

New Zealand Youth Traffic Offences and Traffic Offending

Phase 1 Data Gathering



RIDNZ
KIDNZ

Researching Impaired Driving in New Zealand
Gerald Waters 2015

Executive Summary

Aims and Objectives of Overall Project

Identify effective interventions that reduce re-offending and produce compliant drivers, to improve road safety, crime-related and social outcomes, and reduce re-offending costs on the enforcement and criminal justice systems. The project also seeks to answer the questions:

1. Is traffic offending a leading path (if the term path is used as a first appearance at Court) 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?

Aims and Objectives Data Gathering Phase 1

This paper reports on Phase 1 of the 'New Zealand Youth Traffic Offences and Offending Project'. Its purpose is to:

- identify relevant data sources
- report on levels of youth traffic offences and offending

This stage proposes to draw no conclusions or hypotheses regarding the data but is to be used to identify priority areas and to inform on recommendations for further study.

Methodology

A high-level scan was undertaken of existing information and readily accessible data systems to scope the problem and identify areas for future work. Data sources were limited to:

- Crash Analysis System (CAS)**
- Driver Licence Register (DLR)**
- National Intelligence Application (NIA)**
- Police Infringement Processing System (PIPS)**
- Case Management System (CMS)**

A Reference Group was created for the project and comprised of:

NZ Police, Ministry of Transport, Ministry of Justice, NZ Transport Agency, Department of Corrections, New Zealand Automobile Association and New Zealand Automobile Association Research Foundation.

To ensure that we complete the data scan phase of the Youth Traffic Offences Project on time, and after consultation with the Reference Group, the data was narrowed to:

- youth age bands (14-19, where available)
- infringements and offences to identify the most common (e.g. drink-driving, licence breaches, speed, vehicle offences, dangerous driving)
- study period 2009-2013 (last 5 calendar years)
- national data.

Information Sharing and Data Limitations

- The collaborative involvement and input of government organisations were vital to the project
- The time constraints disallowed the data to be broken down to individual calendar years to take into account the legislative changes
- Compliance figures do not record the total compliance orders issued under compliance, only those with positive outcomes
- The data excludes infringements and offences where age information is missing

Due to time limitations the data used in this paper concerns total youth figures nationally. Specific demographic, ethnic and regional information will be provided, where available, in the further reports on the key areas identified as further work-streams.

Key Findings

- Total youth traffic and non-traffic offending has decreased significantly from 2009-2013
- The licensed youth driving population has decreased by 30.4% from 2009-2013. As of 1 August 2011 the age for obtaining a driver licence was increased from 15 to 16 years of age
- Infringement offences (as opposed to Court offences) are the largest component of the records on youth traffic offending
- Graduated Driver Licence breaches account for 72% of all youth High Risk Driving Offences for 2009-2013 and 30.4% of all youth traffic infringement offences
- 68.3% of all total infringements are referred to Court for collection
- 54% of first time youth traffic offences 2009-2013 and 53% of total youth traffic offences 2009-2013 are alcohol related. From August 2011 the alcohol limit for drivers under the age of 20 was set at Zero
- From 2009-2013 84.6% of referrals to Collections were police infringement fine referrals
- The amount of monetary fines imposed for collection for Police infringements referred to Collections in 2009 was \$42,054,645
- By 2014, 54% of the total monies imposed for Police referred infringements to collections in 2009 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

During the review of Court outcomes data within this paper it became apparent that no information was available on fines referred to Court by outcome. On investigation a new data base was revealed held by the 'Collections' Unit of the Ministry of Justice. Due to the timeframes available it was decided not to research this area at this stage of the data gathering. This information has now been reviewed and has been added as an addendum.

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The Ministry of Justice
The New Zealand Transport Agency
The Ministry of Transport
The Department of Corrections

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Contents

Executive Summary.....	2
Acknowledgements.....	4
Glossary.....	8
Introduction	9
Legislative Changes	12
Graduated Driver Licence System.....	12
Adult/Youth Population and Licensed Driving Population 2009-2013	14
Section 1	
Police Data for Traffic Offending 2009-2013	17
Overall Summary and Discussion of Police Offence Data	43
Section 2	
Ministry of Justice (Court) Data for Youth Traffic Offending and Re-offending 2009-2013	44
Section 3	
New Zealand Transport Agency Data	56
Information Sharing and Data Limitations	59
Discussion	61
Recommendations for Further Research	64
References	65
Appendix.....	66
Police Data	67
Court Data.....	71
NZTA Data	74
Addendum Paper.....	77

Figures

Fig 1: Adult and youth licensed driving population 2009-2013	15
Fig 2: Total traffic offending by detected number of offences 2013	16
Fig 3: Total drink/drug driving offences 2009-2013.....	20
Fig 4: Youth drink/drug driving outcomes 2009	21
Fig 5: Youth drink/drug driving outcomes 2010	22
Fig 6: Youth drink/drug driving outcomes 2011	23
Fig 7: Youth drink/drug driving outcomes 2012	24
Fig 8: Youth drink/drug driving outcomes 2013	25
Fig 9: Total dangerous/careless driving offences 2009-2013	27
Fig 10: Youth dangerous/careless driving outcomes 2009-2013.....	28
Fig 11: Total restraint offences 2009-2013	30
Fig 12: Youth restraint offence outcomes 2009-2013	31
Fig 13: Total high risk driving offences 2009-2013	32
Fig 14: Youth high risk driving offence outcomes 2009-2013	33
Fig 15: Youth graduated driver licence breaches outcomes 2009-2013	34
Fig 16: Total speed offences 2009-2013	35
Fig 17: Total speed camera offences 2009-2013	36
Fig 18: Total speed officer offences 2009-2013.....	36
Fig 19: Youth speed camera outcomes 2009-2013.....	37
Fig 20: Youth speed officer issued outcomes 2009-2013	38
Fig 21: Total other traffic offences 2009-2013	39
Fig 22: Youth other offence outcomes 2009-2013	40
Fig 23: Youth WoF offence outcomes 2009-2013.....	41
Fig 24: Youth veh lic/reg offence outcomes 2009-2013	42
Fig 25: Youth offenders first proved offence by type 2009-2013.....	44
Fig 26: Youth offenders first time proved traffic offence by percentage of all proved first offences 2009-2013	45
Fig 27: Youth offenders first time proved traffic offence by group 2009-2013.....	45
Fig 28: Youth offenders first time proved traffic offence by drink/drug driving subgroup 2009-2013..	46
Fig 29: Youth offenders first time proved traffic offence by driving causing death/injury subgroup 2009-2013	46
Fig 30: Youth offenders first time proved traffic offence by other traffic offences subgroup 2009-2013	47
Fig 31: Youth total traffic offence cases by group 2009-2013	48
Fig 32: Percentage of first-time young traffic offenders (any traffic offence) in 2008 who re-offended within 5 years (any offences, traffic offences and non-traffic offences), by age at first offence.....	52
Fig 33: Percentage of first-time young Drink/Drug Driving offenders in 2008 who re-offended within 5 years (any offences, traffic offences and non-traffic offences), by age at first offence.....	53
Fig 34: Percentage of first-time young Disqualified driving offenders in 2008 who re-offended within 5 years (any offences, traffic offences and non-traffic offences), by age at first offence.....	54
Fig 35: Percentage of first-time young other traffic offenders in 2008 who re-offended within 5 years (any offences, traffic offences and non-traffic offences), by age at first offence	55

Tables

Table 1: 15-19 and 15-65+ year old populations in New Zealand 2009-2013	14
Table 2: Fatal five	19
Table 3: Youth detected drink/drug driving by numbers and outcomes 2009-2013	26
Table 4: Youth detected dangerous/careless driving offences by numbers 2009-2013	29
Table 5: Youth detected high risk offences 2009-2013	33
Table 6: Youth all traffic infringement payment outcomes 2009-2013 by number and percentage.....	43
Table 7: Court Case Outcomes by offence groups and sub-groups for individuals aged 14-19 years from 2009-2013	49
Table 8: The number of disqualifications recorded on the Driver Licence Register to drivers aged 15-19 years as at conviction date	56
Table 9: Total number of demerit suspensions served to drivers aged 15-19, 2009-2013	57
Table 10: Total number of offences incurring demerit points recorded to drivers aged 15-19 as at offence date 2009-2013.....	57
Table 11: Injury crashes between 1 January 2009-31 December 2013 where the driver was at fault and aged between 15-19 years (inclusive)	58
Table 12: Category 'other' traffic offences (Police)	69
Table 13: Other youth traffic offences by offence numbers 2009-2013	70

Glossary and Abbreviations

ACC.....	Accident Compensation Corporation
ANZSOC.....	Australian and New Zealand Standard Offence Classification
CARRS-Q.....	Centre for Accident Research and Road Safety - Queensland
CAS.....	Crash Analysis System
CMS.....	Case Management System
CoF.....	Certificate of Fitness
CYF.....	Child Youth and Family
DLR.....	Driver Licence Register
DLSO.....	Driver Licence Stop Order
GDLS.....	Graduated Driver Licence System
MoJ.....	Ministry of Justice
MoT.....	Ministry of Transport
MSD.....	Ministry of Social Development
MVR.....	Motor Vehicle Register
NHTSA.....	National Highway Traffic Safety Administration
NIA.....	National Intelligence Application
NZAA.....	New Zealand Automobile Association
AARF.....	Association Research Foundation
NZTA.....	New Zealand Transport Agency
PE.....	Policing Excellence
PIB.....	Police Infringement Bureau
PIPS.....	Police Infringement Processing System
RIDNZ.....	Researching Impaired Driving in New Zealand
WoF.....	Warrant of Fitness
Infringement offence, or administrative offence: penalties (at least initially) are managed outside the Court system	
Court offence: appear before a judge for sentencing	

Introduction

This paper reports on the first stage (Data Gathering Phase) of the New Zealand Youth Traffic Offences, Traffic Offending project. This stage of the project is being carried out by Researching Impaired Driving in New Zealand. The project is funded by the Automobile Association Research Foundation (AARF) and has a Stakeholder Reference Group consisting of:

- New Zealand Police
- Ministry of Justice
- Ministry of Transport
- New Zealand Transport Agency
- Department Of Corrections.

The Reference Group and researchers considered the proposed project scope and staging, and recommended the scope of work for the Data Gathering Phase. The Reference Group decided that data mining will be useful for current projects and supported the suggested timeframe. A peer review of the work was agreed upon.

Aims and Objectives of Overall Project

Identify effective interventions that reduce re-offending and produce compliant drivers, to improve road safety, crime-related and social outcomes, and reduce re-offending costs on the enforcement and criminal justice systems.

At its meeting on 17 August 2014 the AA Research Foundation (AARF) asked:

1. Is traffic offending a leading path (If the term path is used as a first appearance at Court) 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?

To answer these questions, AARF approved funding for a Phase 1 'Data Gathering' component of the project to investigate youth traffic offences and traffic offending in New Zealand.

The involvement of government organisations are a key element to the overall success of the project as a whole. The project aims to develop the involvement of government and non-government organisations in the project. The project aims to share the information gathered to a wide spectrum of stakeholders involved in youth traffic offending in New Zealand and to involve the international community regarding matters pertinent to the project. The project aims to provide detailed information on youth traffic offending and offences in New Zealand so that policy makers can be better informed when making decisions regarding these matters.

Phase 1: Data Gathering and Data Refinement

This paper reports on Phase 1 of the 'New Zealand Youth Traffic Offences and Offending Project'. Its purpose is to:

- identify relevant data sources
- report on levels of youth traffic offences and offending
- establish baseline data on offending and re-offending patterns

This stage of the project proposes to draw no conclusions or hypotheses regarding the data but is to be used to identify priority areas and to inform on recommendations for further study.

Working with the Reference Group and data analysts within the NZ Police, Ministry of Justice and NZTA, available and relevant data was identified. Data sets were formulated into workbooks for detailed analysis and compilation into tables and figures.

For reference purposes, a review of the literature available on 'Youth Traffic Offences, Traffic Offending' and 'Young Drivers' was undertaken using online search engines. Experts and professionals in the relevant fields were contacted and provided further research and advice. Members of the Reference Group also provided relevant literature.

The Data Gathering Phase is a high-level scan of existing information and readily accessible data systems to scope the problem and identify areas for future work. To ensure that we completed the data scan phase of the project on time, and after consultation with the Reference Group, we narrowed down the information to:

- youth age bands (14-19, where available). The Police and Justice data will include these age bands whereas the NZTA data will relate only to the licensed driving age: 15 years old before August 2011 and 16 years old after this date¹
- infringements and offences to identify the most common (e.g. drink-driving, licence breaches, speed, vehicle offences, dangerous driving)
- study period (last 5 calendar years)
- national data.

¹ See page 12.

Data sources were limited² to:

Crash Analysis System (CAS)
Driver Licence Register (DLR)
National Intelligence Application (NIA)
Police Infringement Processing System (PIPS)
Case Management System (CMS).

These data sources were used to establish baseline data on offending and re-offending patterns and the magnitude of the related road safety issues including:

- numbers of youth traffic infringements (Police data) and relation to Court offences
- breakdown of current traffic infringement penalties issued/ collected
- current extent of Police use of “traffic compliance”³ for traffic infringements and alternatives to prosecutions
- percent of first-time youth Court offences that are traffic related
- percent of first-time youth traffic offences that progress to criminal (not traffic) re-offending
- breakdown of Court penalties and sanctions issued/ completed
- current use of alternative interventions and status of these.

Throughout the Data Gathering Phase the researchers and Reference Group progressively refined the key issues and sub-groups through regular meetings and project progress reports to achieve manageable data sets, and provide a basis for prioritising further stages of work.

All the collated data was returned to the source agencies where it was analysed for accuracy.

The data was compiled into draft reports and these were discussed at meetings between the researcher and the Reference Group. Following these meetings recommendations for further research were added to the report as were the limitations in the data provided.

The final meeting on the findings of the paper involved policy makers representing not only the Reference Group but other key government stakeholder agencies.⁴

Specific demographic and regional information will be provided, where available, in future reports on the key areas identified as further work-streams.

Detailed information regarding the data sources can be found in the Appendix.

² Motor Vehicle Register (MVR) data was not used as ages recorded here directly relate to the registered owner of the vehicle and not to the age of the driver.

³ See page 17 for information on compliance.

⁴ See Information Sharing and Data Limitations. Page 59.

Legislative Changes

There were two major changes to legislation in the years being reviewed and these changes need to be recognised and their impact on interpretation of trends over time should be explicitly noted in consideration of all of the relevant tables and comments.

