bad luck and/or severe judgement. The following narrative served to justify why they're continued driving was not a big deal and underscores the common incongruence between attitude and behaviour within the focus groups:

Driving without a licence is something I've been caught for before, twice before. Yet I continue to do it against the judge's orders. I should control myself a little better

9.6.2 What alternatives would make you comply with the law?

9.6.2.1 What alternatives would make you comply with the law? - Driver reports

Overall, this was a difficult question for many participants because while they agree with the need for penalties they also disagree with many of the existing penalties. Most of the participants were well versed in the punitive approach but lacked experience in the rehabilitative approach, hence suggestions often referred to increasing existing penalties with few creative suggestions to assist them in complying with the law.

An increase in penalties or even being faced with harsh penalties for first convictions was often suggested.

Losing your licence in the first place...I was like, "I've got a licence, and it's only a fine"

A couple of the participants felt that penalties for drink driving should be harsher especially for second or third offences in recognition of the danger that they believed drink drivers posed to other road users.

Several participants did feel that confiscating their car would make them comply with law by reducing their temptation and/or ability to drive.

I would definitely hate having my car confiscated or something like that but if something along the lines of some way of them taking away your car, that would really remove the temptation for a lot of people

I think impounding is a good start. I think in today's day and age, I don't think fines are doing it. I think mentality in regard to speeding fines and any fines these days is revenue raising and I think they've just lost the effect that the Government or the Police wanted them to have

Many of the participants felt that for them a jail sentence would be the catalyst for behaviour change. However, the participants who had received jail sentences in the past felt that their time in jail did not result in positive behaviour changes. One participant suggested that younger drink drivers should be put in jail to teach them a lesson but he felt that, as an older man on his first conviction, the disqualification should only be two months with heavier fines.

Again in reference to the punitive approach, one participant did mention that increasing disqualified drivers' perception regarding their chance of being detected may reduce their driving behaviour.

I think they'd have a better bet in trying to increase the belief that you could get caught. You know... If I thought there was an 80% chance I would get a \$500 fine, then I probably wouldn't drive but because I know that the chance is tiny

The importance of education was also raised interestingly from two participants who have faced multiple convictions.

...we could try and point them in the right direction, get some education, get them at a young age and what they're going do... Who knows? ... Like, I think they are trying to push more into like, primary schools now you know, the Police going in there and doing the talk but you know, they might get one of those a year you know and it's got to sink in...

In the UK, they deal with people who repeat, like speeding or whatever else. They put them into a training program like they have with the drink driving one which I've been on and I'm sitting there and I'm getting this notice because you know, I've just got my twelfth demerit point and if I've got to make that decision where I drive for the next year with no points, wouldn't it be really smart to put me in some program where I could then learn about what the benefits are

Overall, there were not many suggestions about what would make them comply with the laws. This reflected either a reluctance or inability to focus on a solution or prevention, whereas many could focus on the problem or complain about what was not working. A common belief was that there was nothing that could be done to stop them from driving and that individuals just had to go through the legal system and face harsher penalties until they finally learnt from negative experience.

It took personal experience to make me sort of think and it's a bit like this with drink driving... I could talk until I'm blue in the face to people about what they shouldn't do but you know, there's no point. They'll just say silly old fool, what's he rambling on about. So I think it's the personal experience we're all wiser now after the event

Several participants felt that their irresponsible driving behaviour did not alter as a result of the legislation or punishment but it changed as a result of their developing maturity.

Until you can actually recognise on your own that you know about ways to stop going down the same paths.... Until you get to that point in time that I've learnt. It's only two years of going through it and living through it and then eventually it gets wasted, not overnight waking up but it's just growing and maturing a lot and it seeing what's happening and that's really been my learning curve because all the stuff that you have told, that didn't teach me anything. I'd just even go harder the next time and how to avoid it and which road not to go down and you just hop in your car drinking ... I think it's a lot to do with maturity and what's upstairs, how you think.

One participant neatly summarised how thinking beyond *self* and considering the safety of others on the road can lead to positive behaviour change.

...that was because I didn't think about anybody else and that's the reason that happened and now I'm in a world where I do think of everyone else and I think that's the message. We've got to think of others. Which is your point before, I could have knocked someone over. I didn't even think of that. You don't even think of anybody else but yourself

9.6.2.2 What alternatives would make you comply with the law? - Partner/parent reports

Partners/parents also suggested alterations or increases to existing penalties. Impounding the car was supported as a method suitable for young drivers who do not share the family car. Another suggestion was to impose a .00 BAC restriction to remove the ambiguity regarding the number of drinks consumed. One partner expressed her concerns that punishment does not seem to work, feeling that the problem lies with the inability of drivers to realise for themselves.

I don't think it plays on their conscience until they get caught", If they've lost it for the first time you know, what's another couple of times?

Compulsory community service was recommended in an attempt to get young offenders to realize the consequences of dangerous driving practices.

I think that it's good that they do community work. But as I said before, at a place where people are being rehabilitated from car accidents, or have brain damage from car accidents with hoons and drink drivers. (Interviewer: So, something that teaches them?) Yes, because then they can see people that are their age, and look what happened to them

The importance of education in promoting safe driving attitudes was also mentioned.

Educating people before they start driving, taking them out to the hospitals, etc., I think that's the biggest key: education

You need someone, for example, like a major sports star, someone that they really admire, that they're going to look up to a positive role model

I don't think it plays on their conscience until they get caught

In one of the partner/parent groups participants were asked to list suggestions on how to reduce repeat offending. The following responses were recorded:

- Community work (especially at centres with road accident victims)
- Education and re-evaluation of driving skills
- Group counselling sessions
- Impounding cars
- Incentives to become a good driver
- Increasing the difficulty of getting their licence back for subsequent offences
- .00 BAC for repeat offenders (as they do not seem to be able to judge for themselves)
- Harsher penalties and fines
- Car power restrictions eg., 4 cylinders
- Increase visibility of Police on the roads
- Improve the perceived image of Police portraying them as caring about individual situations rather than the notion of meeting quotas, to improve their relationship with and respect from motorists

9.6.2.3 Summary of alternatives to increase compliance with the law

- Most of the participants were well versed in the punitive approach but lacked experience regarding alternative sanctions e.g., rehabilitation
- An increase in penalties or even being faced with harsh penalties for first convictions was often suggested.
- Penalties for drink driving should be harsher especially for subsequent offences
- Impounding cars was a big deterrent for young drivers
- Jail sentences were also a big deterrent for participants
- Increasing the perception of detection was suggested
- The importance of incorporating education into the current system was raised in both driver and partner/parent groups, and the need to introduce this at a young age

9.7 PERCEIVED RISK OF APPREHENSION FOR DRIVING UNDER DISQUALIFICATION

9.7.1 Perceived Risk of Apprehension

9.7.1.1 Perceived Risk of Apprehension - Driver reports

Overall, the general perception was that in Melbourne the risk of getting pulled over by the police is low and even if stopped at an RBT station, if under the .05 BAC you would not be asked to produce your licence. The majority of participants felt that the chances of getting pulled over were as low as 5%.

...where I live, I've never seen a police car in my life. I haven't been pulled over once since I've had my licence

What are the averages of getting pulled over anyway? you have to be unlucky

It's a risk you take and I think that's what you weigh up.....You're thought process isn't, "should I drive or not?" your thought process is more, "Do I take the risk? Will I get caught?"

I look at it from a ratio perspective. You've got what, six to eight million people in Australia and you've got one, two hundred thousand police officers. The risk is outweighed by getting away with it

When asked what they thought their individual chances, as a disqualified driver, were of getting pulled over again the majority felt the chances were low. This was attributed to the overall number of times they had been pulled over during their driving history, and the changes they make to their driving behaviour to further reduce the likelihood of detection e.g., reducing exposure, driving less conspicuous cars. One participant reported that when he stopped displaying his P Plates that made a difference to the number of times he was stopped by the police. Participants identified that using mobile phones, drink driving or speeding would increase their chances of detection.

A few of the drivers had been pulled over by the police for breath testing but had not had their licence checked.

Two participants thought their personal chances of being detected were higher due to a perception of being unlucky.

9.7.1.2 Perceived Risk of Apprehension - Partner/parent reports

The partners were mixed about the chances of detection, with half thinking the chances were higher because of their significant others' driving behaviour or car type. Others felt it was a relatively low chance because of the police driver ratios.

I think you could have an accident every day but how often do the police pull you over? Never

You'd have to be doing something stupid to get attention drawn to yourself to get caught

_____ got pulled over when he wasn't even licensed and they pulled him over and then let him drive home

It was also mentioned how avoiding detection is further assisted by other drivers or friends who warn you by flashing headlights or sending SMS messages about Booze bus locations.

9.8 PERCEPTIONS OF POLICE DETECTION METHODS

Driver and partner/parent reports

Again, the most common perception was that the chances of being detected are low. However, participants felt that police detected disqualified drivers according to the types of cars they drive or through illegal behaviours such as drink driving or speeding. These beliefs are reflected in their behaviour and driving modifications to reduce their chances of detection as described in Section 9.3.1.1.

One participant suggested that:

I think the disqualified drivers they do catch are probably the people they catch all the time. The same ones that are getting done all the time... mere hoons and that, drink driver all that kind

A few participants suggested that police look for subtle signs like failing to indicate or forgetting to turn headlights on.

Two participants summed up the general feeling that detecting disqualified drivers was not a targeted or easy process.

They just stumble across people they pull over, that's about the only hope they've got

I don't see it being... Something that they can actually go out and go, "Ok, we're going to catch fifty unlicensed drivers tonight" because they can't. How are you going to pick them?

9.9 PUNISHMENT AVOIDANCE

Driver and partner/parent reports

Approximately six participants had been stopped by the police while driving under disqualification, two of whom were identified as disqualified drivers and four of whom were not asked to produce their licence and/or gave a friend's/brother's birth details to the police.

