Data on youth traffic offences 2009-2014 & Literature review of alternative sentences for youth traffic offenders

Gerald Waters
Researching Impaired Driving NZ (RIDNZ)
1. Is traffic offending a leading path into the criminal justice system for young New Zealanders?

2. Are there more effective interventions than standard penalties at reducing re-offending and improving road safety outcomes?
- Youth ages 14-19
- Infringements and offences
- Study period 2009-2014
- National and Police District data
• Infringements are the largest response to youth traffic offending

• Graduated Driver Licence breaches account for 72 % of all youth ‘high risk driving’ offences for 2009-2013

• 68.3 % of all total infringements are referred to Court collections
• 54 % of first time serious youth traffic offences (2009-2013) were alcohol related

• 53 % of total serious youth traffic offences (2009-2013) were alcohol related
Re-offending Data

- 71% of 16 year old drink/drug driving offenders, which was their first offence in a Court, re-offended within 5 years for any traffic offence
- 64% of 16 year old disqualified driving offenders, which was their first offence in a Court, re-offended within 5 years for any traffic offence
- 56% of 16 year old traffic offenders (any traffic offence), which was their first offence in a Court, re-offended within 5 years for any traffic offence
Re-offending Data

- 91% of 16 year old disqualified driving offenders which was their first offence in a Court, reoffended within 5 years for any offence

- 86% of 16 year old drink/drug driving offenders which was their first offence in a Court, re-offended within 5 years for any offence

The likelihood of re-offending (all offences, traffic and non-traffic) reduces as the age increases for youth traffic offenders whose first offence was any traffic offence.
The amount of monetary fines for Police infringements referred to Collections in 2009 was $42,054,645.

By 2014, 54% of these monies imposed for had been paid, 41% had been remitted and 5% was still outstanding.

- 64% of the total amount of monies remitted were replaced with alternative sentences.
- 56% of the total amount of monies remitted were replaced with Community Work.
Traffic offending a leading path into the criminal justice system

41 % of all proved first offending being traffic offences in 2009 and 46.4 % in 2013.
Key Phase 1 Recomendation

In depth baseline data gathering on:

• GDLS breach;
• Unlicensed;
• Drink and drug driving offences
Phase 2: Key Findings

- Total national youth traffic offences have decreased by 38.2% from 2009-2014

- As the age increases in the data so do the number of offences

- The Police districts; Bay Of Plenty and Eastern appear most frequently in districts that are above the national average offence percentages
Drink and Drug driving has decreased significantly;

- 62.3% from 2009-2014

Repeat Drink and Drug driving offending;

- 84.9% from 2009-2014

There were a total of 213 Drug driving offences recorded for all districts and all ages 2009-2014. This equates to 0.6% of the total (33709) national Drink and Drug driving offences.
• Across all the Police districts the highest number of Learner driver offences were: ‘Learner Driver Unaccompanied’ and ‘Learner licensee failed to display an "L" plate’

• Across all the Police districts the highest number of Restricted driver offences were: ‘Restricted Driver Carries Unauthorised Passenger’ and ‘Restricted Driver Unaccompanied Between 10pm And 5am’
• From 2009-2014, 90% of the ‘Drove without appropriate driver licence’ infringement offences were referred to Court unpaid.

• From 2009-2014, 82.6% of Learner licensee failed to display an "L" plate’ infringement offences were referred to Court unpaid.

• From 2009-2014, 81.7% of Learner Driver Unaccompanied’ infringement offences were referred to Court unpaid.

• From 2009-2014, 56.9% of Restricted Driver Unaccompanied Between 10pm And 5am’ infringement offences were referred to Court unpaid.

• From 2009-2014, 57.3% of ‘Restricted Driver Carries Unauthorised Passenger’ infringement offences were referred to Court unpaid.
• The total national amount of monetary fines imposed for collection for all the GDLS and Unlicensed driving infringement offence fines referred to Collections in 2009 was $18,897,072.

• By 2014, $7,680,946 of the fines referred to Collections in 2009 were remitted.

• Of the total amount of monies remitted; 59.1% were replaced with Community Work
‘An International (and New Zealand) literature review and expert interviews of initiatives/interventions used to tackle youth driving offending should be undertaken so as to assist agencies develop responses to the data gathered here, and design interventions that may be more effective than current penalties’
Current Sanctions/Initiatives

• Graduated Driver Licence System

• Demerit Point System

• Infringement Fines

• Police and Youth Court
Interventions

- Those that involve short classroom/home education responses
- Those that involve some ‘in-vehicle’ driver training
- Those that are longer term programmes that utilise multiple components. These could also be classified as ‘rehabilitation programmes’ (usually involving drink/drug drivers)
- Technological responses
Best Practice Observations

• That Interventions should be underpinned by sound theory and principles and a therapeutic approach (such as CBT)
• Targeted and respond to specific needs of individuals, groups and specific behaviours
• Avoid the use of programmes aimed at adults
• Have good and consistent implementation, and structured programme content

‘Given the information contained in the review there are numerous alternative approach options that could be considered for our GDLS, unlicensed and drink driving offenders’
‘I feel it would not be an exaggeration to say that the majority of initiatives reviewed for this paper involved limitations due to evaluation, either through evaluation design or questioning of the reliability of the measures used for evaluation’
Key Finding
Given the evaluation data available, then I would put forward that; yes, there are more effective alternative interventions than stand-alone fines and demerit points. Not only does the available evaluation information report reduced re-offending but the programmes reviewed in New Zealand also endeavour to:

- Promote whānau and community engagement
- Enhance employment opportunities and social development
- Address behavioural and attitudinal issues
- Encourage safer driving practice
- Address underlying issues
- Promote social responsibility
- Empower young people to make positive decisions
- The review identifies young drivers as having unique psychosocial and developmental differences to adults.
- The infringement fine response may be falling far short of the aims of deterrence theory for the majority of offenders and offences under consideration for this review.
- In New Zealand there appears to be a concerted effort aimed towards diverting youth away from the formal criminal justice system.
- The use of driver interventions triggered by demerit point accrual would allow for a more targeted response.
- Alcohol interlocks may have more than a purely incapacitating effect for the young and high level first-time drink-drivers.
Considerations

- Review of penalties for youth traffic offenders regarding: GDLS breaches, drink driving and unlicensed driving.
- Research on GDLS breach offences by repeat offence and duration of licence type held.
- Investigate methods to collect information on non-progression regarding GDLS breach offenders.
- Research on designs for alternative interventions possibly triggered by demerit point accrual.
- Updating communication with young drivers via mobile phone and email information.
- Raising the age for Youth Court and inclusion of non-imprisonable traffic offences at Youth Court.
'I would suggest an international symposium be hosted by the New Zealand government, inviting those experts in related fields of youth traffic offending to attend and share their knowledge'