Licence Age

Firstly, the Learner licence age was raised from 15 to 16 years of age, in August 2011. This effectively means that there is a meaningful drop in numbers of persons licensed later than 2010 particularly in the 15-19 age bracket under study. These reduced numbers flow through all age and time related tables and figures and have serious implications for discussion of time trends. Optimally, this should involve a statistical correction that can be applied through the relevant analysis. However limits on the projects timeframes disallowed such detailed reporting. There are, however, clear references to this change in population where the relevant material is presented.

Zero youth alcohol limit

Secondly legislation was introduced in August 2011 related to proscribe zero alcohol levels for young drivers (under 20 years of age). This information is mentioned and its potential impact on data discussed where relevant.

Graduated Driver Licence System⁵ (GDLS)

The Graduated Driver Licence System (GDLS) was introduced in 1987 to manage the exposure to crash risk of novice drivers as they learn to drive. Learner drivers are required to be accompanied by a supervisor at all times. A supervisor must have held a full car licence for at least 2 years; sit in the front passenger seat (with limited exceptions); and be fit to drive (e.g. not over the alcohol limit). Restricted licence drivers may not carry passengers (with limited exceptions) or drive at night (10pm-5am) without a supervisor. For drivers under age 25 there are mandatory minimum time periods that must be served before a novice driver can apply to move to the next stage of the GDLS:

- 6 months for learner licences, and
- 18 months (or 12 months on completion of an approved course) for restricted licences.

These restrictions provide for novice drivers to acquire skills and experience under lower risk conditions before advancing to the next stage of the system.

It is intended that drivers progress through the GDLS to a full drivers licence. The aim is for drivers to do so in a graduated manner, demonstrating they have both the skills and the competence to drive safely under particular conditions. The required levels of supervision and restrictions reduce at each of the three stages in the licensing process until drivers have both the skills and the knowledge to drive safely and independently.

The GDLS system is credited with producing a significant drop in crashes, injuries and deaths.

⁵ All Information under this heading reproduced from Ministry of Transport, 2012.

A challenge to GDLS system integrity is produced when novice drivers drive outside the restrictions of licences. Surveys have consistently shown a willingness of novice drivers to breach the GDLS conditions.⁶

While learner drivers have a low crash risk the high crash risk period during the restricted licence stage justifies a particular focus on restricted licence holders. In addition to the increased licence age in August 2011, a strengthened restricted licence practical test was introduced in February 2012.

⁶ Begg, Stephenson, 2003. As cited in Ministry of Transport 2012.

Adult/Youth Population and licensed Driving Population 2009-2013⁷

To establish some baseline population measure of the percentage of youth (ages 15-19) in New Zealand, New Zealand census data was used.⁸

Table 1: 15-19 and 15-65+ year old populations in New Zealand 2009-2013

	2009	2010	2011	2012	2013
15-19 year olds	317,020	317,130	314,550	312,840	312,480
15-65+ year olds	3,399,400	3,442,500	3,473,300	3,498,200	3,533,300
% of 15-19 year olds	9.3%	9.2%	9%	8.9%	8.8%

In 2009 15-19 year olds accounted for 9.3% of the 15-65+ year old population of New Zealand and in 2013 15-19 year olds accounted for 8.8% of 15-65+ year old population of New Zealand.

The percentage of 15-19 year olds, of the 15-65+ year old population of New Zealand, has fallen every year since 2009.

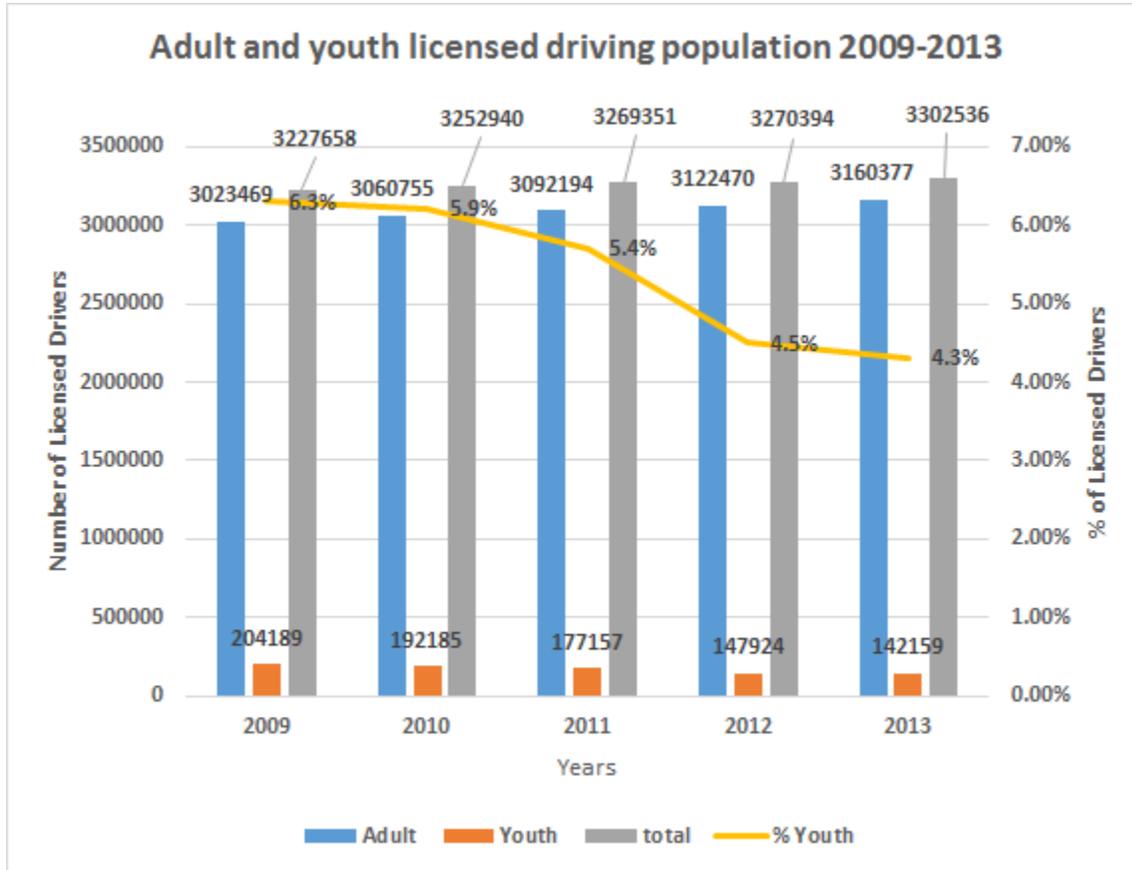
⁷ Data is limited to current licence holders as at the following dates: 31 December 2009, 31 December 2010, 31 December 2011, 31 December 2012, 31 December 2013. Data is limited to the following licence types: Standard, Diplomatic. Age is as at 31 December for each respective year. Figures are as at 10 November 2014.

⁸ Information calculated using census data at:

<http://nzdotstat.stats.govt.nz/wbos/Index.aspx?DataSetCode=TABLECODE7501#> Last accessed 29/06/2015

To establish some baseline measure of the percentage of youth and adult licenced drivers in New Zealand, the New Zealand Transport Agency provided data on the licensed driver population for the last 5 years.

Fig 1



The licensed youth driving population has decreased by 30.4% from 2009-2013. The licensed adult driving population has increased by 4.5% from 2009-2013.

This data must take into account that as of the 1 August 2011 the age for obtaining a driver licence was increased from 15 to 16 years of age⁹. Also on the 27 February 2012 new Class 1 (car) restricted and full driver licence tests came into place.¹⁰

⁹ See 'Legislative Changes' page 12.

¹⁰ For further information access <http://www.nzta.govt.nz/licence/photo/new-tests.html>

Fig 2¹¹

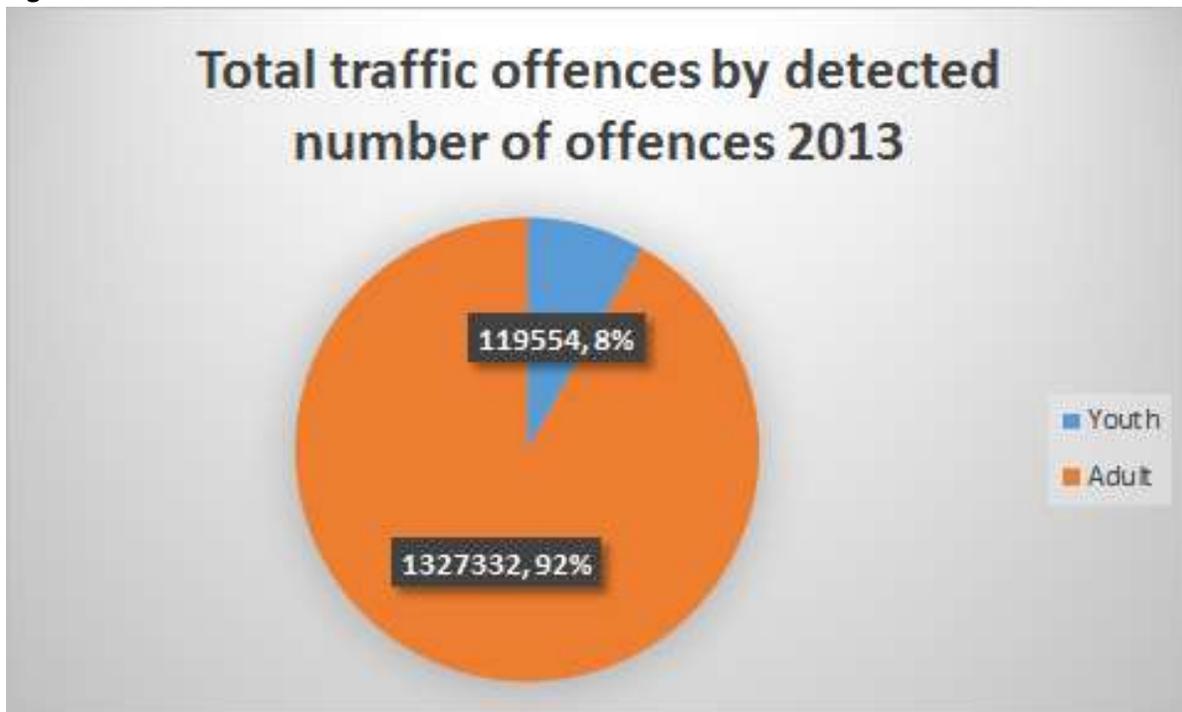


Fig 2 shows that youth accounted for 8% of all detected traffic offences in 2013. The licensed youth driving population in 2013 was 4.3% (Fig 1).

¹¹ Data taken from Police detected traffic offences 2009-2013.

Section 1: Police Data for Traffic Offences 2009-2013

The data in this section relates to all Police-detected traffic offences¹² 2009-2013. The data is broken down by detected youth traffic offences police outcomes. The tables and graphs that follow use shorthand names for outcomes, as described in the following list of definitions.

Definition of Police Outcomes for Police traffic offences

Fee paid

Infringement fee paid within allotted timeframe of the Police Infringement Bureau (PIB), 28 days plus 28 days, and hence is not referred from PIB to the Court collections system.

Referred to Court – unpaid

Infringement fine is not paid in the PIB allotted timeframe and is referred to Court for collection; incurs a Court record, but not criminal record, and does not require appearance before a judge.¹³

Referred to Court – prosecution

Police consider offence serious enough to be referred to Court for prosecution.

Waived – compliance

An alternative to paying a traffic infringement fine or prosecuting for minor rectifiable offences (e.g. vehicle defects). Police waive prosecution if the offender (owner or driver) supplies evidence to the Police Infringement Bureau (PIB) that a defect has been remedied or a requirement has been met. Traffic compliance allows the offender to redirect the fine that would have been payable, into fixing the faults or problems that caused the offence. Any offender not rectifying the issue within the timeframe is subsequently entered into the infringement records. While similar to Police diversion (See footnote 14), it is referred to as 'traffic compliance' to avoid confusion with Court-ordered diversion.

Diversion - (Court)

Diversion at Court means that whilst the charge is heard at Court, if an offender completes agreed conditions the Prosecutor can seek to have the charge withdrawn and a conviction will not be recorded. Offenders aged 17+ are covered by the Police Adult Diversion Scheme¹⁴ and those under 17 are covered by Section 282 of the Children, Young Persons, and Their Families Act 1989.¹⁵

Youth aid

Police Youth Aid is a specialist section of the New Zealand Police, dedicated to dealing with child and youth offending. They work alongside frontline officers dealing with young offenders and are involved in the vast majority of apprehensions involving child or youth offenders.

¹² Offences and not offenders. Offences are mostly infringement based but can escalate to a Court appearance.

¹³ See page 9 of the Addendum paper: Court collections, for the fine payment process.

¹⁴ For more information see <http://www.police.govt.nz/about-us/programmes-initiatives/adult-diversion-scheme/about> Last Accessed 24th July 2015.

¹⁵ For more information see <http://www.justice.govt.nz/courts/youth/publications-and-media/principal-youth-court-newsletter/issue-46> Last Accessed 24th of July 2015.

Community justice panel

For the Community Justice Panel, undergoing trial in Christchurch as part of Policing Excellence (PE). Police refer offenders to a community panel, which meets to consider the case within a week and outlines reparation and community service.¹⁶

Not yet resolved

Case as time of data gathering had not reached a conclusion.

Other outcomes

All other outcomes that have no descriptions available from the databases used.

¹⁶ For more information see <http://www.police.govt.nz/about-us/publication/community-justice-panel-christchurch-evaluation> Last Accessed July 24th 2015.