So I could go through on my P's without P Plates or I'd blow .04 or something and they'd say "sweet see you later"

I was only caught once in 70 yrs

9.10 EXPOSURE TO MODELS

Driver and partner/parent reports

The majority of participants reported knowing someone personally or knowing of someone who has driven while disqualified or alternatively has never had a licence to begin with.

we all know someone

I know a female....she's been driving for years she's never been pulled over once and she's never had a licence

every time he gets pulled over he will state someone else's birth date and name and they will type it up on computer and let it go out to the back that he does hold a licence or he doesn't carry it on him and they'll come back to his car and say, "Alright, such'n so, yeah, you've got your licence, just next time carry it

I had a friend who was a very good friend of mine and yeah, he's a big drinker. Like, he you know, he holds his job down. He's not a stupid drinker but he drinks to and from work.....I've been upset that you know, he can get away with it.

9.11 ATTITUDES OF FAMILY AND FRIENDS

9.11.1 Attitudes of Family and Friends - Driver reports

This question was not relevant for participants who chose not to disclose their disqualification to family or friends (see Section 9.2.2.1).

I didn't tell my parents and I didn't tell any of my relatives. I kept it really quiet... embarrassment I suppose

...my girlfriend's family knew and they sort of made jokes about it but my own family, my parents didn't know

Most of the participants felt that their family and friends discouraged them from driving while disqualified. However, two participants spoke about friends who would ring them up for lifts when they were too drunk to drive:

When I didn't have a licence people used to still ring me up for a lift. Oh because I drove pretty freely I didn't make a big deal of it but still

... they'd ring me up and say, "Oh, we're at a party, we're too drunk to drive home. So can you pick us up on the way home?"

Two participants spoke about family members/girlfriends constantly asking them to driver them places.

9.11.2 Attitudes of Family and Friends – Partner/parent reports

As already indicated in Section 9.2.2.2, partners often took on the responsibility of hiding their partner's disqualification and/or reducing the chances of their partners driving while disqualified. One partner chose to tell their family as her husband would not tell them.

...he also hides his disqualification from friends, like people come over he has to make up some little excuses of why he can't drive.

Partner/parent participants mentioned constant attempts at, and arguments that arise from, trying to stop them from driving while disqualified.

A couple of partners commented on relinquishing responsibility for their partner's behaviour.

...after a while I don't say anything to him if he's going to drive without his licence. I'm like, fine, you get caught then that's your problem. There's nothing else you can do. It's not your responsibility to baby them and make sure they don't do that kind of stuff when they're the ones that do the wrong thing

I'd say "look don't be stupid. I mean just be careful, don't get caught"..... when I look at it, it's not a dangerous thing to do. Sort of in my mind it's not such a bad thing. I'd be more worried if they were speeding or drink driving or something

Two partners felt that their partners' concern for theirs and their children's feelings was probably a deterrent to driving while disqualified.

Especially for the kids, that's even more important to him, he doesn't want to be a bad example.

9.12 SOCIAL AND PERSONAL REWARDS

9.12.1 Social and Personal Rewards – Driver reports

What are the advantages/benefits of driving without a licence?

Convenience was identified as the biggest incentive to drive such as saving time getting to places, getting to work, not having to walk, and taking the “*easy way out*”.

The angst and fear that arises while waiting months for court cases, was identified as one of the disadvantages of being detected. The financial burden from harsher fines was also identified.

9.12.2 Social and Personal Rewards - Partner/parent reports

Two partners felt that one of the advantages of driving while disqualified was that it was:

...a form of rebellion against the system that somehow empowered the individual

... showing off in front of their friends, testing the system to see how much they can get away with, antisocial behaviour

9.13 FURTHER COMMENTS

A topic that frequently arose during focus groups sessions, that was not included in the planned discussion but warrants mention, was a sense of confusion with the licence disqualification system.

Participants spoke of being unclear about when their disqualification period started and/or finished. One participant was claimed he was charged with driving while disqualified for driving one day before his disqualification period had ended, due to confusion about the official completion date of his suspension.

Well, I actually rang Vic Roads and they said, “Yeah don’t worry about it because by the time all the administration goes through you would have got it back and a month would have gone”. ... I don’t know when it actually kicks in and they were very airy fairy about the whole thing but there were no specifics you know? What’s a month? Is it 31 days, or 28 days but I was concerned that I might be driving without a licence and that’s a very serious thing

It happened before Christmas and then you stuff around for a month and I didn’t really know whether I lost it or not and I went onto the website and had a look and yes, I still had a licence and of course, at the end of that period, you’ve got to hand it in or else.... So, yeah, you’ve got to hand it back and pay the fine

It is really insane though. The whole thing is, you lose it on spot but you don't actually lose it on the spot, you wait a whole month before you actually lose it and then there's that thing about handing it in...

Confusion also surrounded the question of whether you have to submit your actual licence or not.

... well, I didn't hand it in, no one told me you had to hand it in

Well, I actually had the Police come around and they actually took it off me on the spot with no warning or nothing

Several participants were unsure about the process of re-instating their licence.

10 DISCUSSION

The aim of this study was to investigate the behaviours and motivations of disqualified drivers in Victoria, including risk factors that compel these drivers to continue offending, as well as protective factors that play a role in reducing the risk they pose on the road. The study aimed to answer the following research questions:

1. What are the behavioural and attitudinal characteristics of disqualified drivers?
2. Do homogenous subgroups of disqualified drivers with different risk profiles exist, based on reasons for disqualification, as well as other behavioural and attitudinal characteristics?
 - 2.1 Does disqualification have differential effectiveness for these groups?
3. What are the patterns and reasons for driving under disqualification?
4. What motivates disqualified drivers to alter their behaviour?
5. What is the role of partners/family members of disqualified drivers: (i) How does licence disqualification impact on them; and (ii) do they insert an influence on the attitudes and behaviours of disqualified drivers?

In order to investigate these questions seven focus groups were conducted with 40 recently disqualified drivers and three focus groups with 13 partners/parents. This study was fortunate to recruit participants from a relatively heterogenous group of disqualified drivers in relation to: the behaviours that led to their disqualification, educational and occupational status, and age groups. While the overall representativeness of the sample had its limitations (see Section 10.6.2 below), this diversity did enable a view of differing experiences relating to their associated behavioural and attitudinal factors. In this final chapter, the key findings from the study are discussed for each of the above research questions followed by the strengths and limitations of the study. Finally, recommendations for future actions and research are presented.

10.1 WHAT ARE THE BEHAVIOURAL AND ATTITUDINAL CHARACTERISTICS OF DISQUALIFIED DRIVERS?

Behaviours and attitudes that contribute to the risk that disqualified drivers may present on the road, as well as behaviours and attitudes that play a role in decreasing the risk they present on the road were examined, as it is imperative to understand protective (or risk reducing) factors in view of improving road safety. Based on previous research evidence, behavioural factors that were examined included: offence type that lead to the disqualification; how participants and their partners/families dealt with the disruption caused by the disqualification; risk taking and driving behaviours. Attitudinal factors included: attitude towards disqualification; perceived fairness of the penalties; attitude towards driving under disqualification; perceived risk of apprehension; anxiety about apprehension; and personal and vicarious exposure to enforcement and punishment avoidance.

The findings regarding the behavioural and attitudinal factors are discussed in the following two sections.

10.1.1 Behavioural Characteristics

10.1.1.1 Reasons for disqualification

The main inclusion criterion for the participants of this study was a recent licence disqualification (cancellation or suspension) for breach of the Road Safety Act. Therefore all participants had engaged in driving behaviours that can be viewed as potentially dangerous to themselves and the extended road user public. Behaviours that led to disqualification included demerit point accumulation, excessive speeding, and for the majority of participants drink driving. Just over half of the driver participants, and by far the largest group (55%) were disqualified for drink driving, the next largest group (25%) disqualified for excessive speeding, followed by disqualification due to accumulation of demerit points (12.5%). Only two drivers had lost their licences for disqualified driving, and only one for dangerous driving. Although this is a small scale study and therefore not generalisable to the whole population, these results are consistent with studies in other jurisdictions (e.g., De Young, 2002; Ferrante, 2003; Healy & Harrison, 1986; Siskind, 1996; Scopatz et al., 2003) that show drink drivers to be the largest group among disqualified drivers.

For many of the participants engaging in illegal driving behaviour was not a one-off event, with 40% undergoing their second or subsequent licence disqualification, and several first offence participants admitting that they had engaged in undetected dangerous driving behaviours during their driving history. More than half of these participants admitted continuing to drive while under disqualification, whilst several others who claimed not to have driven since their disqualification spoke of their temptation to drive. Only five out of the 40 participants stated that they intended to refrain from driving for the length of their disqualification period. Behaviours associated with continuing to drive following disqualification are addressed later in Section 10.3.

10.1.1.2 Life disruptions caused by disqualification

The results showed that for most participants the licence disqualification caused a significant disruption in their personal life and/or employment. This impact was also extended to the partners/parents of disqualified drivers who were burdened by the extra responsibilities and financial difficulties that the disqualification caused for them. Both drivers and partners frequently reported increase stress in relationships.

10.1.1.3 Behaviours contributing to compliance

A small minority of drivers reported that following the disqualification they modified their behaviours in a way that helped them deal with the disruptions and comply with the sanction. This is an example of risk-reducing behaviours following disqualification. Participants who abstained from driving and those who significantly reduced their driving identified the lifestyle behavioural changes they faced during their disqualification period. These changes involved the necessity of being more organised and planning ahead for both work and social commitments to accommodate the extra time taken to travel on public transport. A couple of participants moved house to live nearer to public transport. A few drivers reported spontaneous decisions to drive, which tended to be within their local area. Strategies such as having their car parked in behind other household members' cars, or storing their car at their parents' house were undertaken to reduce this temptation to drive. Many participants identified being more housebound following their disqualification, and an increased reliance on family and friends to drive them around. These compliant

behaviours often appeared to be associated with various motivational factors reported by the participants, including fear of further penalties and disruptions, considering one's own disqualification to be fair, and humiliation/shame about the disqualification. Thus, it is not simply a matter of whether disqualified drivers are able to find alternatives to deal with the disruptions on a practical level, motivational and attitudinal factors also play an important role. Motivational and attitudinal factors for behavioural changes are discussed in a later section.

