Does the Threat of Disqualification Deter Drivers from Speeding?

Abstract
In the last decade, the number of licence endorsements for speeding has increased very considerably, but disqualifications resulting from ‘totting-up’ have decreased. A study has been carried out to investigate the extent to which the threat of disqualification acts as a deterrent to speeding for the benefit of road safety in general. The study employed both quantitative and qualitative techniques. This report presents the findings of the study, together with recommendations for improving both the operation and the acceptance of the points system.

Main findings

• The most important conclusion is that threat of disqualification does work, in that the reconviction rate is low. The threat of disqualification appeared to be a more effective deterrent than did the experience of having been previously disqualified.

• The study identified a large group of drivers who had not been disqualified even though eligible. In most cases this was sanctioned by the courts, but there were indications that many drivers are ‘slipping through’ the system and avoiding disqualification.

• The majority of those surveyed said that they were deterred from speeding by the risk of detection, the risk of an accident, and the likely penalty if caught. However, there is a small ‘hardcore’ of drivers with positive attitudes to speeding who are not deterred by any of these factors.

• Around half of those with points in the sample held that when last caught their speeding was inadvertent. This, together with the widely held view that many cameras are sited merely to produce revenue, tends to undermine public acceptance of the system.

• Many people thought that passing penalty points to others was a common practice, and were able to identify groups who could be asked or paid to take points. Although reference was usually to ‘other drivers’, one respondent admitted to having passed points to other people on more than one occasion.

• At the outset of the study, the question was posed whether drivers who approach 12 points are deterred from further offending by the threat of disqualification, or if they are avoiding disqualification in some other way. The evidence suggests that both processes are taking place.
Background

It has long been recognised that driving speeds that are excessive and inappropriate to the conditions are a major contributory factor in road accidents. Recent years have seen the introduction of a wide range of engineering measures designed to bring about speed reduction, but these tend to be restricted to specific parts of the road network. New technologies offer considerable promise, but mainly in the medium or longer term. For the foreseeable future, enforcement will remain the principal means of influencing speed choice.

Deterrence theory holds that refraining from offending is determined largely by whether the perceived costs of committing the offence outweigh the perceived benefits. One factor that strongly influences this judgement is the perceived risk of detection. Automated speed detection devices have dramatically changed the risk of detection, and these days, if a driver exceeds the speed limit to any appreciable degree in the vicinity of an operational speed camera, then detection is a near-certainty, and prosecution is extremely likely.

In addition to a fine, detected drivers acquire between three and six penalty points that stay on their licence for 4 years, although they are ‘live’ for only 3 years. Twelve points are required for disqualification, meaning that drivers can be caught speeding repeatedly provided that no more than 11 points remain on their licence at any time. In practice, this means that drivers can be caught up to four times for speeding in any 3-year period before disqualification occurs.

The number of licence endorsements has increased greatly in recent years. Between 1995 and 2005, the number of endorsements without disqualification for speeding and traffic light offences increased by 287%, but the number of disqualifications resulting from the ‘totting-up’ of penalty points decreased by more than 9%. This would seem to indicate that many drivers who accumulate up to 11 penalty points are either acting as if deterred by the threat of disqualification if further points are incurred, or are avoiding disqualification in some other way. The extent to which penalty points act as a deterrent for the benefit of road safety in general has been investigated in this study.

Research findings

Quantitative study

The main findings from the quantitative study (a postal survey of selected driver groups) may be summarised as follows:

- Drivers with points on their licence were more likely to be male, older, drive more annual miles, drive for work and drive a vehicle other than a car, than were drivers without points.
- Drivers with no points reported driving more slowly than drivers with points.
- Knowledge of the points system and totting-up procedures was generally good.
- Driving faster than the surrounding traffic was seen as more dangerous than speeding per se.
- There was a moderate level of support for speed cameras as a method of reducing casualties; those without points were more likely to be supportive.
- Drivers who had been previously disqualified were most likely to manipulate speed cameras and least likely to comply with them.
- The majority of respondents held that they were deterred from speeding by risk of detection, risk of accident, and the likely penalty if caught.
- Around half of the respondents with points claimed that their speeding was inadvertent.
- Incentives tend to be perceived as more acceptable than punishments as a means of encouraging compliance with speed limits.