Fatal Five and Other

NZ Police's *Road Policing Strategy to 2010*¹⁷ sets out the road policing focus on the 'fatal five'. The data from the police was broken down into these five categories. Table 2 shows examples of these offences by type.¹⁸

Table 2: Fatal five¹⁹ categorisation of Police traffic offences: examples

Alcohol and Drugs	Dangerous careless driving
Driving Under The Influence Of Drink Or Drug	Failure To Obey Officer
Failing To Surrender Keys	Failure To Fulfil Duties After Accident
Blood Alcohol Offences	Reckless Driving
Keys Removed Forbid Drive	Driving In A Dangerous Manner
Evidential Breath Offences	Driving At A Dangerous Speed
	Driving Without Reasonable Consideration
Speed	Careless Use Of A Motor Vehicle
Exceeded 50 Km/h Speed Camera Offence	Overtaking Offences
Intermediate Speed Limits Speed Camera Offences	Failure To Yield Right Of Way
Exceeded 100 Km/h Speed Camera Offences	Following Too Close
Exceeded Vehicle Speed Limits Speed Camera Offences	Traffic Lights
Exceeded Bylaw Speed Limits Speed Camera Offences	Stop Signs/Compulsory Stops
Exceeded Temporary Speed Limits Speed Camera Offences	Fail Give Way At Sign
Exceeded Temporary Limits	Fail Comply Road Signs
Exceeded Bylaw Speed Limit	
	High Risk Driving
Restraints	Failure To Comply
Driver/Passenger Not Wearing Seatbelt	Dangerous/Reckless Driving
Failed To Ensure Child Used Seatbelt	Driver's Licence Offences
Failed To Ensure Child Used Restraint	Vehicle Safety Offences
Operated Vehicle With Unsound Seatbelt	Driving While Disqualified
	Vehicle Conditions Offences
	Graduated Driver Licence Breaches

The "Fatal Five" referred to here is a New Zealand definition and, for example, does not correspond to the Australian national/states' definitions which can include "fatigue" and "distraction".

The data contained in the figures and tables in this section uses this categorization along with an 'other Police offences'²⁰ category to encompass all other Police traffic offences not included in the fatal five

¹⁷ NZ Police, 2010.

¹⁸ These are examples and not full offence listings.

¹⁹ Some of the fatal five categories listed in the police data tables may have the same descriptive name but each has its own precedent code and no data was counted twice.

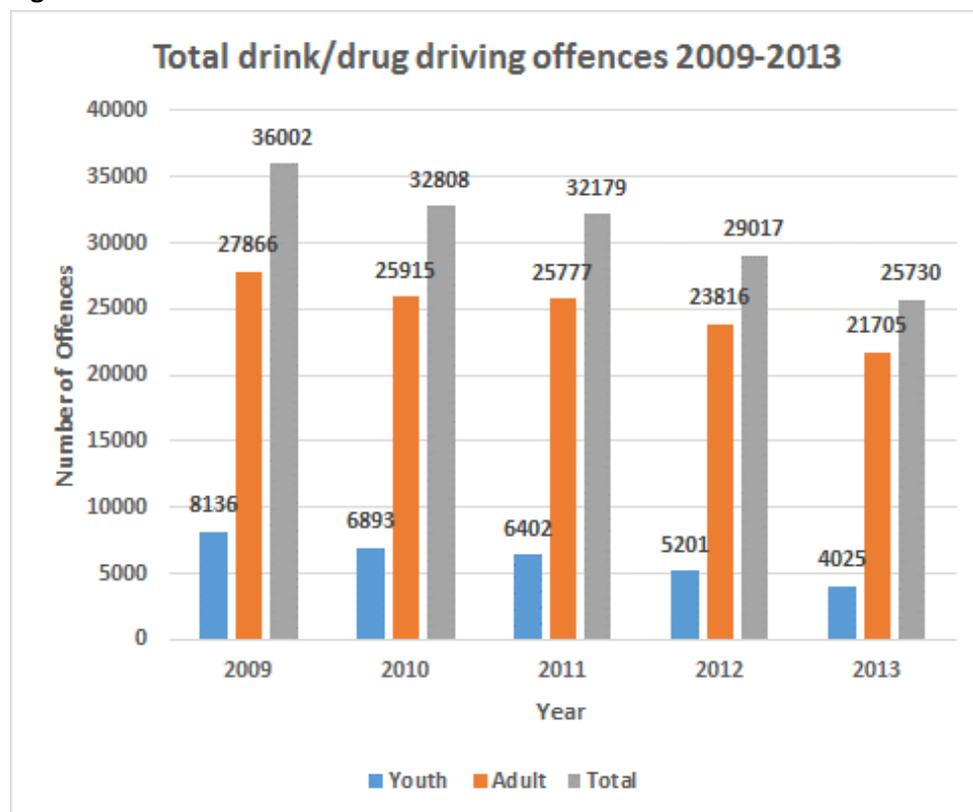
²⁰ See appendix (Police data) table 13, page 70, for descriptions of 'Other Police traffic offences'.

categories. The data includes all motor vehicles (including motorcycles), but excludes traffic offences committed by pedestrians or cyclists.

Drink and Drug Driving

During the timeframe of the data gathered for this report, the adult drink-driving limit (drivers 20 years old and over), was 0.08 BAC (80 milligrams of alcohol per 100 millilitres of blood or 400 micrograms of alcohol per litre of breath). Before August 2011 the youth limit (drivers under 20 years of age) was: Blood Alcohol Concentration (BAC) 0.03 (30 milligrams of alcohol per 100 millilitres of blood). Both adult and youth BAC penalties were by definition Court sentences. August 2011 youth alcohol limit was set at Zero, with 0 - 0.03 BAC attracting an administrative sanction (fines and demerits).²¹

Fig 3



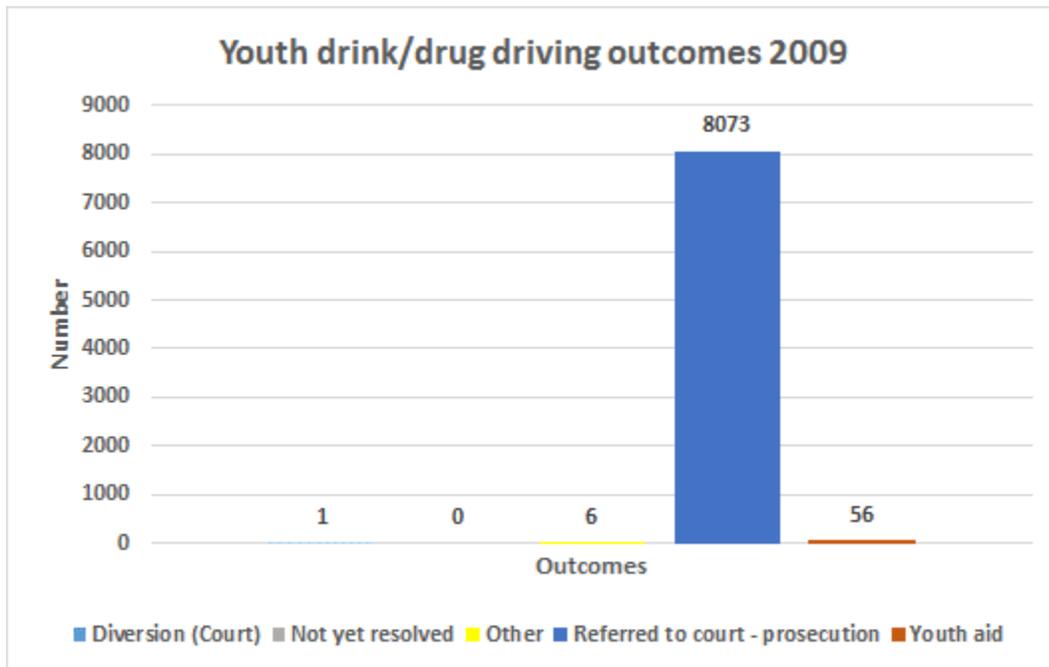
In 2009 youth accounted for 22.5% of all drink/drug driving offences. In 2013 15.6% of all drink/drug driving offences were attributable to youth. The percentage of youth offences for drink/drug driving has decreased over the 5 years. The number of detected youth and adult drink/drug driving offences have both decreased with youth offences decreasing more than adult offences. From 2009-2013 there were a total of 155736 drink/drug driving offences; of these 125079 were adult and 30657 (19.7%) were youth.

²¹ For more information on demerit points see <https://www.nzta.govt.nz/driver-licences/driving-offences-and-penalties/demerit-points/> Last Accessed 24th July 2015.

From 2009-2013 there was a 22% drop in adult convictions and a 50.5% drop in drink/drug driving convictions recorded for youth.

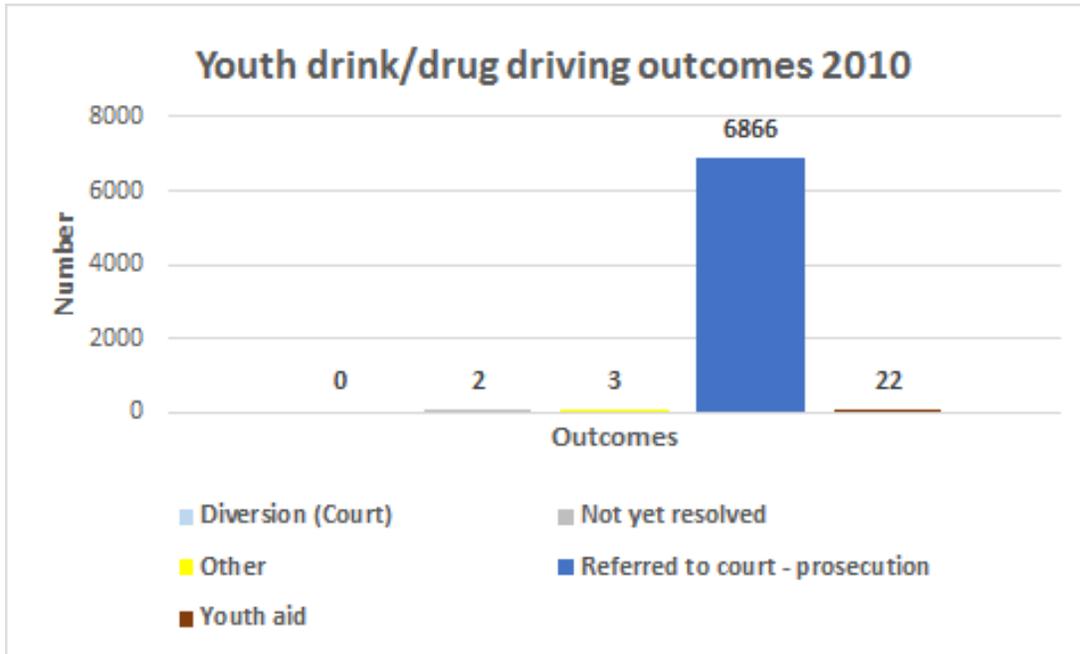
For the definition of outcomes in Police outcome figures see page 17.

Fig 4



In 2009 (Fig 4), there were 8136 youth drink/drug driving offences. 99.2% (8073) of youth drink/drug driving offences resulted in referrals to Court for prosecution.

Fig 5



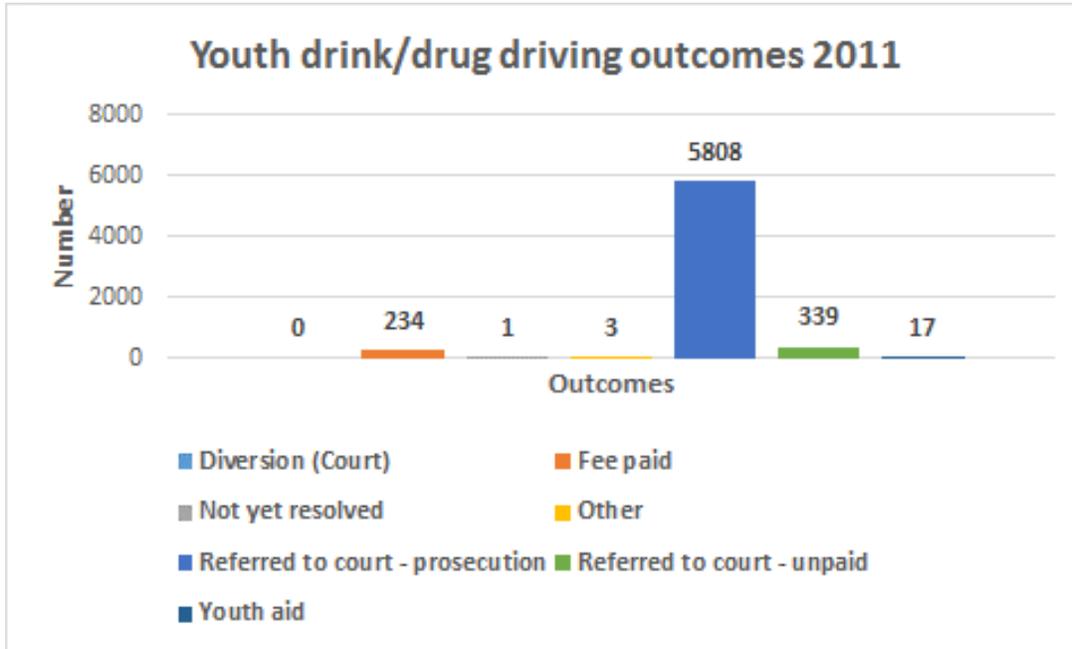
In 2010 (Fig 5), there were 6893 youth drink/drug driving offences. 99.6% (6866) of youth drink/drug driving offences resulted in referrals to Court for prosecution.

On 7 of August 2011 the law regarding the allowable alcohol limit for youth was amended. Prior to this date (Figs 4 and 5), the mandatory penalty was prosecution in Court. From this date for youth the limit was set at Zero, with drink driving offences in the range 0-0.03 BAC now incurring an infringement penalty²² (Figs 6-8).