10.1.1.4 Risk-associated behaviours

The rest of the participants (that is, the majority) reported that they either continued to drive straight away or resumed driving at some time during their disqualification. This was because it was either too difficult for them to deal with the disruptions, or they did not want the disqualification to cause disruptions. Maintaining their employment was the most common reason cited by drivers for continuing to drive. Those who disregarded the sanction and continued to drive experienced the least disruptions to their life. Most drivers viewed the disruptions caused by the sanction as a major contributing factor in taking the risk to drive under disqualification. From the participants' reports it appears that driving under disqualification also tended to be associated with judging one's disqualification as unfair, not considering one's driving behaviour as dangerous, and rationalising fear of further penalties with beliefs that maximum penalties are rarely applied by magistrates and judges. The pattern of disqualified driving and related behaviours are further discussed in Section 10.3.

10.1.1.5 Drink driving behaviours

As the majority of participants were convicted on drink driving charges, it was deemed appropriate to identify behavioural issues specifically related to drink drivers. For many of the drink driving participants the challenge of behaviour reform was two fold. They faced the behaviour reform challenges drivers charged with other offences faced, with the added complication of possible alcohol/drug abuse, needing additional treatment. One mother seemed distraught when explaining the issues faced by her and her son regarding his combined risk with alcohol/drug addiction and dangerous driving. She expressed concern at the lack of support and rehabilitation surrounding chronic drink driving behaviour. One driver identified his choice to remain unlicensed but still drive, to avoid having an alcohol interlock device fitted in his car. There were several accounts from drivers about driving while intoxicated and their relief that they had not killed anyone. A few of the younger participants expressed a view that one of the positive aspects of not having a licence was their ability to drink as much as they wanted, because their friends now drove them around. Partners spoke of the stress regarding their partner's alcohol consumption following their licence disqualification. This evidence highlights the challenges faced by deterrence and rehabilitation programs aimed at drivers with substance abuse problems. Such programs must also deal with the substance abuse behaviour itself, as well as driving behaviour. A recent report on drink driver rehabilitation in Victoria (Sheehan et al., 2005) concluded that the best practice drink driver rehabilitation programs are evidence-based, and incorporate educational aspects, together with lifestyle change strategies, and probationary contact and supervision. Thus, improvements in current rehabilitation programs are imperative in order to increase the longer term deterrence effect of any sanctions that are applied to drink drivers.

10.1.2 Attitudinal Characteristics

The biggest strength of this study was its ability, through the focus groups discussions, to explore in-depth attitudinal issues and psychosocial factors associated with licence disqualification. Recent research has provided evidence of the important role that such factors play in drivers' behaviours. Watson's (2004) theory of disqualified drivers' behaviour, which is the most comprehensive one to date, suggests that by merely applying classical deterrence theory the necessary conditions to deter unlicensed driving are not currently being achieved. This theory suggests that drivers will be deterred from unlicensed driving if they perceive a high likelihood of apprehension and if the resulting penalties are perceived to be sufficiently certain and swift. Watson drew on Stafford and Warr's (1993) expanded deterrence theory and on social learning theory of criminal behaviour (Akers, 1990) to propose and test a theory of disqualified driving. Watson found that for a better predictive model of disqualified driving that in addition to perceived risk of apprehension, it is also imperative to include punishment avoidance experiences, as well as psychosocial variables such as: exposure to models who drive without a valid licence and hold positive attitude towards the behaviour; personal attitudes to unlicensed driving and alternative behaviours; and the perceived rewards and punishments associated with the behaviours. Watson's model does not contradict classical deterrence theory, but rather subsumes it under a model of higher predictive utility.

The importance of psychosocial factors in contributing to the behaviours of disqualified drivers has also been supported by qualitative studies by Ferrante (2003) and Mirrlees-Black (1997). In the present research similar psychosocial variables were also found to be an important contributor, these are discussed below.

10.1.2.1 *Positive changes in attitudes and perceptions*

A minority of participants reported changes in attitudes and cognitions associated with risk-reduction following disqualification. As mentioned participants spoke about a type of *realisation* regarding their behaviour that led to their licence disqualification, which in turn resulted in a sense of ownership and responsibility. They reported feeling embarrassed/humiliated about their behaviour, felt that to some degree the sanction was justified and signified that they had learned a valuable lesson from their experiences. All of the female participants fell into this category. When two older male participants, spoke about the lessons they had learnt from their disqualification, they conveyed a mature attitude of ownership regarding their behaviour and an intention to focus on solutions. For three of the middle aged participants this realisation was the result of exposure to many driving sanctions over their driving history and they themselves attributed this to a developing sense of maturity. A couple of younger participants, who admitted to being tempted to drive for convenience purposes but refrained, did show indications that the sanctions and associated legal proceedings had resulted in an intention to adhere to driving licence regulations in the future. Their decision seemed better attributed to fear of future sanctions than an overall attitudinal change. It is important to note here that the above positive changes tended to be reported more by women and relatively older men, whereas most disqualified drivers tend to be young men. This suggests that for a substantial proportion of the disqualified driver population deterrence may be more difficult to achieve. It is also noteworthy that Watson (2004) found no differences between men and women in the tendency and amount of unlicensed driving. It is not known to what extent the differences in behaviours and attitudes between men and women in the present study are characteristic of the particular sample that was recruited.

Overall consistent with the findings of the previous research (i.e., Watson, 2004), the results did indicate that in addition to the hardship experienced by the penalties and fear of further penalties, that attitudes towards one's own behaviour and disqualification played an important role in positive changes. Accountability for one's own risky driving behaviour that had led to the disqualification played a key role in positive driving behaviour changes, and needs to be addressed in future research and planning of educational or rehabilitation programs. As the above mentioned participants did display the desired attitudinal and behavioural changes, the remainder of this section will focus on those participants who continued to drive while under disqualification.

10.1.2.2 Attitudes towards disqualification and penalties

Although the reason for disqualification could be addressed simply by stating the different types of convictions it has also been incorporated under this attitudinal heading, because for many of the participants their attitude towards their disqualification was the precursor of a resulting decision to adhere to or dismiss the prescribed sanctions. Underlying reasons for the questioning of their detection and subsequent licence disqualification included attitudes that the punishment was too severe, and that they were unlucky to get detected.

An attitude that the punishment was too severe (especially prevalent with demerit point disqualifications) and/or that they were unlucky to be detected (such as 'I was only driving to the local shop' or 'other drivers were going faster') was often a precursor to the development of an excuse narrative portraying themselves as victims. This identification of themselves as a victim of an unjustly severe punishment or bad luck was also apparent in many of the participants' accounts regarding the focus group topic *Impact of licence disqualification on self, family and social life* (section 9.2.1.1). Many participants felt angry and frustrated at the imposed licence disqualification, again recounting the finer details surrounding their detection and the negative impact that not being able to drive has had on their mobility. There were complaints about how challenging it was to get around on public transport, with many using this as their main reason for continuing to drive. This common attitude that focused on the self as a victim was evident in the lack of recognition of the impact their loss of licence was having on their partners, with only three participants acknowledging the negative impact on their partners' lives. Frustration or anger at this lack of recognition was frequently raised in the partners'/parents' responses. When questioned about their attitudes toward licence disqualification, the majority of the driver participants identified the importance of penalizing dangerous driving behaviours such as excessive speeding and especially drink driving. However, there was a sense that these participants were referring to the behaviour of "others", followed by some sort of justification narrative that they themselves and their dangerous driving behaviours were not of the calibre as these "others". The sanctions they had received were perceived as too severe for their individual case. This identification of themselves as outside the general dangerous driver/rule-breaker stereotype was the underlying logic behind disagreeing with mandatory sentencing, suggesting that if the judges had considered their individual case they would have received a more lenient penalty. On the contrary, partners'/parents' attitudes reflected a sense of justice with some expressing a sense of relief that their partners/sons had been detected. They felt that the punishment was deserved, often noting that this was not a one off behaviour. Several partners/parents identified their frustration and anger at the absence of a positive attitudinal shift in their partners/sons regarding ownership of and learning from their illegal driving behaviour.

While it was obvious that word of mouth accounts of penalties are prevalent, there remained a sense of ambiguity due to the minimum/maximum penalty ranges for various convictions. Participants were most fearful of facing tougher penalties such as jail. However, there was a noticeable tendency to quote inconsistencies within the judicial system in applying maximum penalties such as jail, with some expressing the opinion that judges rarely applied maximum penalties. This appeared to have a dampening effect on their fear of jail and to provide further rationale for continuing to drive under disqualification. Similarly, attitudes such as believing that a good lawyer would protect them from harsher penalties and viewing magistrates' warnings of future jail sentences as "scare tactics" rather than genuine warnings, reduced their fear of being convicted of driving while disqualified.

10.1.2.3 Perceived risk of detection

Most of the participants perceived their chances of being detected were minimal. They justified this belief by recalling accounts of friends or work colleagues who remained undetected despite frequent illegal driving behaviour. Many partners and parents similarly expressed the belief that the probability of getting caught and punished for disqualified driving is very low. Interestingly, drivers tended to perceive a higher risk of getting detected for various other driving behaviours, such as speeding and drink driving. This last finding was also reported in Watson's (2004) study of unlicensed drivers in Queensland. In line with the above perceptions, most participants had adopted an attitude that modifying their driving behaviours would further reduce their chances of detection (see Section 9.4.1 and below Section 10.3).