Qualitative studies

The main conclusions from the qualitative studies (in-depth interviews and focus groups) can be summarised as follows:

- Being caught and receiving a speeding fine was often seen as a question of bad luck, failing to spot the camera, and not being aware of the speed limit – perhaps because of ‘inadequate signing’.
- Speeding offences tended not to be seen as serious, or criminal, activities. A sizeable number of drivers thought it reasonable to slow down only when passing cameras or to use technical devices to warn of camera sites.
The fear of losing one’s licence was a powerful factor in influencing driving style. There were few comments about the points system itself; this was not the case with regard to cameras.

The responses suggested that while many drivers reported changing their behaviour, others held that driving within the limit posed a problem.

Common strategies to avoid getting points included avoiding driving altogether, asking others to drive, and choosing routes to avoid speed cameras.

Drivers who had already accumulated a number of points often relied on technology to avoid getting more points, rather than simply driving within the limit.

More worryingly, a marked number of responses to what ‘other’ drivers do produced a range of often illegal measures. There was a widespread ‘folklore’ about how other drivers avoided speed convictions. Many people thought the practice of passing penalty points to others was a common practice, and were able to identify groups who could be asked or paid to take points. Although reference was usually to ‘other drivers’, one respondent admitted to having passed points to other people on more than one occasion.

There was ambivalence about the practice of passing points to others. While some people considered it was acceptable to ‘beat the system’ in this way, others felt it was reprehensible.

**Recommendations**

The following recommendations are proposed:

- The disqualification system is seen as lacking in consistency, as 12 points may or may not result in withdrawal of the licence, depending on the persuasiveness of pleas of exceptional hardship in court. Sentencing guidelines on this issue could usefully be reviewed.

- Consideration should be given to better publicity explaining why cameras are needed at particular points, and linking them more clearly to the speed limits in force.

- High mileage, older men should be seen as a major target group. The fact that many speeding infringements are work-related activities suggests possible avenues for intervention.

- The illegal passing on of points to others is widely held to be a common (and to some, acceptable) practice. Further investigation of this issue should be carried out.

- There is an identifiable hardcore of drivers who seem resistant to efforts to make them reduce their speeds. Deterring these drivers is likely to be a long and difficult task.

**Conclusions**

- The most important conclusion is that threat of disqualification does work, as evidenced by the fact that the reconviction rate is low. It is also the case that the threat of disqualification appears to be a more effective deterrent than having been disqualified previously.

- The study also identified a large group of drivers who were eligible for disqualification but had not been disqualified. The usual reason for this was the practice of pleading exceptional hardship in court, but there was also evidence that many drivers are ‘slipping through’ the system and avoiding disqualification.

- The majority of drivers in the study said that they were deterred from speeding by the risk of detection, the risk of an accident, and the likely penalty if caught. However, there is a small ‘hardcore’ of drivers who have positive attitudes to speeding and are not deterred by any of these factors.

- Around half of those with points in the sample held that when last caught their speeding was inadvertent, often blaming ‘inadequate signing’. This, together with the widely held view that many cameras are sited merely to produce revenue tends to undermine public confidence in the system and the safety benefits it is supposed to deliver.

- Drivers with points were more likely to be male, middle aged (35–64), have high annual mileage, and drive for work compared with drivers without points on their licences. Those with points had poorer knowledge of speed-related facts than those without.

- Speeding offences tend not to be seen as serious, or criminal, activities. A sizeable number of drivers thought it reasonable to slow down only when passing cameras or to use technical devices to warn of camera sites.
• Drivers who had already accumulated a number of points often relied on technology to avoid getting more points, rather than simply driving within the limit.

• The qualitative studies identified a range of often illegal measures. Many people thought that passing penalty points to others was a common practice, and were able to identify groups who could be asked or paid to take points. Although reference was usually to ‘other drivers’, one respondent admitted to having passed points to other people on more than one occasion.

About the project
There were three main strands of enquiry in the study. Phase I of the project comprised an analysis of DVLA data, and was intended to provide a detailed picture of traffic offending and re-offending, and how it has changed over time. Phase II set out to gain an understanding of why these changes had come about, and what might bring about changes in behaviour. It had two components: a postal survey (n = 1115) of drivers selected from the DVLA database, and a small-scale qualitative study (n = 43) of in-depth interviews with drivers who had responded to the postal questionnaire, supplemented by two focus groups (n = 17) that were held with drivers attending a speed awareness course in the vicinity of TRL.

Further information
The full report, Does the Threat of Disqualification Deter Drivers from Speeding? by C. Corbett (Brunel University), E. Delmonte, A. Quimby and G. Grayson (TRL Limited), is published by the Department for Transport (ISBN 978 1 906581 62 6, price £15.00).

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