²² Drivers with an alcohol level of less than 150 micrograms per litre of breath (0.03 BAC) receive an infringement fee and 50 demerit points. If their alcohol limit is higher, they could be disqualified from driving, given 50 demerit points and either fined or imprisoned. For further information access:

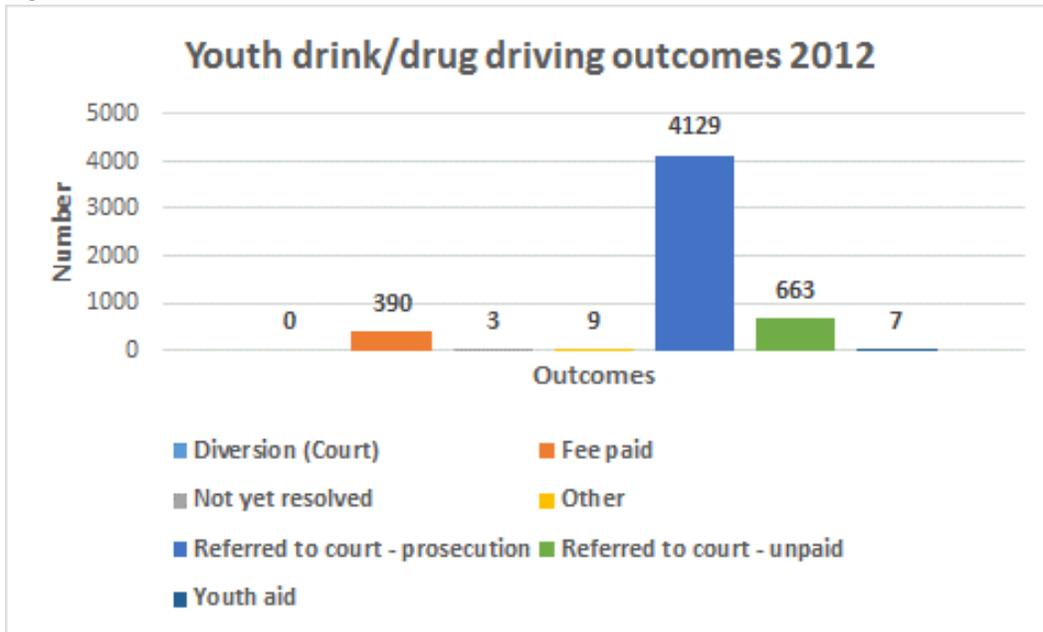
<http://www.nzta.govt.nz/resources/roadcode/about-limits/alcohol-and-drugs-limits.html>

Fig 6



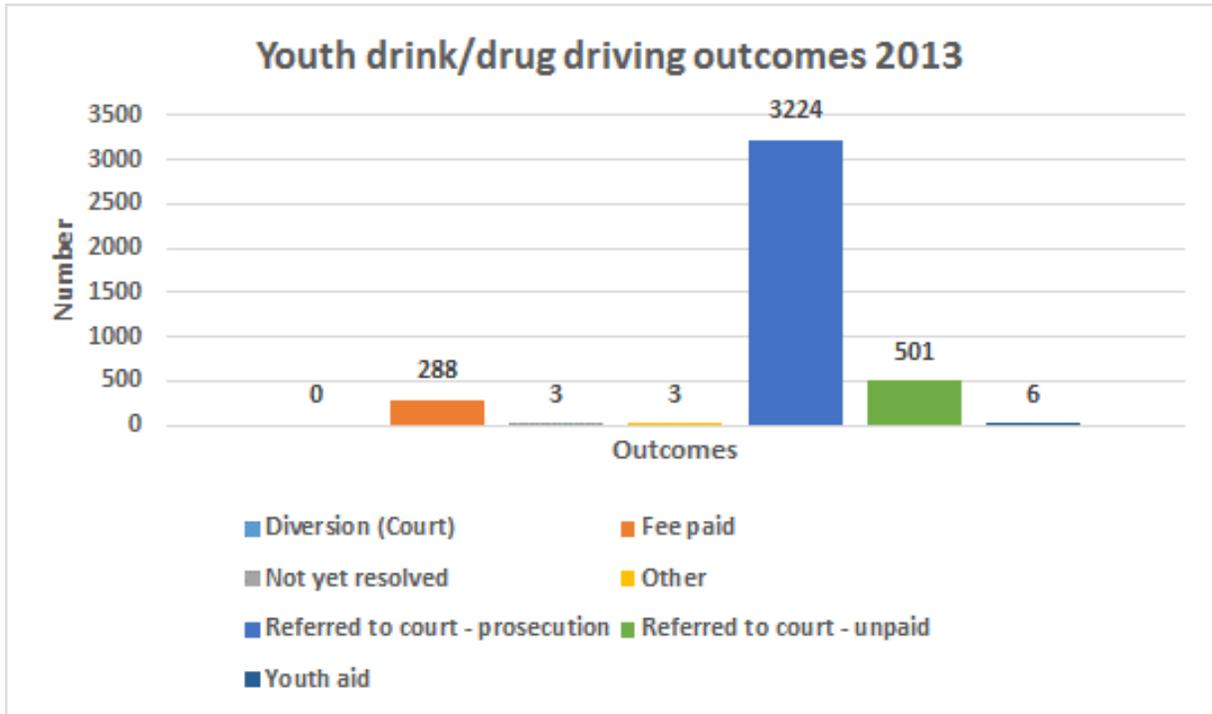
In 2011 (Fig 6), there were a total of 6402 youth drink/drug driving offences. 90.7% (5808) of youth drink/drug driving offences resulted in referrals to Court for prosecution. 8.4% (573) of youth drink/drug driving offences resulted in an infringement offence of which 59.1% (339) was referred to Court unpaid.

Fig 7



In 2012 (Fig 7), there were a total of 5201 youth drink/drug driving offences. 79.3% (4129) of youth drink/drug driving offences resulted in referrals to Court for prosecution. 20.2% (1053) of youth drink/drug driving offences resulted in an infringement offence of which 62.9% (663) was referred to Court unpaid.

Fig 8



In 2013 (Fig 8), there were a total of 4025 youth drink/drug driving offences. 80% (3224) of youth drink/drug driving offences resulted in referrals to Court for prosecution. 19.6% (789) of youth drink/drug driving offences resulted in an infringement offence of which 63.5% (501) was referred to Court unpaid.

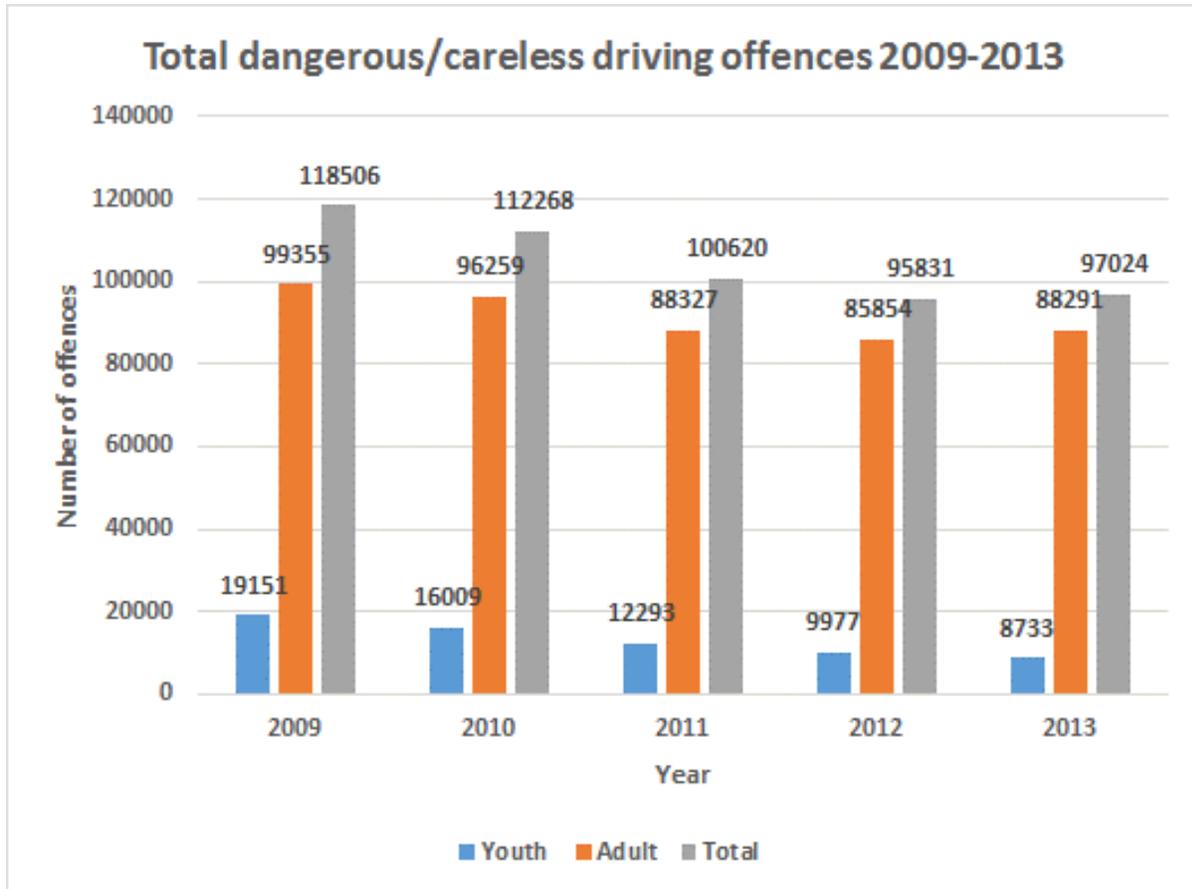
Table 3: Youth detected drink/drug driving by numbers and outcomes 2009-2013

	2009	2010	2011	2012	2013
Diversion (Court)	1	0	0	0	0
Not Yet Resolved	0	2	1	3	3
Referred to Court Prosecution	8073	6866	5808	4129	3224
Youth Aid	56	22	17	7	6
Fee Paid	0	0	234	390	288
Referred to Court Unpaid	0	0	339	663	501
Other	6	3	3	9	3
Total	8136	6893	6402	5201	4025

The introduction of infringement penalties for some youth drink/drug drivers resulted in a small proportion being diverted from a Court prosecution, with the majority of offending continuing to be in the over 0.03 BAC range. From 2011-2013 there were a total of 2415 infringement penalties imposed for drink/drug driving. However from 2011-2013 62% (1503) of these infringement penalties have been referred to Court for non-payment. (Table 3).

Dangerous/Careless Driving

Fig 9

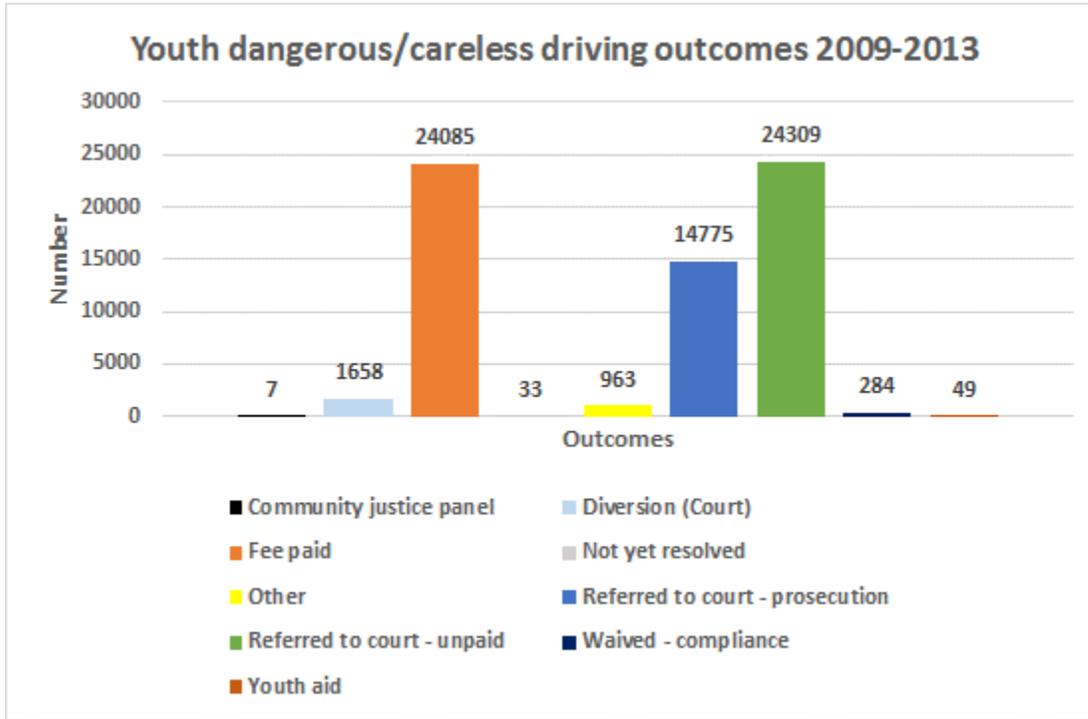


In 2009 youth accounted for 16.1% of all dangerous/careless driving offences. Both the number and proportion of youth offences for dangerous/careless driving has decreased every year since:

- by 2013 youth offences had dropped 54.4% (from 19151 to 8733)
- in 2013 only 9% of all dangerous/careless driving offences were attributable to youth

From 2009-2013 there were 524249 dangerous/careless driving offences; of these 458086 were adult and 66163 (12.6%) were youth.

Fig 10



From 2009-2013 (Fig 10), there were a total of 66163 youth dangerous/careless driving offences. 22.3% (14775) of youth dangerous/careless driving offences resulted in referrals to Court for prosecution. 73.1% (48394) of youth dangerous/careless driving offences resulted in an infringement offence of which 50.2% (24309) was referred to Court unpaid.

Table 4: Youth detected dangerous/careless driving offences by numbers 2009-2013

Offence description	2009	2010	2011	2012	2013	Total
Stop Signs/Compulsory Stops	2760	2132	1492	1299	1180	8863
Careless Use Of A Motor Vehicle	2671	2055	1663	1339	1035	8763
Traffic Lights	2364	1996	1619	1384	1154	8517
Keeping Left And Lane Driving	2038	1632	1227	996	919	6812
Permit Or Ride In Dangerous Position	1404	1274	985	740	710	5113
Following Too Close	1163	1071	867	661	577	4339
Trailer Offences	1592	1167	694	476	374	4303
Driving In A Dangerous Manner	988	834	632	506	399	3359
Failure To Obey Officer	630	618	509	428	344	2529
Other Nuisances	136	510	512	569	555	2282
Failure To Yield Right Of Way	637	544	486	302	287	2256
Loading Offences	743	494	332	316	280	2165
Lighting Offences	529	492	388	245	228	1882
Fail Give Way At Sign	412	336	271	159	183	1361
Reckless Driving	263	232	202	186	156	1039
Overtaking Offences	179	142	100	84	63	568
Driving At A Dangerous Speed	182	119	83	65	61	510
Other Miscellaneous Offences	176	135	79	65	51	506
Fail Comply Road Signs	174	118	76	71	57	496
Driving Without Reasonable Consideration	36	39	28	24	14	141
Failing To Yield R Of Way At Pedestrian Crossing	26	22	21	18	22	109
Failure To Dip Lights	19	22	11	15	11	78
Failure To Fulfil Duties After Accident ²³	0	0	0	13	58	71
Logbook Offences	16	10	8	12	9	55
Failing To Stop Or Make Way For Siren	6	14	5	4	6	35
Operated Unsafe Vehicle	7	1	3	0	0	11