Drivers' perceived risk of detection has widely been considered an important factor in determining the overall effectiveness of traffic law enforcement. According to classical deterrence theory, if drivers believe that certain behaviours have a low probability of being detected and punished, then it is unlikely that enforcement will be a significant and meaningful deterrent (Zaal, 1994). Various strategies for raising the perceived risk of detection (mainly in the form of media campaigns) have been successfully used in road safety programs targeting speeding and drink driving in Victoria other jurisdictions (e.g., Cameron et al., 2003). As mentioned, most participants perceived a higher risk for detection for speeding and drink driving than for disqualified driving. Thus, the general perception of minimal risk of detection for disqualified driving appears to play an important role in undermining the deterrent effect of the sanction. This emphasises the necessity for actions to increase the perceived risk of detection for disqualified driving, such as media campaigns and licence checks at RBT stations. This will be discussed in more detail in the recommendations section.

In addition to the perceived risk of detection various other attitudinal and psychosocial factors were found to be important deterrents for disqualified driving (Watson, 2004). This does not diminish the importance of taking actions to increase the perceived risk of detection, but rather points out the importance of incorporating rehabilitation programs into the licence disqualification sanction, aimed at changing drivers' attitudes and risk perceptions of their own behaviours.

In the last decade many enforcement initiatives have been introduced targeting speeding and drink driving, which have had a positive effect on reducing the road toll (Cameron, 2003). These often included mass publicity campaigns that successfully raised the perceived risk of detection in the general driving population, as well as some increases in enforcement. Similarly over the last decade publicity campaigns about drink driving appear

to have resulted in a general shift of societal attitudes regarding drink driving, with drink driving now viewed in a more negative light by the general public. However, this study suggests that these effects have not translated to changing perceptions about disqualified driving. This is especially evident in participants' comments that they perceived the risk of detection for speeding or drink driving as higher than the risk of detection for disqualified driving.

10.1.2.4 Punishment avoidance

Punishment avoidance was another factor identified by Watson (2004) as contributing to disqualified driving behaviours. Punishment avoidance refers to instances where drivers could have been detected for driving under disqualification, but were not. Several drivers recounted instances of being pulled over by Police or being stopped at RBT stations, but were either not asked to produce a licence or telling Police that they did not have their licence and getting away with giving a sibling's or a friend's personal details to the Police. Even among those who had not personally experienced punishment avoidance, the common perception was that if they were under .05 BAC they would not be asked to produce their licence and failing that, they had premeditated strategies such as providing another licensee's details as their own. Many drivers had anecdotes of similar punishment avoidance experiences by acquaintances (i.e., instances of vicarious punishment avoidance). These above results are consistent with those of Watson (2004), and suggest that the actual risk of detecting disqualified drivers may indeed be low.

10.1.2.5. Attitudinal Characteristics Summary

In summary, there were a small minority of participants whose attitudes reflected the predicted outcomes of deterrence theory (most commonly specific deterrence). These participants recognised that they had breached the law and received a prescribed punishment, namely licence disqualification. Licence disqualification had negatively impacted on their (and their families) daily living schedules. For many, their employment had been threatened and the associated fines had caused moderate to severe financial discomfort. They had accepted the penalty (not all without grievance) and claimed that the consequences of the experience would result in positive modifications to their future driving behaviour. Participants that fell into this category tended to be women or older men, suggesting that the sanction has a lesser effect on younger males who form the majority of disqualified driver populations.

For a small group of participants licence disqualification had a similar effect to those mentioned above regarding family, employment and finances. However, they did not portray positive attitudinal changes regarding their future driving behaviours. On the contrary their rebellious anti-authority attitudes seemed further reinforced. They continued to drive immediately following their disqualification and any minor modification made to their driving behaviour was directed at avoiding further detection rather than due to a sense of responsibility to obeying the law.

Accounts from the majority of participants who continued to drive while disqualified and even some who chose to refrain from driving indicated that disqualification had been effective as retribution or punishment. This was evident by the negative impact it had on their daily lives and financial situations. However, disqualification as a deterrent was questionable due to numerous accounts of continuing to drive. The obvious hindrance, regarding a lack of effectiveness in deterring driving while disqualified, was that most the participants failed to reflect one of or more of the following necessary attitudes: a learning

experience resulting from the sanction; sense of ownership/responsibility regarding breaching driver licence regulations; and lack of commitment to the driving behaviour changes necessary for future compliance with driver licensing regulations. Overall the most common reason or lack of reason was a reliance on denial of both the seriousness of, and their responsibility in the event(s) leading to the disqualification. This resulted in the following type scenario. Excuses were made *playing down* the seriousness of their illegal behaviours, which in turn led to the development of a narrative describing the sanction as unfair and/or too severe. Those who chose to comply with their licence disqualification used their narrative to portray themselves as someone who had just overstepped the boundaries, often inadvertently, and therefore this was as an example of their unfair treatment by the system. Those who chose to continue driving used the narrative as a justification for this decision. What was obvious to observers and many of the partner/parent participants was how this narrative failed to identify any self control over their choice to engage in the behaviour in the first place. Very low perceived risk of detection and instances of personal and vicarious experiences with punishment avoidance also appeared to play an important role in the sanction's lack of deterrence. Therefore it remains imperative that these be addressed through publicity campaigns.

Overall, the results of the present study identified the important contribution of attitudinal factors in the behaviour of disqualified drivers. These factors included attitudes towards the sanction, perceptions about the risks of one's own driving behaviour, perceived risk of detection, and punishment avoidance. These findings are consistent with Watson's (2004) premise that attitudinal and psychosocial factors improve the prediction of disqualified driver's behaviour over and above the predicted risk of detection alone. However, the present study aimed to explore each issue in more depth, rather than to test a model.

10.2 HOMOGENEITY OF DISQUALIFIED DRIVERS

10.2.1 Do homogeneous subgroups of disqualified drivers with different risk profiles exist, based on reasons for disqualification, as well as other behavioural and attitudinal characteristics? Does disqualification have differential effectiveness for these groups?

One of the aims of the present study was to investigate whether behavioural, attitudinal, and motivational factors are differentially related to driving during disqualification behaviour. A truly representative sample for this study would include sufficient numbers of different types of offenders, particularly in terms of their offences and length of disqualification, so that valid comparisons can be made of their experiences and attitudes (Mirlees- Black, 1993). However, it is difficult to achieve a truly representative sample in this type of study, due to the small sample size in this study it was not possible to divide participants into comparison groups to explore this question empirically. A summary of differences in demographic profiles, reasons for disqualifications, and associated behaviours and attitudes is provided below as some indication of the heterogeneity of the drivers group. As mentioned previously (Section 7.2.3), these results were obtained from a small and a somewhat skewed sample, and therefore caution should be taken when generalising to the broader population of disqualified drivers.

There was little variation in participants' gender, with 34 (85%) of the disqualified drivers being male. This is consistent with licensing data from other states and countries showing a small proportion of female disqualified drivers (e.g., De Young, 2002; Ferrante, 2003; Healy & Harrison, 1986; Siskind, 1996; Scopatz et al., 2003). The most common age

groups were 18-24 years (30%) and 46-55 years (30%), followed by 26-35 years (25%). This suggests a wide spread of age groups among the participants, with 55% being 35 years or younger, and 45% being under 35 years of age. However, the licensing data studies cited above report most disqualified drivers to be young men under 35 years of age. The higher proportion of relatively older participants in this sample is perhaps due to sampling bias, with older, more mature participants being more likely to volunteer for a focus group discussion.

Approximately one quarter of the participants had a tertiary degree, indicating a skew towards more educated participants. This is not surprising, as it is often people with relatively higher levels of education who volunteer for studies of this nature. Employment status and marital status were fairly evenly spread within the sample. Those with three or more convictions (including the current conviction) were aged 45 years or less. The three drivers currently on their seventh conviction were all 26-35 years of age (two were for driving while disqualified, one of whom was over .05 BAC when detected) and with a below Year 12 education level attainment. This suggests that the more serious offenders were relatively younger, although not in the youngest age group (18-24 years). When combining age with reason for conviction, the most frequent finding was drink driving in the 36-45 years age group however, drink driving was the most frequent conviction in the overall sample. Excessive speeding was the most common conviction for 18-25 year olds.

The most common first offences were for excessive speeding, but for second and third offences it was drink driving. The majority of second offence participants and participants convicted for excessive speeding had tertiary degrees. Married participants showed a fairly even spread between excessive speeding and drink driving, whereas single participants were more likely to be convicted for drink driving. Marital status did not show any affect on number of convictions. There were not any significant occupational influences in relation to reason for conviction, although the most common profession in the sample was technicians/trade workers.

Approximately one quarter of the participants had accepted their disqualification and refrained from driving, with all female participants falling into this category. Within this group there were still individuals displaying grievances regarding the fairness of their disqualification, so positive long-term attitudinal and behavioural changes for these individuals is questionable.

This study found that a large number of participants (approximately 60%) continued to drive to some extent during their disqualification. The choice to continue to drive was most frequently justified by the importance of retaining their employment. However, the success that reintroducing conditional licences (for driving to and from work) would have is questionable, with many admitting also driving during other non-work related times. Where drive-to-work type of restricted licences have been implemented, compliance has been difficult to enforce. They also possibly undermine the general deterrent affect of licence disqualification by creating the impression that licence loss is neither certain nor inevitable (Watson & Siskind, 1997; Watson et al, 2000). Other licence restricting ideas, such as using interlocks (as suggested by Watson, 2004), warrant further consideration.