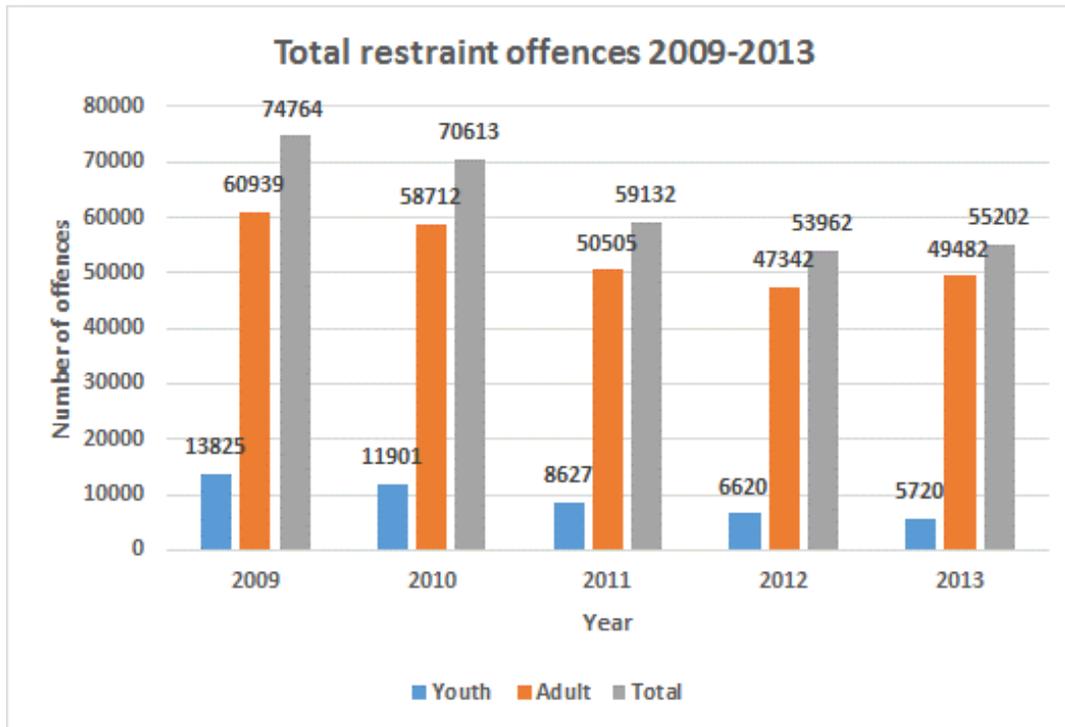
Across 2009-2013 the top three youth dangerous/careless driving offences reported were:

- Stop sign/compulsory stop offences (13.3%)
- Careless use of a motor vehicle (13.2%)
- Traffic light offences (12.8%)

²³ Offence code introduced in August 2012.

Restraints

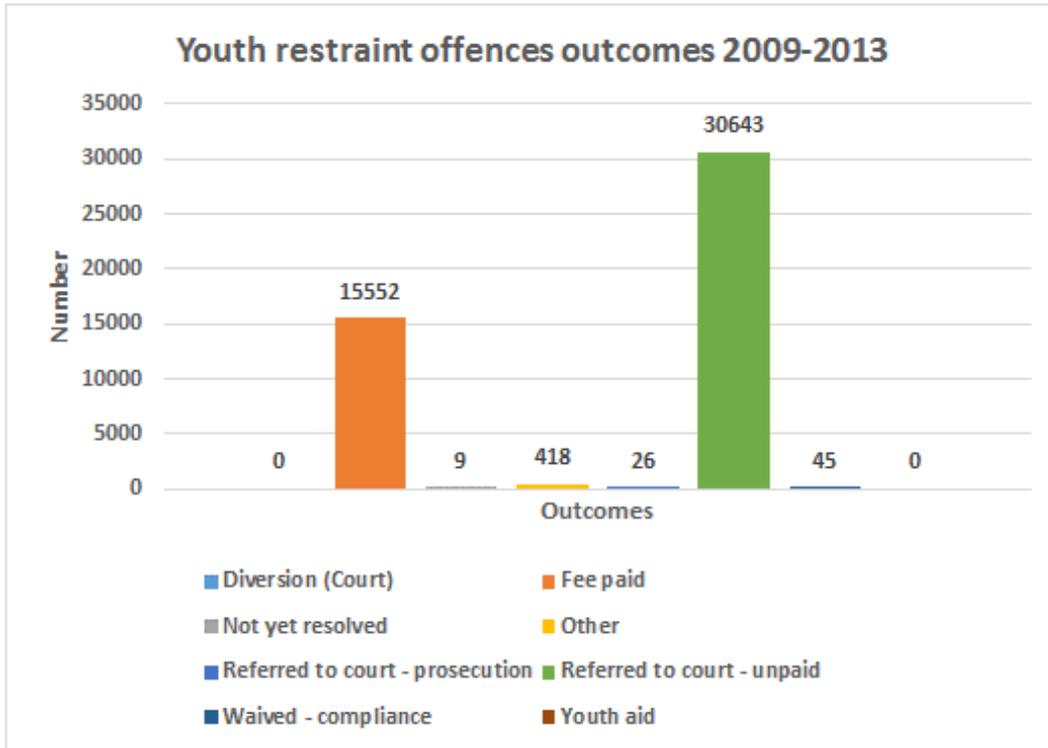
Fig 11



From 2009- 2013 youth accounted for 14.8% of all restraints offences. The percentage of youth offences for restraints has decreased every year since 2009 (18.4%). In 2013 10.3% of all restraint offences were attributable to youth. The number of detected youth and adult restraint offences have also decreased across that period.

From 2009-2013 there were 313673 restraint offences; of these 266980 were adult and 46693 (14.9%) were youth.

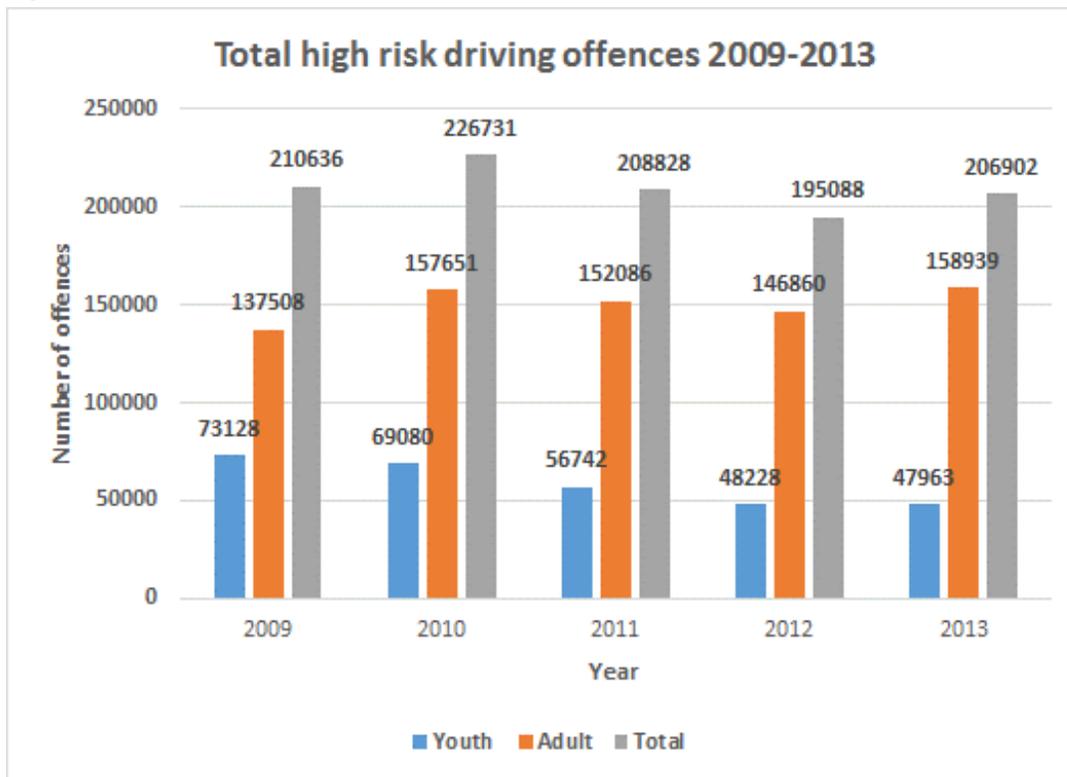
Fig 12



From 2009-2013 (Fig 12), there were a total of 46693 youth restraint offences. 98.9% (46195) of youth restraint offences resulted in an infringement offence of which 66.3% (30643) were referred to Court unpaid.

High Risk Driving

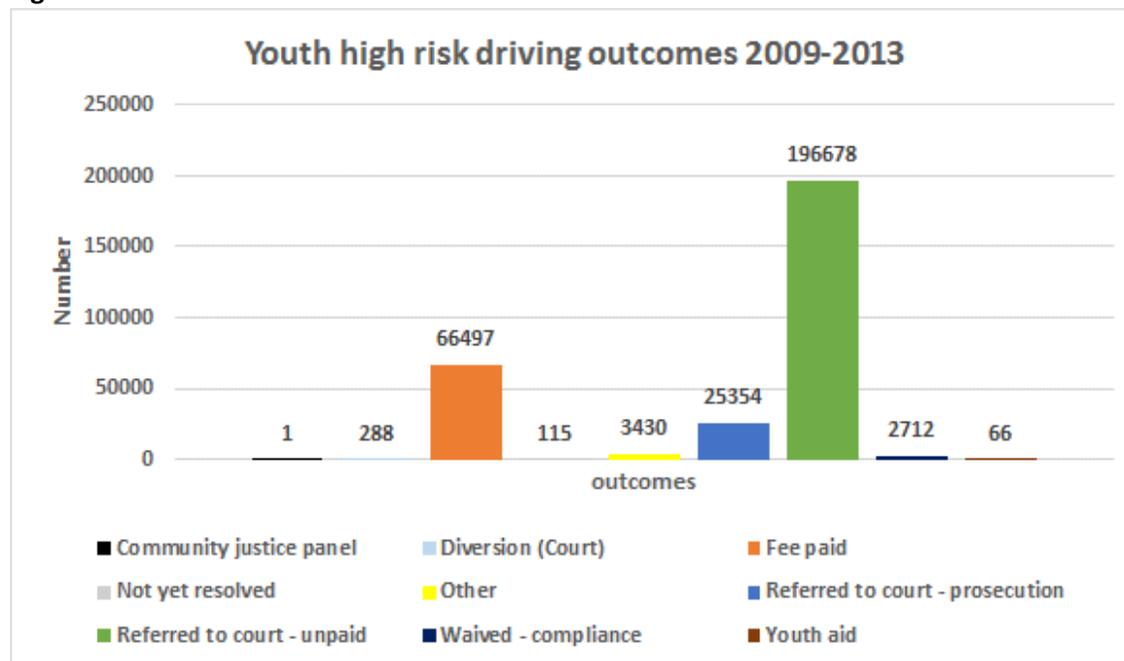
Fig 13



From 2009-2013 youth high risk driving offences accounted for 28.1% of all high risk driving offences. The percentage of youth high risk driving offences has decreased every year since 2009 (34.7%). In 2013 23.1% of all high risk driving offences were attributable to youth. The number of detected youth high risk driving offences has also decreased.

From 2009-2013 there were 1048185 high risk driving offences; of these 753044 were adult and 295141 (28.1%) were youth.

Fig 14



From 2009-2013 (Fig 14), there were a total of 295141 youth high risk driving offences. 89.1% (263175) of youth high risk driving offences resulted in an infringement offence of which 74.7 % (196678) was referred to Court unpaid. 8.5% (25354) of youth high risk driving offences 2009-2013 resulted in a referral to Court prosecution.

Table 5: Youth detected high risk offences 2009-2013

Offence description	2009	2010	2011	2012	2013	Total
Graduated Driver Licence System Breaches ²⁴	49895	50319	41218	35074	36263	212769
Driver Licence Offences	17326	13777	11388	9608	8691	60790
Failure To Obey Officer ²⁵	1847	1615	1430	1467	1322	7681
Drive While Disqualified	2219	1803	1504	1140	934	7600
Driving At A Dangerous Speed	1339	1090	857	652	472	4410
Safety Helmet ²⁶	502	473	344	285	278	1882
Trailer Offences	0	3	1	2	3	9

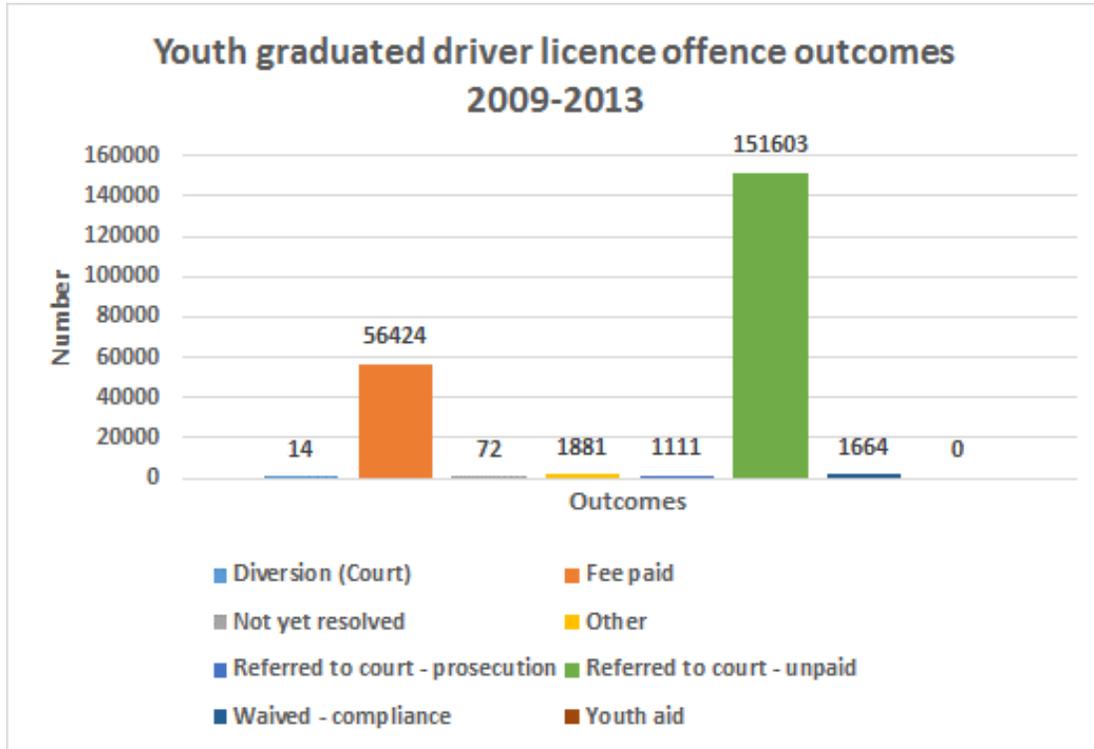
²⁴ The Graduated Driver Licence System (GDLS) sets minimum criteria for staged licences: Learner, Restricted and Full, with progressively relaxed conditions on driving.