The majority of participants who continued to drive, displayed attitudes reflecting varying degrees of denial and lack of responsibility regarding their driving behaviour that led to their disqualification. Again these attitudes raise questions regarding positive long-term attitudinal and behavioural changes for these individuals.

Another common factor within this group of continuing drivers was a perception that their chances of getting detected by the police were low. The majority modified their driving exposure and/or behaviours to further reduce their chances of detection (see Section 10.3).

Participants with lengthy disqualification periods who continued to drive displayed a lack of respect for the sanction, and their responsibility to comply with it. Participants with short disqualification periods (e.g., one month) who continued to drive, frequently attributed their choice to a perception that they would not get detected over such a short period of time.

Participants with alcohol/drug abuse issues may be the greatest risk group, whether they drive while disqualified or after their disqualification period ends. Their partners/parents, and even these participants themselves, identified their increased alcohol/drug consumption following their licence disqualification.

10.3 WHAT ARE THE PATTERNS AND REASONS FOR DRIVING UNDER DISQUALIFICATION?

This study found that driving under disqualification was common, with more than half of the participants (around 60%) admitting to having driven while disqualified. Only five participants stated an intention to refrain from driving for the length of their disqualification period, with a few participants admitting that they had not driven while disqualified but were tempted. For those who admitted to driving while disqualified there were varying reports regarding the frequency and reason for driving.

The most common reason for complying with their disqualification was fear of harsher penalties and fines. Compliance with their disqualification penalty was mentioned by a few participants, with most of the female participants falling into this category.

Reasons for driving under disqualification ranged from disregard for the imposed sanction to reports about lifestyle necessities, such as getting to work. Retaining employment was the most commonly cited reason for driving while disqualified. This was often compounded by the necessity to pay fines associated with their disqualification. One participant explained that he was more afraid of losing his job than getting caught for driving while disqualified. Tradesmen felt they had few options if they wanted to retain their employment due to time constraints, accessing areas that were not well serviced by public transport, and transporting vital work tools. A few drivers did report only driving to and from work, whereas others also admitted driving during non-employment related times. The next most common reason for driving was convenience or alternatively to avoid inconvenience. Participants talked about not wanting to catch public transport on cold days and impatience at the extra time taken to travel on public transport and its effects on their daily schedule or social plans. The cost of taxis seemed to be a financial burden for many participants. A couple of the younger participants admitted to driving for the sake of driving. They explained that working on their cars was a hobby and they missed just driving itself. A few of the participants spoke of a spontaneous decision to drive, whilst for the others the decision seemed more premeditated and deliberate and for many their driving behaviour resumed within a short period of time following their disqualification.

The importance of retaining employment was supported by partners/parents who often reduced their partners'/sons' driving by accepting the extra burden of driving them to and from work. As well as for reducing disqualified driving behaviour partners/parents reported undertaking this responsibility for both financial and emotional reasons (e.g., to reduce their sons'/partners' risk of associated depression). The importance of maintaining work commitments seemed to be greatest for the middle-aged to older participants with more family, financial and employment commitments. This may explain their decision to continue to drive more accurately than could a mere disregard for the law.

While participants had differing driving patterns, the overall reported pattern was to modify their driving behaviours while under disqualification compared to their pre-disqualification driving behaviours. The reported reasoning behind these modifications was often obtained from their *peer grapevines* and had obviously been debated quite extensively, it even triggered debate within the focus groups. The two most dominant modifications were reducing their exposure to detection and reducing their conspicuousness. Modification to exposure included reducing the frequency of driving (e.g., only driving to work), choice of time of day (e.g., only driving during the day or on week ends), and choice of the type of road (e.g., with some participants suggesting using back streets, while others suggested driving on main roads where their opportunity of blending with others was increased). The removal of P-plates to reduce targeted detection was also promoted. Reducing conspicuousness included driving a newer model, conservative car (especially avoiding "hotted up" cars), and taking extra caution to comply with road rules, such as staying under the speed limit and avoiding getting caught by red light cameras. By following these modifications the overall consensus was that their chance of being detected for driving while under disqualification was about 5%.

Past research (Ferrante, 2003; Mirrlees-Black, 1993; Smith & Maisey, 1990) has found disqualified drivers report reduced driving exposure and increased adherence to safer driving methods. A reduction in driving exposure was also reported in the present study by the majority of participants who continued to drive while disqualified. They also reported incorporating safer driving practices, such as driving under the speed limit, increased use of indicators, and refraining from consuming alcohol when driving. These personal accounts of safer driving do not necessarily represent a true reduction in risk behaviour. Firstly, as suggested in existing research (Ferrante, 2003; Mirrlees-Black, 1993; Smith & Maisey, 1990), these behaviours may be more aptly identified as a focus on avoiding detection rather than a focus on safe driving behaviour. Secondly, as highlighted in the notebook responses and during focus groups discussion, participants also reported a heightened focus on their driving behaviour and hyper-vigilance associated with looking out for police (see Section 8.7 & 8.8). Both of these behaviours are indicative of driver distraction, and the resulting reduction in attention on other essential driving demands warrants future investigation.

The safety benefits of these driving modifications are doubtful. Studies examining records of fatal crashes have consistently found unlicensed drivers to be overrepresented and to have exhibited more risky behaviours compared to legally licensed drivers (FORS, 1997; Harrison, 1997; Watson, 2004). To reconcile the findings from self-report studies and crash data studies, it is possible that even if driving exposure and risk-taking behaviours are decreased to some extent during disqualification periods, much larger changes in behaviours are needed to substantially reduce the risk that disqualified drivers continue to pose on the roads. In line with this assertion, Watson (2004) found that although the unlicensed drivers in his study reported increased adherence to road safety rules, they reported more frequent drink driving, speeding, and failure to wear seatbelts compared to a

community survey of general drivers. Thus, even after reported attempts to increase adherence to road rules to evade detection, disqualified drivers appear to continue to exhibit more risky behaviours than general drivers.

10.4 WHAT MOTIVATES DISQUALIFIED DRIVERS TO ALTER THEIR BEHAVIOUR?

There are two aspects of this topic that need to be addressed in reference to altering disqualified drivers behaviour. Firstly, it is important to deter individuals from driving while disqualified, such as the current sanctions that focus on behaviour deterrence. Secondly, a focus on long-term behaviour change (rehabilitation) needs to be explored, because most of the participants of the present study currently drive or will eventually return to driving.

10.4.1 Motivation to alter disqualified driving behaviour

10.4.1.1 Increasing penalties

Participants spoke of the negative impact of increasing penalties. Many suggested they would be deterred from driving while disqualified by having to pay heavy fines, especially for those who acknowledged the current financial strains caused by existing fines. This may not be as effective for individuals with substantial incomes and those who refuse to pay or cannot afford to pay the fines. The threat of further driving sanctions (such as increasing the disqualification period) seemed to be of greater concern. However, as shown in this study, many participants continued to drive anyway. The threat of a jail term was for many the ultimate fear. However, in reference to what penalties individuals faced upon being detected, many identified that magistrates were reluctant to administer jail sentences and thus the threat was diminished. Participants who had served jail sentences for their driving offences identified a reduction of effect for subsequent disqualifications. These reports raise questions regarding the effectiveness of even this extreme penalty. Within the drink driver population, many participants feared court orders to fit alcohol interlock devices or to have their cars impounded. This fear was associated with the device spoiling the interior of their cars, the embarrassment of others seeing the device, and the associated costs of fitting and monitoring of the device. One participant chose to continue to drive unlicensed (post disqualification period) and another was facing court for driving without complying with an existing order to have an interlock fitted. Some of the middle aged to older participants, who recognised that their resignation to comply with road rules was a result of consecutive exposure to harsher penalties, suggested that initial penalties should be harsh to get the message across early to young drivers.

10.4.1.2 Altering perceptions

Another important factor identified in this study was the influence of perceptions upon participants' behaviours. There was an overwhelming perception that the chance of being detected when driving while disqualified was extremely low. This perception was reinforced by some participants' own experiences regarding being stopped by police and not having to produce their drivers licence and vicariously from friends with similar experiences. Highly publicised initiatives to address this perception, such as enforcement blitzes targeting disqualified drivers may be warranted, accompanied by enforcement initiatives to increase detection.

As word of mouth and the media played a key role in participants' knowledge of penalties, changes in legislation, and perception of chances of detection, it is important that any initiatives to address these issues are promoted by media campaigns. Alternatively to address the perception regarding magistrates delivering idle threats about sanction increases, brochures could be handed out at court appearances outlining the authenticity of these existing penalties.

The evidence from this study suggests that harsher penalties (including jail terms) would not result in future adherence to road laws for many of the participants. On the contrary, with the denial of the seriousness of their behaviour and their feelings of injustice regarding the severity of penalties, harsher penalties may just maintain the status quo from both an attitudinal and behavioural level. What was apparent, even for some of the participants whose behaviour complied with the disqualification sanction, was a lack of constructive attitude change regarding their behaviour. This raises the question regarding the success of sanctions designed to address behaviour deterrence compared to behaviour reform. While administering sanctions (penalties) may deter some drivers from re-offending, as found in this and other research (Ferrante, 2003; Mirlees-Black, 1993; and Watson, 2004), such strategies appear to be only partially effective for a very substantial proportion of drivers. Thus, whether the intent behind the current sanctions is deterrence or reform, the reality that the majority of these participants are continuing to drive on public roads and are overrepresented in crash statistics highlights the importance of aiming for long-term attitude and behaviour change.

10.4.1.3 Incorporating Rehabilitation

Partner/parent participants frequently identified that existing sanctions fail to succeed in positive attitude and/or behavioural changes for many disqualified drivers. They stressed the importance of incorporating educational programs into current sanctions for all convictions such as the existing drink driver education programs. To increase the impact of the overall message regarding dangerous driving, inviting road accident victims to address disqualified drivers at education programs was suggested. The importance of prevention by targeting primary school children was also highlighted. One participant highlighted the importance of conveying to young people, prior to obtaining their licence that having a licence is a privilege with associated responsibilities not an automatic right when one turns 18 years of age.

In this study the narratives constructed by the participants regarding their own licence disqualifications were identified as creating a noteworthy barrier to constructive attitude and thus behavioural reform. These narratives were laden with excuses, denial, blame, and avoidance of ownership and responsibility regarding their behaviour. Even when sharing these narratives there was a sense of drama and detachment on the participants' behalf, as if they were recalling a story rather than discussing the ramifications of their own behaviour. It was likely that these narratives had been repeated on many occasions. Evidence based education programs aimed at being a catalyst for responsibility and consequence ownership may be a successful addition to the existing sanction regime.

Several participants and many partners/parents identified the importance of education to accompany the current punitive approach especially for younger drivers who actively rebel against the current approaches. The suggestion was made that compulsory education programs be designed, similar to the drink driving ones, but targeting speeding behaviour.

This was suggested to foster an overall philosophical change about the dangers of speeding to compensate for the common tendency to play down the behaviour such as:

...it was on an open road

I needed to speed to overtake safely

I do have a bit of a heavy foot

I've never had an accident except someone running into the back of me, which was not my fault

So, I consider that I'm a very good driver and I'm a safe driver. However, I am a fairly fast driver and I should have been a racing car driver

The importance of exploring social attitudes about having a licence, driving a car, personal responsibility to adhere to road laws, and the respective punishment for breaking the laws arose within the focus groups. One suggestion was to challenge the underlying social beliefs, such as the Australian cultural reliance on cars at the expense of improving access to public transport. The following quote addresses two important issues associated with the above mentioned attitudes: firstly, the importance of drivers recognising that having a licence is a privilege and comes with responsibilities; and secondly, that education about this and safe driving practices needs to start early by targeting primary school children:

Behaviour change works with young people. That's where it needs to start...they have to appreciate their licence and understand what it's all about. Currently it's been given to them like a gift for their 18th Birthday

Another important issue, especially for drivers who chose not to re-instate their licence is that the current system does not offer any incentives for disqualified drivers and/or unlicensed drivers to participate in the licensing system.

10.5 THE ROLE OF PARTNERS/PARENTS OF DISQUALIFIED DRIVERS

The partners and parents of disqualified drivers revealed that the licence disqualification had resulted in an increased burden and relationship pressures for them as well. Many reported experiencing financial difficulties and having to modify their own routines and life style to accommodate extra responsibilities such as driving their partners/sons around. Most of the participating partners/parents expressed concern about the danger that the disqualified drivers' behaviours posed to themselves and the public. They reported that their partners/sons had engaged in illegal driving behaviour previously without detection. Most partners/parents felt that the disqualification had been justified, with many expressing frustration and anger about the lack of accountability by their partners'/sons'. They also commonly expressed relief that their partners/sons were disqualified, hoping that this may prevent them from causing serious injuries or death to themselves or others.

The partners/parents reported many instances of relationship tensions and arguments regarding hardships brought on by the disqualification, as well as about their partners'/sons' driving while disqualified behaviours. The attitudes expressed above differed from the prevailing attitudes among the disqualified driver participants, many of whom denied that their own driving behaviours may pose a danger to anyone and viewed their disqualification as too harsh. Many partners/parents also spoke in frustration about

the lack of change that the disqualification engendered in their partners/sons, expressing the view that the primary focus of the sanction was on punishment at the expense of rehabilitation. Generally, partners/parents perceived that the risk of apprehension for disqualified driving was low, however to the contrary they also indicated high levels of concern that their partners/sons would be detected.

Very few partners/parents reported that their partners/sons engaged in disqualified driving. This is discordant with the disqualified driving rates reported by the driver participants in this study, as well as by other studies. The two most likely reasons for this are trying to preserve their partner's/son's confidentiality or not knowing if their partner/son drove. Generally partners/parents reported attempting to assert as much influence as possible to stop their partners/sons from driving under disqualification. This included reasoning or arguing with the driver, expressing disapproval, taking over the driving responsibility, and even some attempts to remove access to vehicles. It is difficult to draw conclusions from this study regarding the extent to which partners'/parents' influences were successful in reducing disqualified driving. These findings suggest that if attempts were made to enhance the sanction by incorporating appropriate rehabilitation programs, partners or parents are likely to be supportive. The introduction of further initiatives to curb disqualified driving, such as publicity campaigns and enforcement practices, are also likely to be supported by partners/parents of disqualified drivers. The importance of family and social influences on various illegal behaviours, and specifically on disqualified drivers (Watson, 2004) has been widely recognised. However, until now research with partners and family members of disqualified drivers has been unprecedented.

10.6 METHODOLOGICAL ISSUES

10.6.1 Overall strengths and limitations of the present study

The present study was the first study in Victoria in the last three decades to provide in-depth information about the behaviours, attitudes, and motivations of disqualified drivers. The last study to explore related issues in Victoria was a large-scale survey conducted in 1977 by Robinson, although more recent studies of disqualified drivers have been conducted in Western Australia (Ferrante, 2003) and Queensland (Watson, 2004). Moreover, the research questions in this study integrated findings from the previous Australian overseas research in an attempt to provide a further understanding of the related issues.

This study utilised the methodology of focus groups discussions with the aid of semi-structured discussion guides. This methodology has various strengths and limitations. A main advantage of this methodology was that it succeeded in facilitating detailed and open discussions among disqualified drivers and among partners/parents of disqualified drivers, including about issues such as illegal driving behaviours that are often difficult to elicit with other research methodologies. These discussions were valuable in enhancing our understanding of the research issues.

Despite these advantages, the methodology also contributed to the main limitations of this study namely the small sample size and resulting quantitative data analysis representativeness. The representativeness of the sample is discussed in detail in Section 10.6.2 below. Although the present study provided rich information about the attitudes and cognitions underlying the behaviours of disqualified drivers, it is not possible to use more sophisticated statistical analysis to quantify the relationships between the variables that were investigated. Nevertheless, the findings of this study did contribute to a more in-

depth understanding of the underlying behaviours and cognitive processes of disqualified drivers, which are of vital importance for the future design of more effective policies and rehabilitation programs, as well as identifying directions for future research.

10.6.2 Representativeness of the Sample

As this was an in-depth exploratory study, the sample size was small, preventing sophisticated quantitative analysis, and limiting the validity of generalisations to the broader disqualified driver population of Victoria. Furthermore, as there is no recent data available in Victoria about disqualified drivers, we can mostly make assumptions about the representativeness of the sample based on some outdated Victorian figures or on licensing data research from other jurisdictions. Based on comparisons with such past research, the present sample offers a reasonably good coverage of reasons for disqualification, with the three most common convictions leading to licence disqualification being represented: drink driving, excessive speeding, and accumulation of demerit points. Drink drivers represented 55% of the sample, which may be attributable to the higher success rate from the VADDS mail-out to individuals who had been disqualified for drink driving offences. However, other Australian studies into disqualified drivers reported a higher proportion of drink driver convictions (e.g., Ferrante, 2003; Healy & Harrison, 1986).

The disproportionate gender ratio (15% females, 85% males) is also likely to be a reasonably good representation of the gender ratio in the Victorian population of disqualified drivers, rather than being indicative of a sampling bias, such as females being more reluctant to attend a focus group and disclose their conviction. In fact, Watson (2004) found female disqualified drivers more willing to participate in his study. In general, women tend to be more likely to volunteer for research studies than men. Thus, the proportion of women in the true Victorian population of disqualified drivers may even be smaller than in the present sample. The disproportionate gender ratio is more likely a reflection of true disqualification rates, with similar gender ratios occurring in other studies. Most national and international licensing data research reports a very low female to male ratio in disqualified drivers populations (e.g., De Young, 2002; Ferrante, 2003; Healy & Harrison, 1986; Siskind, 1996; Scopatz et al., 2003).

Age group (18-55 years) and occupation and marital status were fairly evenly distributed. However, most licensing studies have found the majority of disqualified drivers to be young males under 35 years of age (e.g., De Young, 2002; Ferrante, 2003; Healy & Harrison, 1986; Siskind, 1996; Scopatz et al., 2003). The relatively high proportion (45%) of participants older than 35 years of age is likely to be due to sampling bias, with older people being more likely to volunteer. There were slightly more participants with tertiary degrees. It is likely that this may also be a sampling bias, as people with higher level of education are generally more likely to volunteer for research studies.

Another sampling limitation worth noting is that due to limited research resources all participants were drawn from metropolitan Melbourne. It is not known how and to what extent disqualified drivers in metropolitan and rural areas may differ in their demographics and behaviours. This further limits the generalisability of the present sample.

In summary, the gender ratio and the range of offences among the disqualified driver participants appear to be reasonable compared to similar research. It is likely that the sample of Melbourne metropolitan drivers was somewhat biased towards older and more highly educated participants.

10.6.3 Participant Recruitment

Overall the participant recruitment was satisfactory. Recruiting participants prepared to discuss their illegal behaviours was less challenging than predicted. The choice to pay participants may have been a good incentive. Initially it was obvious that some participants had attended the evening to vent grief about their conviction however, the facilitators successfully managed to divert them to the discussion topics.

The most successful recruitment strategy was the mail-out through VADDS. This may be because the stigma and discomfort associated with revealing their convictions in a group setting may be lowered having previously attended the drink driving education courses. Another major reason for this may be the more directly targeted recruitment method of the mail-out. The newspaper advertising was the second most successful avenue, especially with recruiting participants who had been disqualified for accrual of demerit points. Recruitment through VicRoads was the least successful avenue, which may be due to suspicion regarding confidentiality and government agencies.