²⁵ Some of the fatal five categories listed in the police data tables may have the same descriptive name but each has its own precedent code and no data was counted twice.

²⁶ Does not include bicycle helmet offences.

As can be seen from the above table Graduated Driver Licence System (GDLS) breaches account for 72% of all youth High Risk Driving Offences for 2009-2013. The GDLS was amended in 2011. For more information about the GDLS and the changes in 2011, see page 12.

Fig 15²⁷



From 2009-2013 (Fig 15), there were a total of 212,769 youth GDLS breach offences. 97.1% (208,027) of youth GDLS breaches resulted in an infringement offence of which 72.8% (151,603) was referred to Court unpaid. 0.7% (1,664) had a positive compliance outcome and 0.5% (1,111) were referred to Court for prosecution. GDLS breaches have been reported on in previous research.²⁸

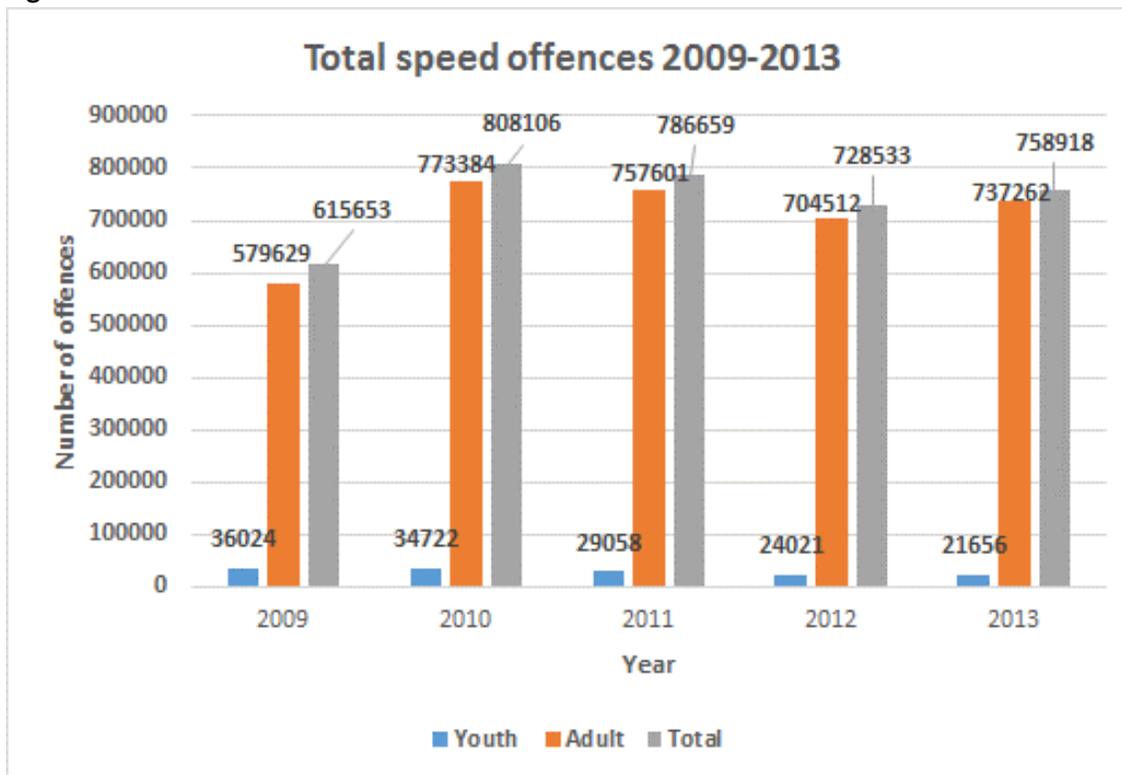
²⁷During the period covered by the data in this graph the infringement fee for breaches of graduated licence conditions was reduced from \$400 to \$100 and the demerits points for all graduated licence offences was increased from 25 to 35 points (except for the L plate offence which remained at 25 points). This change was introduced by the Land Transport (Enforcement Powers) Amendment Act 2009 which came into force on 1 December 2009.

²⁸ During 2011 NZ Police reported over 10,300 breaches relating to restricted licence car drivers driving unaccompanied during the night-curfew hours, and nearly 29,800 breaches where restricted licence car drivers were carrying unauthorised passengers. There were also over 750 breaches reported where restricted licence car drivers had an unqualified supervisor. Ministry of Transport. (2012).

Speed

Speed traffic offences are detected by both officers and cameras²⁹. These are not directly comparable. In that Camera recorded offences are linked to the registered owner of the vehicle while officer issued tickets are linked to the driver committing the offence. Take the example of a teenager driving the family car, the camera offences may be linked to the parent's age, unless the parent actively nominates the young driver. In New Zealand, only officer-issued speed offences attract demerit points. Hence data may understate speed camera offences committed by youth, in contrast officer-issued speed offences will more accurately reflect the age on the offender's driver licence. Hence data totalling officer and camera offences should be interpreted with caution.

Fig 16



From 2009-2013 youth speed offences accounted for 3.9% of all speed offences. The percentage of youth speed offences has decreased every year since 2009 (5.8%). In 2013 2.8% of all speed offences were attributable to youth. The number of detected youth speed offences 2009-2013 has also decreased (Fig 16). From 2009-2013 there were 3697869 speed offences; of these 3552388 were adult and 145481 (3.9%) were youth.

²⁹ Offences where the registered owner of the vehicle was within this projects youth age range: 14-19. As the age of the driver at the time of the offence is not verifiable as the registered owner some caution must be used when reviewing this data.

Fig 17

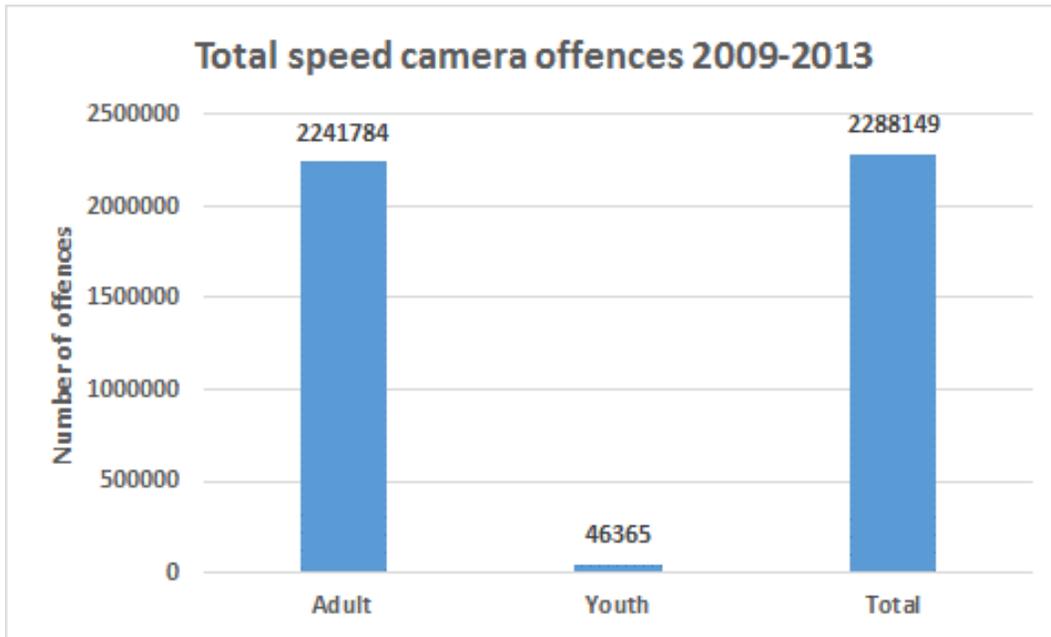
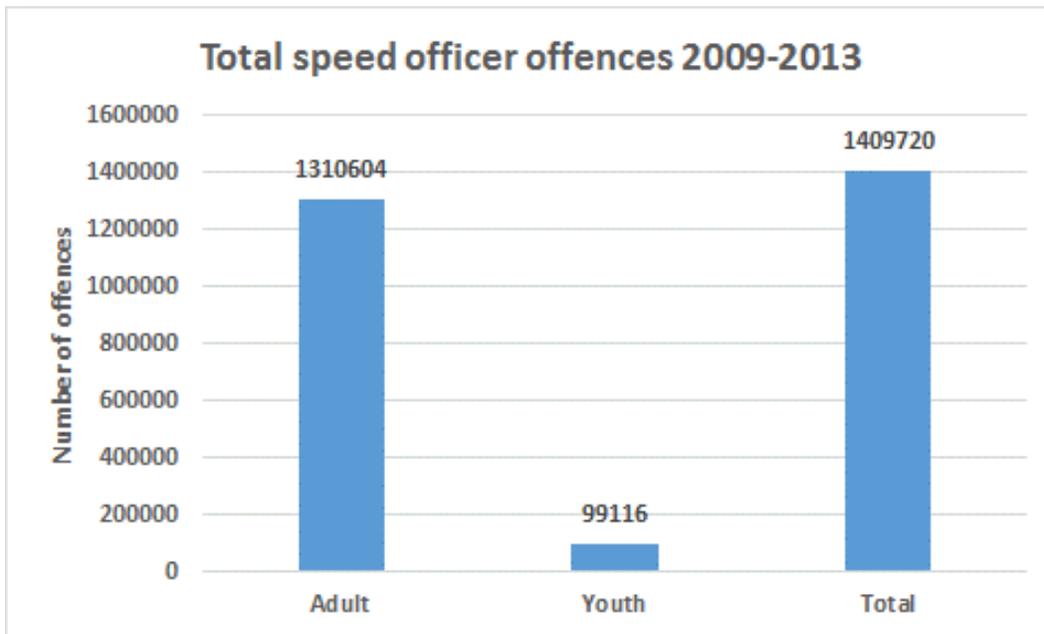
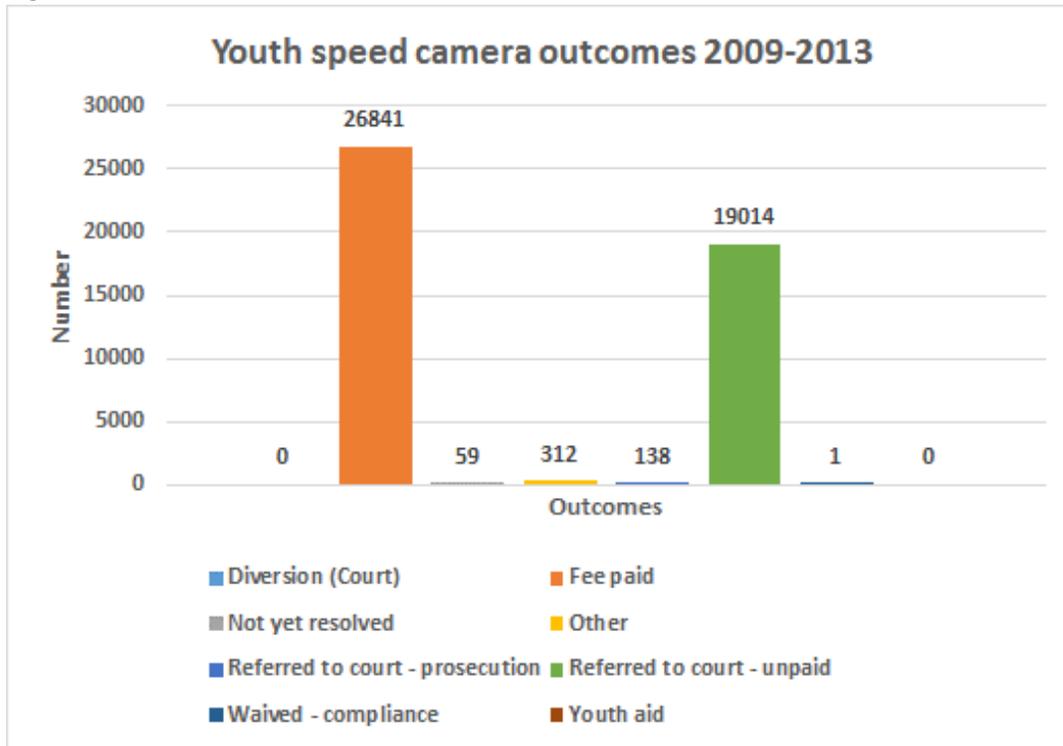


Fig 18



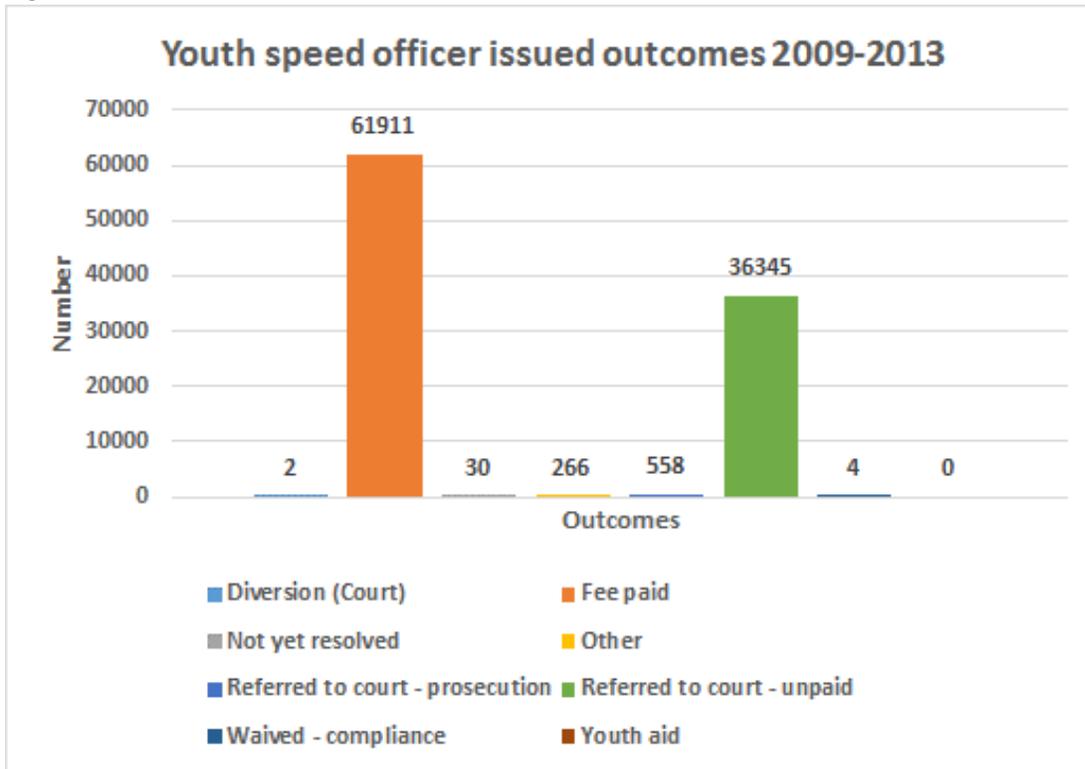
From 2009-2013 youth accounted for 7% of the total officer-issued speed offences (Fig 18). While noting the warning above about the limitations of comparing officer and camera-issued offences, from 2009-2013 68% of youth speed offences were officer issued. The combined, camera and officer issued, youth speed offences total for 2009-2013 was 145481 offences.