10.6.4 Demographic Questionnaire

The demographic questionnaire provided useful information about the variables included. Specific details about prior convictions and crash involvement history would be useful inclusions, as well as recording specific ages rather than age groups. These variables were not included in the present study due to issues of timing and confidentiality. Further research may explore the usefulness of including some psychometric assessments to measure dispositional traits (e.g., coping styles, locus of control).

10.6.5 Focus Group Facilitation

The choice to use contract focus group facilitators was a sound decision. The centrality of the venue made it easier to allocate participants from various areas of Melbourne into a common focus group and also made it easier to access by public transport. The neutrality of the venue, compared to a formal university setting may have reduced apprehensions regarding disclosing information about illegal behaviours. The focus group facilitators were skilled at adhering to time schedules, keeping the discussion on topic and ensuring all participants interacted. Security issues also influenced this decision, as the researchers had concerns surrounding the possibility of intoxicated participants. Only a couple of participants presented somewhat intoxicated, but did not cause disruption to the facilitation of the groups.

The focus groups were not videotaped for confidentiality reasons and to reduce inhibition in the groups. Contrary to anticipation, participants were open in disclosing their illegal driving behaviours.

10.6.6 Notebook

In the notebook, it may have been more useful to ask participants to respond in sentences as many wrote single words, making interpretation of their meaning difficult at times. For example for the prompt “A *disqualified driver is.....*” if a participant wrote “stupid” it was difficult to ascertain if they were reporting their own perceptions or their assumption of societal perceptions. It would also have been useful to make it clear to participants whether they were being asked to identify their own perceptions or other people’s perceptions.

The notebook, however, was intended to assist in accessing information regarding illegal behaviours, such as driving while disqualified, in case the participants were reluctant to disclose this information in the focus group setting. This was not warranted as the participants did disclose their illegal behaviours in the focus group discussion. The notebook was distributed and completed during the session before questions were raised about driving while disqualified practices. It did seem to act as a catalyst for discussing this topic especially in the partner/parent groups. The notebook also supported the findings in the discussion regarding the contradiction between their attitudes and behaviour, such as their agreement that driving while disqualified was irresponsible and their understanding that even while driving they were constantly fearful of being detected and facing harsher penalties, but that they still chose to continue driving.

10.6.7 Focus Group Discussion Guide

The Focus Group Discussion Guide was extremely useful especially as the focus groups were facilitated by externally contracted market research company who did not have specialised knowledge of the disqualified driver issue. Having a guide assisted with inter-facilitator reliability and keeping the discussions on the relevant topics, especially in the larger groups.

10.7 THE FUTURE

10.7.1 Recommendations

10.7.1.1 Investigation of Registration and Licensing Data and Crash Data

One of the original aims of this study was to analyse data from the Victorian Registration and Licensing database to profile disqualified drivers and to answer questions about their behaviours and the road safety risk these pose. The inability to obtain this data from existing government agency databases at a reasonable cost and time-period was identified. Although the present qualitative study has contributed to a more in-depth understanding of the underlying attitudes and cognitions of disqualified drivers, to be able to quantify the risk that disqualified drivers present on Victorian roads remains a priority. Even though disqualified drivers represent only a small proportion of the general Victorian driving population, as they tend to be overrepresented in fatal and serious crashes it is likely that they present a significant road safety risk. It is important to quantify the size of this problem in Victoria in order to set appropriate priorities and allocation of resources. It is also important to obtain accurate data to profile these drivers in relation to their demographic characteristics, reasons for disqualification, and behaviours such as repeat traffic offences and crash involvement in order to improve the effectiveness of sanctions and rehabilitation programs. Therefore, it is strongly recommended that the accessibility of disqualified driver data in Victoria is further investigated with the relevant agencies, as a high priority.

10.7.1.2 Increasing the Perceived Risk of Detection

This study confirmed that most disqualified drivers perceived the risk of detection for driving under disqualification to be very low. This perception was identified as one of the key influences on an individual's decision to drive while under disqualification. Therefore, it is recommended that to challenge this perception the Victorian Police explore the possibility of launching a highly publicised initiative specifically targeting disqualified

drivers. Such publicity initiatives have been used successfully in the past to raise the perceived risk of detection for speeding and drink driving. And indeed, the participants in this study generally believed that they had a much higher chance of being detected for speeding or drink driving, and hence the reported attempts to adhere more to road rules when driving under disqualification. It appeared that the participants distinguished between driving without a licence and drink driving or speeding which they considered more inherently wrong. This further emphasises the need to directly target attitudes about disqualified driving through media campaigns.

10.7.1.3 Decreasing Instances of Punishment Avoidance

Publicity campaigns to raise the perceived risk of detection for driving under disqualification are likely to be most effective if simultaneously action is taken to decrease instances of punishment avoidance. Many of the participants reported either personal or anecdotal experiences of punishment avoidance. Such reports included either the participants or someone known to them being stopped at RBT stations, or being pulled over for some other reason and not having their licence checked or getting away with giving false licence details. Word of mouth accounts of such instances appeared to play a key role in undermining the deterrence effect of the disqualification sanction. Thus, it is recommended that ways to decrease instances of punishment avoidance be seriously considered. Alternatives such as electronic checking of licences at RBT stations, and when drivers are pulled over for other reasons, need to be examined. Following the introduction of compulsory licence carriage for drivers under 26 years of age (introduced July 2007), the feasibility of expanding this legislation to cover all Victorian drivers warrants further investigation. Enforcement of licence disqualification and detection of disqualified driving is inherently more difficult compared to other dangerous driving behaviours, such as drink driving and speeding. However, as highlighted in the above recommendations improvements to enforcement practices are worth exploring.

10.7.1.4 Offering Incentives to Participate in the Licensing System

At present no incentives are offered to disqualified drivers for participating in the licensing system. This discourages some drivers from reapplying for their licence, finding it easier to just continue driving without a valid licence. It is important to further investigate the types of incentives that could be offered to drivers to keep them within the system, as this may increase long-term deterrence.

10.7.1.5 Provision of clear information about the disqualification processes

Due to ambiguities associated with the disqualification process the following suggestions are made:

- Brochures are currently available from VicRoads for drivers disqualified for drink/drug driving that outline the licence suspension and cancellation processes. These include information regarding when the disqualification sanction commences, and whether photo licences need to be surrendered to VicRoads, they also outline the process involved in getting your licence re-instated, and the sanctions faced for subsequent offences. Similar brochures should be made available to drivers whose licence is suspended for demerit points loss.

- Brochures outlining the fines and penalties associated with various convictions and any subsequent convictions should be distributed to individuals when attending court. This would assist in reducing perceptions that warnings about receiving a jail sentence are just scare tactics.

10.7.1.6 Best Practice Rehabilitation Programs

To decrease or prevent the road risk that disqualified drivers pose it is necessary to implement best practice rehabilitation programs to address perceptions and behaviours related to speeding, drink driving, and other dangerous driving. Reviews are required to define best practice for such programs. As discussed earlier, a review of drink driver rehabilitation programs in Victoria was recently carried out by Sheehan et al. (2005), and recommendations were made for best practice improvements to these programs. It is also necessary to conduct similar reviews for speeding and other dangerous driving behaviours, and to design and implement best practice programs targeting these behaviours.

10.7.1.7 Education Campaigns in Schools

As a preventative measure, it is recommended that school education campaigns are developed highlighting to students that obtaining a drivers licence is an important privilege that has associated responsibilities and regulations.

10.7.2 Future Research

It is of highest priority to conduct further research examining the profile and risk of disqualified drivers based on Victorian Registration and Licensing data and on Victorian crash data. The rationale for this research was outlined as part of the first recommendation in the previous section.

The majority of participants within this study who chose to violate their prescribed sanctions by driving while disqualified displayed attitudes of denial, lack of responsibility, and of being passive recipients (even victims). It is recommended that a pilot education program be designed targeting attitudes relating to personal accountability for Victorian drivers following licence disqualification. A review to define best practice from similar programs is warranted prior to designing the pilot.

Further research is needed to explore the feasibility of incorporating rehabilitation programs with existing sanctions to promote positive long-term attitude and behaviour change in drivers following licence disqualification.

The current lack of incentives for partaking in the licensing system is noteworthy. Further research is needed to explore incentives offered both nationally and internationally and to evaluate their effectiveness.

Further research is recommended to review best practice policies regarding road traffic convictions and sanctions, both nationally and internationally.

Future research is needed to design an education program for secondary school children, promoting the adoption of attitudes relating to personal accountability when obtaining a drivers licence. Preventative measures like this may have a two fold effect. Firstly, on the adolescents' own future driving history; and secondly, on influencing their parents' attitudes towards driving. Disqualified driver participants who were parents identified how their responsibility towards their children had a positive effect regarding recognition of their need for reform.

10.8 CONCLUSION

This study reports on several years of research conducted by MUARC into the field of disqualified drivers. The first section of this report presents the findings of a feasibility study that explored existing literature, both nationally and internationally, and the availability of data on disqualified drivers within Victoria. The second section reports on a focus group study conducted during 2006, which was designed to further explore key areas identified in the feasibility study.

This study confirmed previous findings that current sanctions are only partially effective. It was found that more than half of the disqualified driver participants continued to drive during their disqualification period. While driving to work was the most common reason for continuing to drive, the most common attitude behind this decision was one of denial regarding their illegal driving behaviour and the appropriateness of resulting sanctions. Driving under disqualification was associated with negative attitudes towards the sanction, denial regarding the danger of one's own driving behaviours, very low perceived risk of detection, and personal and vicarious experiences of punishment avoidance. Partners/parents reported that the hardships caused by the sanction transferred to them, and were generally disapproving of their partners'/children's behaviours. These findings are consistent with other research pointing to the underlying importance of psychosocial factors, in addition to the traditionally recognised importance of perceived risk of detection. These findings emphasise the need for incorporating rehabilitation elements into existing sanctions, as well as taking actions to increase the perceived risk of detection and decrease instances of punishment avoidance. Recommendations and suggestions for future research into this important area of study were presented.

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APPENDIX A DEMOGRAPHIC QUESTIONNAIRE – DISQUALIFIED DRIVERS

Demographic Questionnaire – Disqualified Drivers

1. What is your age group?

18-25 26-35 36-45 46-55 56-65 66-75 76+

2. What is your gender?

Male Female

3. What is the reason for your current licence disqualification?

4. Have you ever had your licence cancelled and suspended in the past because of a driving offence?

Yes No

How many times has this happened? _____

5. What is your current employment status?

Student

Working part time

Working full time

Home duties

Unemployed

Pensioner

Other _____

6. If you are working full time or part time, what type of work do you do? _____

Appendix A Cont.

7. What is your educational level?

Did not complete Year 12

Year 12 or equivalent

Trade Certificate/Associate Diploma

Tertiary degree

Other _____

8. What is your current marital status?

Married/De facto

Single

Divorced/Separated

Widowed

Other _____

9. Do you have children

Yes No

10. If you have children, how many do you have _____

What are their ages? _____

Do they live with you at present? Yes No

APPENDIX B DISCUSSION GUIDE FOR DISQUALIFIED DRIVERS

Introduction

- Ensure confidentiality, introduce clients
- Tape recording (no video)
- Rules – no mobile phones, no going off track, etc
- Introduce self – age, living arrangements, occupation, interests
- Discuss offences if comfortable

The Impact of Disqualification

- How did you feel when you lost your licence?
 - For those who have lost it more than once, do these feelings change over time?
- How has losing your licence impacted in your life?
 - explore: financial, employment, family, and social aspects (e.g., impact and increased reliance on family members; difficulties getting to work; loss of work; restriction of social activities)
- How do you manage without a licence?
 - What alternatives are available to you (e.g., public transport, lifts from friends/family, etc.) to get around for family/work/social purposes?
 - How easy is it to get around using the above alternatives?
 - How have you had to change your life around the loss of licence?

Attitudes Towards Disqualification

- Do you think that licence disqualification is a fair and reasonable penalty in any situation/for breaking any road rules?
 - In what situations would it be fair?
 - Why/Why not?
 - Do you think the penalty of licence disqualification is too harsh?

HAND OUT SELF-COMPLETION PACK

Experiences of Driving Under Disqualification

- What are the opportunities for driving without a licence? How easy is it?
- Has anyone ever driven under disqualification?

For those who have driven:

- Why did you drive?
- How many trips a week do you usually do?
- How long after your first disqualification did you start driving? (for those with multiple disqualifications: what about with subsequent disqualifications?)
- How keen are you to avoid getting caught?
 - What do you do to reduce the chances of getting caught?

Appendix B Cont.

- Do you drive differently when you drive under disqualification?
 - (e.g., keeping to road rules; back streets; avoid certain times, etc.)
 - Why? Explore: to avoid getting caught; to be safer
 - What sort of things do you do?
 - Do you think that these things reduce your chance of being caught?
 - Do you always do these things or do you find that you fall back into your usual driving patterns
- How do you feel when you drive under disqualification?
 - Why?
- Do you think of the possible consequences of driving without a licence?
 - What might they be? Why don't they deter you? Or why don't you think about them?
- Have there ever been times when you wanted/felt a need to drive without a licence but didn't?
 - Why didn't you?

For those who have not driven:

- Why not? What are the reasons for not driving without a licence?
- How long since your last disqualification?
- Do you ever think of driving?
 - So why don't you? What do you do you stop yourself?
- Are you surprised by the number of people who have admitted to driving without disqualification?
 - Does hearing about it tempt you? Why/why not?
- What has the impact of complying with the sanction by not driving been on you and your family?
 - How do you manage?
- Do you see any advantages in driving without a licence?
 - Any disadvantages?
 - Are there more advantages or disadvantages?

Knowledge of Penalties for Driving Under Disqualification

- What penalties could you face for driving under disqualification?
 - "How many didn't know?"
- How harsh do you think the penalties are?
- How do you think the penalties compare to those for other driving offences?

Attitudes Towards Penalties for Driving Under Disqualification

- Is driving under disqualification a big deal anyway?
 - Why/why not?
- How important do you think it is to have a licence?
- Do you think that the existing penalties for driving under disqualification are fair and reasonable?
 - Why/why not?
- What alternatives may make you comply with traffic laws?
 - Why?
- Do you ever consider the penalties when driving without a licence?
 - Why don't the penalties deter you?

Appendix B Cont.

Do you think that there may be other negative consequences of driving without licence, other than being caught by Police?

- Explore: e.g., no insurance if in an accident; continued drink driving risk to self and other road users
- Which one is the most serious?
 - Why don't these possible consequences deter you?
- How long since your last disqualification?
- How easy or difficult do you think it will be for you to get a licence in the future?
 - Why/why not?

Perceived Risk of Apprehension for Driving Under Disqualification

- What do you think the chances are of someone getting caught for driving without a licence? (from 0% to 100%)?
- What do you think the chances are of you in particular getting caught? (from 0% to 100%)? (Ask this separately of those who drive and those who don't)
- Do you think that you are more likely to get caught for driving without a licence than for: speeding; drink driving; not wearing a seat belt; using a mobile phone; other...
 - How much more or less likely?
- Has anyone been caught for driving without a licence?
 - After you got caught, did you think that it was more or less likely that you would get caught again?
 - What did you think the chances of getting caught were before and after you got caught?
- If you thought the risk of getting caught was higher, would you still drive without a licence?

Perceptions of Police Detection Method

- How do you think the Police usually catch disqualified drivers?
 - e.g., at random; drivers attracting attention by their behaviour or vehicle; other.

Punishment Avoidance

- Have you ever been pulled over by Police while driving without a licence and not had your licence checked?
 - Why were you pulled over?
 - How many times has this happened to you?
 - If you were pulled over again, what do you think the chances are that the Police will check your licence?
- Do you know anyone else who was pulled over while driving without a licence without their licence being checked?
 - How many people? How many times?
 - How common do you think this is?

Exposure to Models

- Do you know other people who drive without a licence?
 - How many?
 - Have many of them been caught or not?

Appendix B Cont.

Family and Friends

- Do your family/friends know that you have lost your licence?
 - (if not: why haven't you told them?)
- What do your family think of driving without a licence?
 - How important is it to you what they think?
- What do your friends think of driving without a licence?
 - How important is it to you what they think?
- Do they try to discourage you from driving without a licence in any way?
 - How? What do they do?
 - Does it work? Why/Why not?

Social and Personal Rewards

- What are the advantages/benefits of driving without a licence?
 - Explore: to keep lifestyle; pleasure from driving; pleasure from driving without a licence, etc.
- What are the disadvantages/costs?
 - What may be the consequences?
 - How would these consequences affect you?
 - (for those who have got caught before: How did it affect you? Did it deter you? What did your family/friends think? How did that affect you?)
- Overall, do you think more good things or more bad things come out of driving without a licence? (more benefits or more costs?)
 - If bad things, why doesn't this deter you?

APPENDIX C DISCUSSION GUIDE FOR PARTNERS/PARENTS

Introduction

- Ensure confidentiality, introduce clients
- Tape recording (no video)
- Rules – no mobile phones, no going off track, etc
- Introduce self – age, living arrangements, occupation, interests
- Discuss partner’s offences if comfortable

The Impact of Disqualification

- How has your partner’s licence loss impacted on your life of your family?
 - Explore: relationship, financial, family and social aspects
- How do you and your partner manage?
 - Explore: Do you have a licence yourself?, available alternatives

Attitudes Towards Disqualification

- Do you think that licence disqualification is a fair and reasonable penalty in any situation/for breaking any road rules?
 - In what situations would it be fair?
 - Why/why not?
 - Do you think the penalty of licence disqualification is too harsh?
- Do you think that after experiencing the penalty of disqualification your partner will be more likely to keep to road rules in the future?
 - Why/why not?

Attitudes Towards Driving Under Disqualification

- Does anyone’s partner ever drive without a licence?

For those whose partners drive without a licence

- How do you feel about your partner driving without a licence?
 - Explore: approval/disapproval, anxiety that partner will get caught
- Do you know what the penalties are for driving without a licence?
- What do you think the impact will be on you and your partner’s (and family) lives if your partner gets caught?
 - How do you feel about this?

Appendix C Cont.

- What do you think are the advantages and disadvantages of driving without a licence?
 - Are there any advantages/disadvantages for you or your family?
 - Do you think there are more advantages or disadvantages?
- Is driving under disqualification a big deal anyway?
 - Why/why not?
- Do you think that the existing penalties for driving under disqualification are fair and reasonable?
 - Why/why not?
- What alternatives may make your partner comply with traffic laws?
 - Why?
- If your partner drives without a licence do you think that they drive differently?
 - (e.g., keeping to road rules; back streets; avoid certain times etc.)
 - Why? Explore: to avoid getting caught; to be safer
 - What sort of things do they do?
 - Do they always do these things or do they fall back into their usual driving patterns?

Perceived Risk of Apprehension for Driving Under Disqualification

- What do you think the chances are of your partner getting caught if driving without a licence? (0% to 100%)?
- How concerned are you that your partner may get caught if driving without a licence?
 - How does this affect you and your relationship?
- What would the impact be on you (and your family) if your partner got caught?

Influence of Partner

- Do you ever try to discourage your partner from driving without a licence?
 - Why/why not?
- How do you try to discourage them?
 - What do you do? Does it work? How does this affect you and your relationship?
- What is your partner's reaction when you do this? How important do you think this is to them?
- How important do you think your attitudes towards driving without a licence is to your partner?

APPENDIX D NOTEBOOK PHOTO EXAMPLE

A disqualified driver is thinking....