Fig 19



From 2009-2013 (Fig 19), there were a total of 46365 youth speed camera offences. 98.9% (45855) of youth speed camera offences resulted in an infringement offence of which 41.4% (19014) were referred to Court unpaid.

Fig 20



From 2009-2013 (Fig 20), there were a total of 99196 youth speed officer issued offences. 99.1% (98256) of youth speed officer issued offences resulted in an infringement offence of which 36.9% (36345) were referred to Court unpaid.

Other offences (mainly vehicle-related)

Other traffic offending includes all other traffic offences not included in the 'Fatal Five'. The majority of this other category are made up of Warrant of Fitness (WoF)³⁰ and Vehicle Licence and Registration (Veh Lic/Reg) offences. Other offences include: Noisy motor vehicle, Failure to obey officer, Mechanically Defective vehicle, Failure to dip lights, Lighting offences.³¹

Fig 21 Total other Police traffic offences



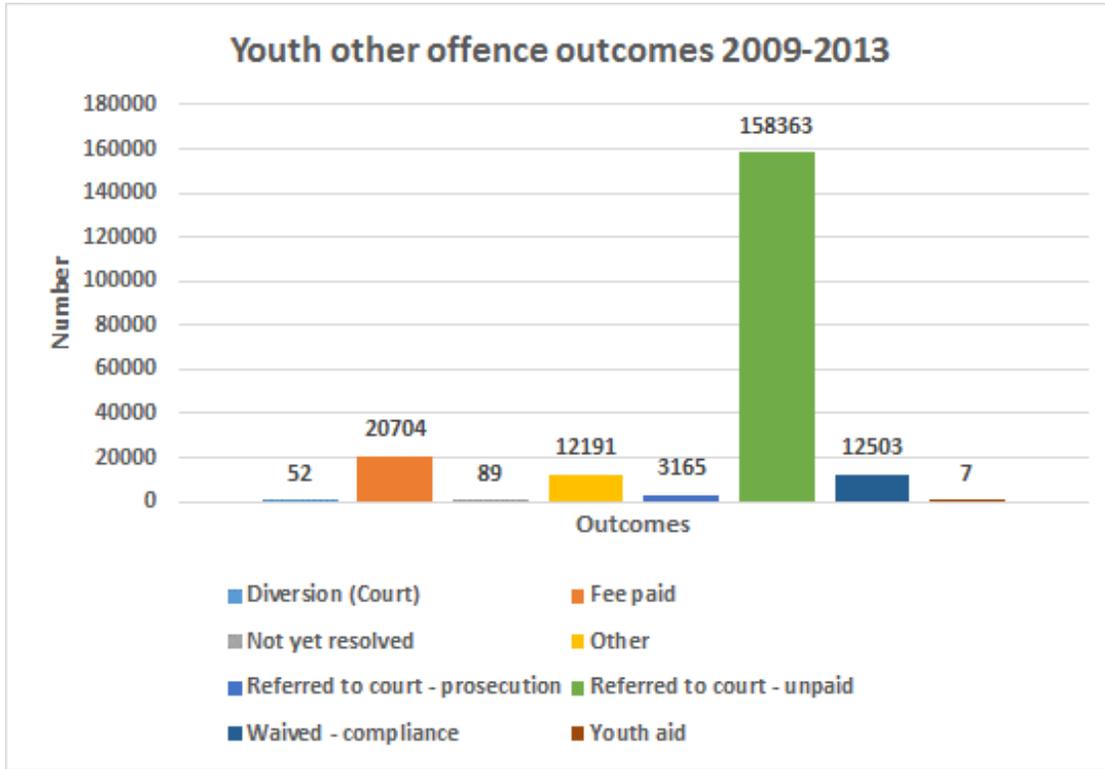
Other youth traffic offences have fallen from 20.6% of all other traffic offences in 2009 to 10.3% of all other traffic offences in 2013. In contrast, the numbers of adult other traffic offences have increased each year since 2010. In these data sets it is unusual to see an increase in offending over time; these anomalous results for adult other (predominantly vehicle) offences may warrant further investigation.

From 2009-2013 there were 1,374,088 other offences; of these 1,167,014 were adult and 207,074 (15.1%) were youth.

³⁰ A Warrant of Fitness is a periodic safety inspection that is compulsory for light vehicles in New Zealand.

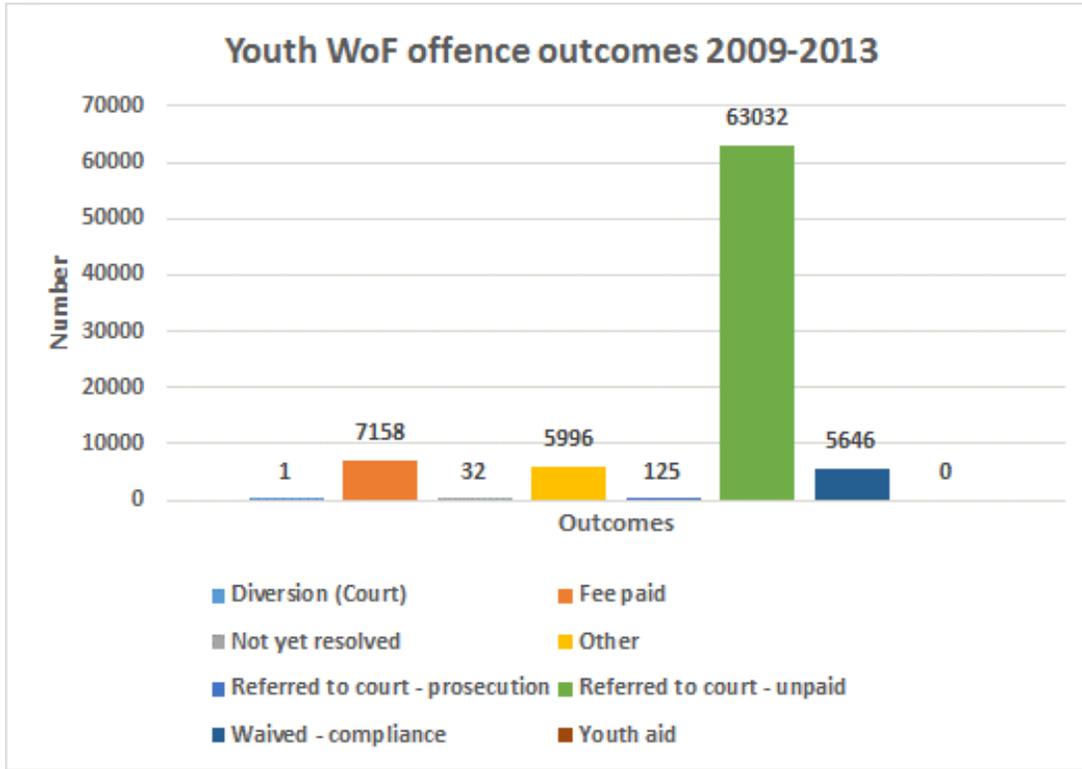
³¹ See Appendix for full breakdown of category 'other' and numbers of offences. Page 69.

Fig 22



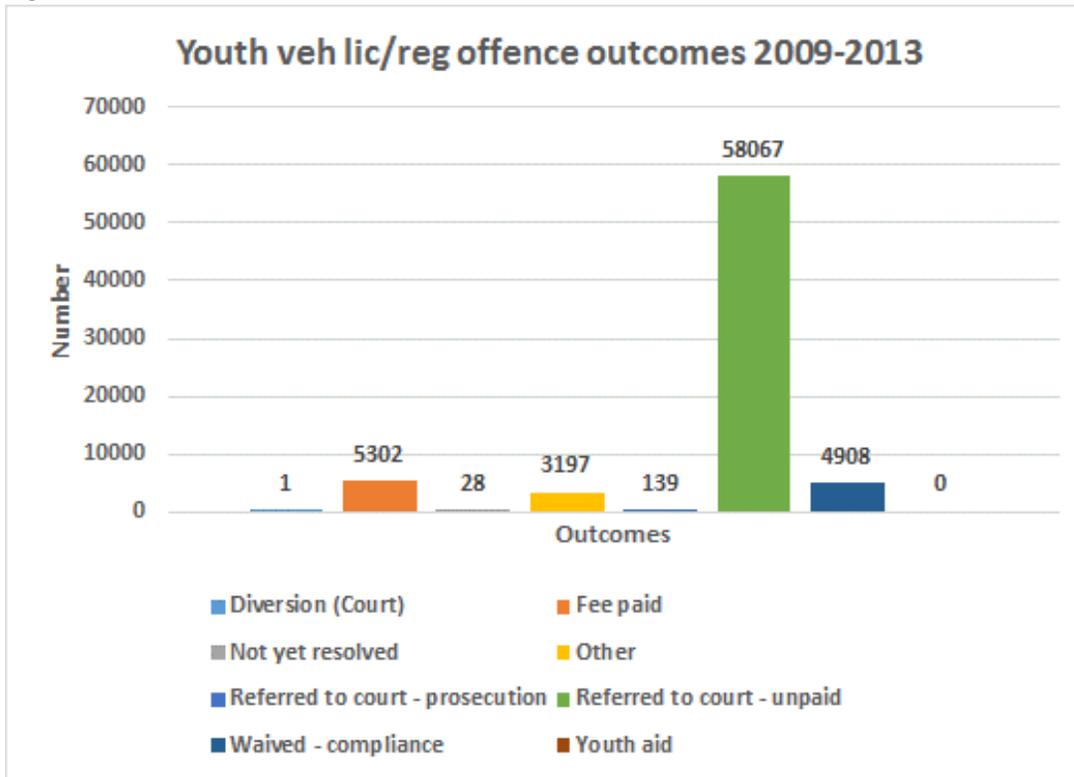
From 2009-2013 (Fig 22), there were a total of 207074 youth other traffic offences. 86.5% (179067) of youth other traffic offences resulted in an infringement offence. Of these 88.4% (158363) were referred to Court unpaid. 6% (12503) had a positive compliance outcome and 1.5% (3165) were referred to Court prosecution.

Fig 23



From 2009-2013 (Fig 23), there were a total of 81990 youth Warrant of Fitness (WoF) traffic offences. 86% (70190) of youth WoF traffic offences resulted in an infringement offence. Of these 90% (63032) were referred to Court unpaid. 7% (5646) had a positive compliance outcome.

Fig 24



From 2009-2013 (Fig 24), 88% (63369) of youth vehicle licence /registration offences resulted in an infringement offence. Of these 92% (58067) were referred to Court unpaid and 7% (4908) had a positive compliance outcome.

Overall Summary and Discussion of Police Offence Data

The offence statistics regarding infringement outcomes presented in this section are summarised in Table 6 below. These only refer to infringements paid or unpaid and do not include any other Police outcomes such as Court prosecutions.

Table 6: Youth all traffic infringement payment outcomes 2009-2013 by number and percentage

	Paid	Ref/Court unpaid	%Paid	%Unpaid
Speed Officer	61911	36345	63.0	37.0
Speed Camera	26841	19014	58.5	41.5
Danger/Care	24085	24390	49.6	50.4
Al/Drug	912	1503	37.7	62.3
Restraints	15522	30643	33.6	66.4
High Risk	66497	196678	25.2	74.8
Other ³²	20704	158363	11.5	88.5

There is clearly an issue with the majority of fees not being paid within the Police Infringement Bureau (PIB) timeframes and being referred to Court for collection, which attracts additional charges (See Addendum paper). 68.3% of all total infringements are referred to Court for collection (Table 6).

'Other' traffic offences (mainly Warrant of fitness and vehicle registration offences) have the lowest ratio of paid versus unpaid, with 88.5% of fines being referred to Court for collection. This is closely followed by 75% of GDLS breach, 66% of restraint offences, and 62% of administrative drink-driving offence fines being referred to Court for collection.

Speed Infringement fees, whether camera or officer issued are the only offences where the fees paid outweigh the referrals to Court unpaid, with 63% of officer issued infringements being paid and 58.5% of camera infringements being paid.

From 2009-2013 there were a total of 7113800 offences recorded by Police. Of these 791209 (11.1%) were recorded as youth offences. In 2013, 8.8% of total offences were recorded as youth offences.³³

GDLS breaches account for 30.4% of all youth traffic infringement offences.

³² Category 'Other' of Fatal Five offences: mainly vehicle related.

³³ See Fig 2. Page 16.

Section 2:

Ministry of Justice (Court) data on youth traffic offending and re-offending for 2009-2013

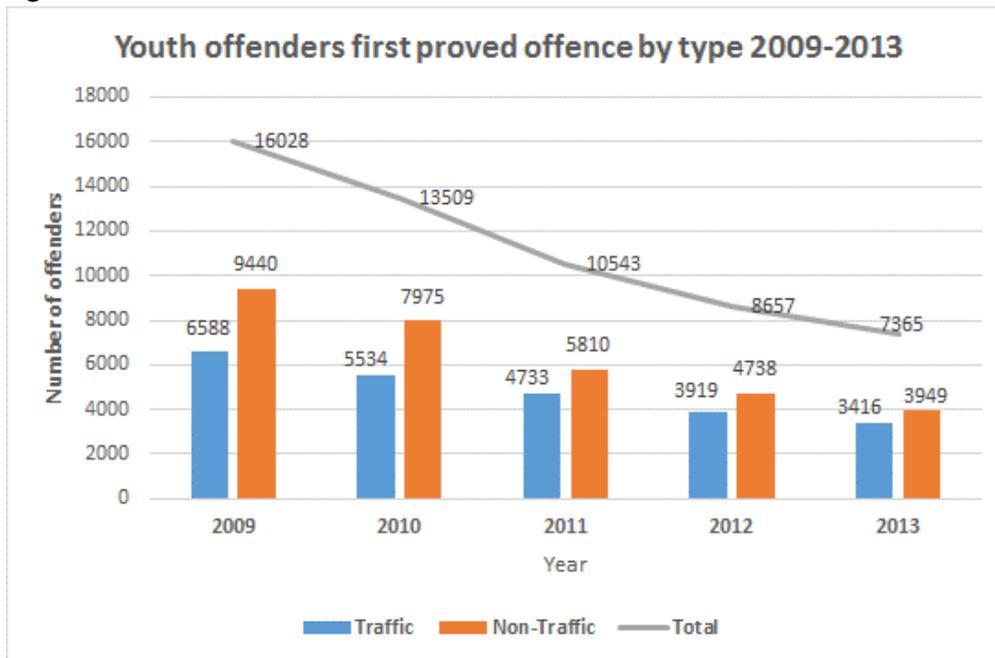
The Court data was compiled from the **Ministry of Justice's Case Management System (CMS)**. The Data was compiled into 3 workbooks:

- First-time young offenders by offence 2009 to 2013
- Traffic offenders outcomes 2009 to 2013
- Re-offending rates Youth Traffic 2009-2013

Information in this section refers to offenders and not offences. The workbook on re-offending was revised and updated after consultation with an analyst at the Ministry of Justice. Data on re-offending utilized proved first offence from 2008 to give 5 years re-offending data. Offences recorded here are serious offences that require a Court outcome and include all Court types³⁴

First offence Data

Fig 25³⁵



Total youth first time proved offending, whether traffic or non-traffic has fallen every year since 2009.

³⁴ Including Youth Courts. More detailed information on the MoJ data used can be found in the Appendix. Page 71.

³⁵ First proved offence meaning proved offending at Court but not necessarily resulting in a conviction outcome.

Fig 26



The proportion of youth traffic offending, as a first offence, increased noticeably in 2011 (Fig 26). Traffic offending as a first offence accounted for 46.4% of all youth offending in 2013. As noted in Fig 25 both youth traffic and non-traffic offending has fallen every year since 2009. Fig 26 shows that the numbers of non traffic offenders have fallen faster than traffic offenders (see Discussion on page 61).

Fig 27

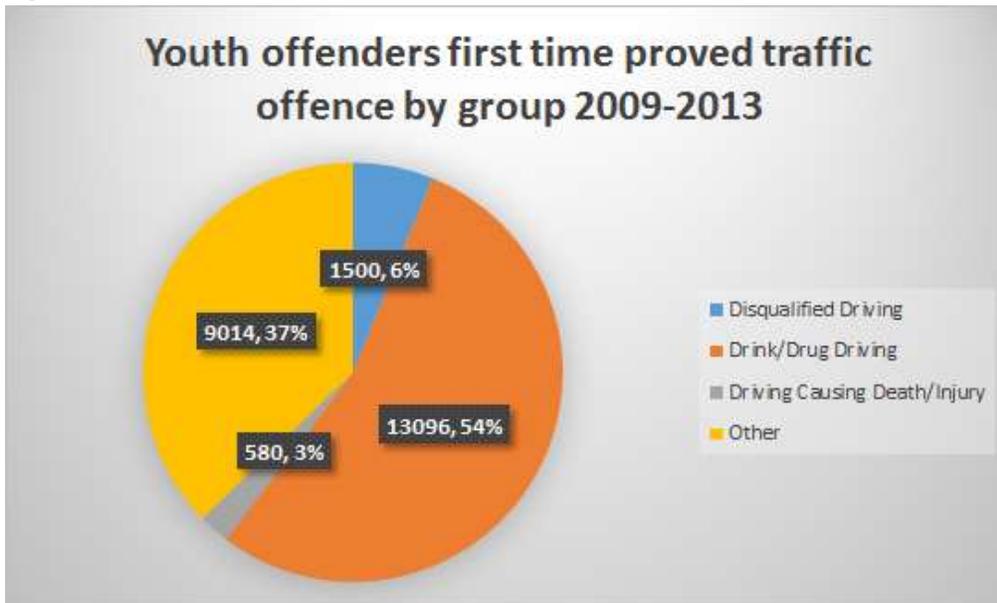
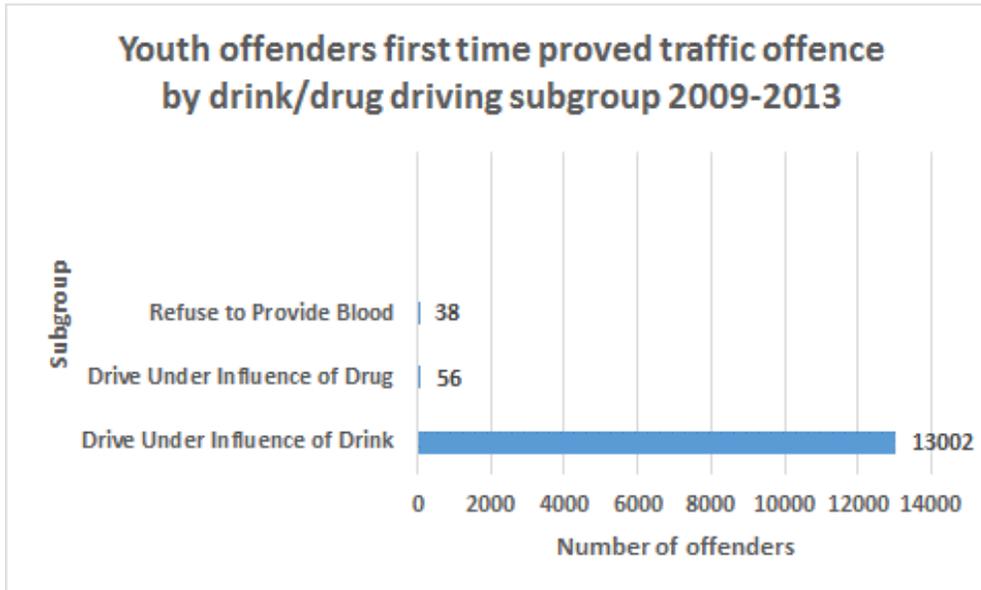


Fig 27 shows that drink/drug driving offences make up the highest number and percentage of youth first time offenders proved traffic offences 2009-2013.

Fig 28³⁶



Driving under the influence of drink accounts for the highest number of youth first time traffic offences by drink/drug driving subgroup.

Fig 29³⁷

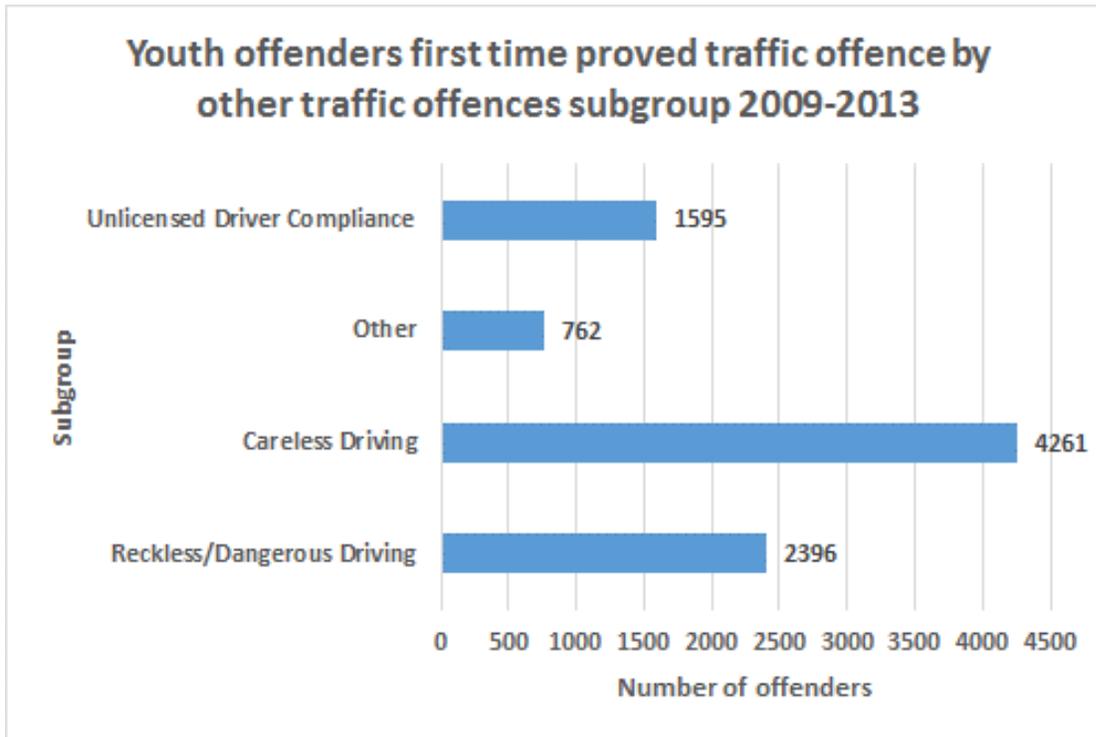


Factors excluding alcohol account for the majority of Injuries caused by youth first time traffic offending. However half the Driving Causing Death involved alcohol. Overall 45 young offenders were responsible for alcohol-associated crashes leading to injury (35) and death (10) in the period 2009-2013.

³⁶ See 'Legislative Changes' page 12.

³⁷ No detailed information was collected regarding the specifics of 'other' causing death or injury.

Fig 30



Careless driving accounts for 47.2% of youth first time offending by 'other' traffic offences subgroup.

Total Youth Traffic Court Cases Numbers and Outcomes

The following data refer to offences not to individual offenders³⁸ as in the previous section.

Fig 31

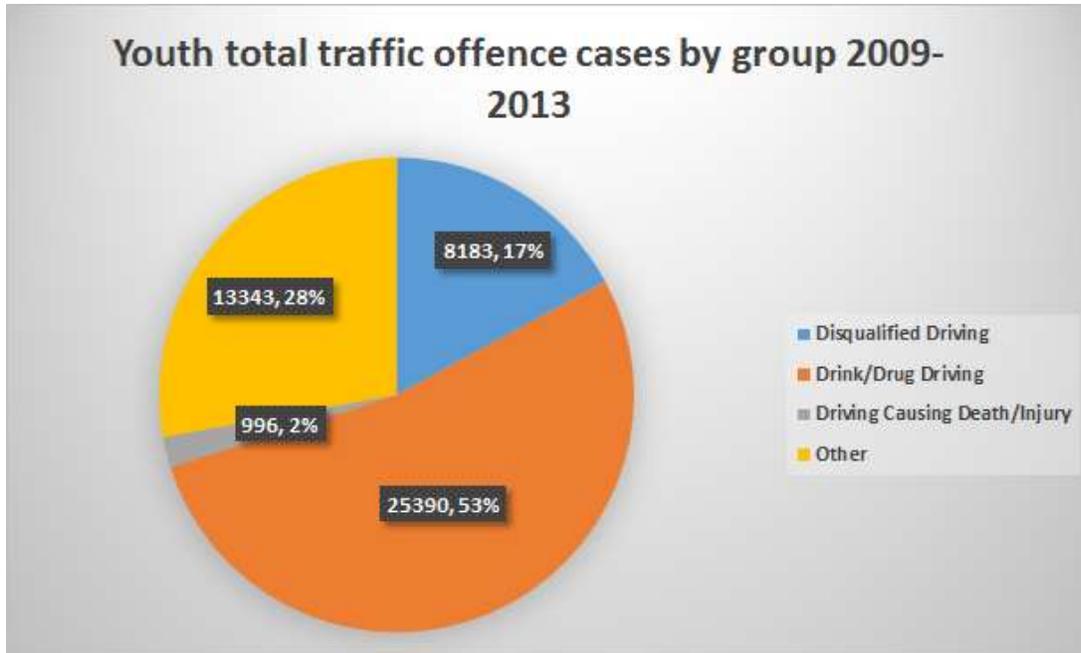


Fig 31 shows that drink/drug driving accounts for 53% of all youth traffic offence cases 2009-2013.

³⁸ The data in Figure 31 includes individuals who may have committed more than one offence recorded in this data.

Table 7: Court Case Outcomes by offence groups and sub-groups for individuals aged 14-19 years from 2009-2013

Offence group	Offence subgroup	1. Imprisonment	2. Home Detention, other custodial	3. Community Detention	4. Intensive Supervision	5. Community work	6. Supervision	7. Monetary	8. Deferment	9. Other	10. Discharge	11. Youth Court Sentence	12. Discharge w/o conviction	13. Adult diversion, YC discharge	14. Not proved	Total	Percent of total
Disqualified Driving	Drive While Disqualified	155	53	209	40	2,691	45	3,399	6	909	61	71	42	56	446	8,183	15.4
Drink/Drug Driving	Drive Under Influence Drink	145	126	399	85	4,747	478	16,295		690	27	312	150	676	971	25,101	47.3
	Drive Under Influence Drug			1		38	3	76		15			2	1	7	143	0.3
	Refuse To Provide Blood Sample	3	3	6		51	5	51		3		1	2	5	16	146	0.3
Driving Causing Death/Injury	Driving Causing Death - Alcohol	8	3	2								1			5	19	0.0
	Driving Causing Death - Other	3	5	1		1						1		1	6	18	0.0
	Driving Causing Injury - Alcohol	11	17	18	1	22	1	10				2		5	7	94	0.2
	Driving Causing Injury - Other	17	19	36	5	142	3	350		44	2	20	52	60	115	865	1.6
Other Traffic Offences	Reckless/Dangerous Driving	54	22	103	18	1,081	26	2,571	3	355	13	101	58	160	553	5,118	9.7
	Careless Driving			1		15	4	2,589	11	69	300	26	583	2,184	606	6,388	12.0
	Other Traffic	2	1	5	1	50	2	1,366	18	171	125	13	49	73	371	2,247	4.2
	Unlicensed Driver Compliance	1		1		3		2,615	11	73	614	20	242	208	920	4,708	8.9
Total		399	249	782	150	8,841	567	29,322	49	2,329	1,142	568	1,180	3,429	4,023	53,030	100
% of Total		0.8	0.5	1.5	0.3	16.7	1.1	55.3	0.1	4.4	2.2	1.1	2.2	6.5	7.6	100	

Youth Traffic Offence Case Outcomes³⁹

Table 7 (previous page) refers to individual offenders and shows that 55.3% of all case outcomes for youth traffic offences result in a monetary outcome and 16.7% of outcomes result in community work. Youth Court⁴⁰ sentences and adult diversion/youth Court discharge accounted for 7.6% of all youth traffic offence outcomes 2009-2013.

Outcomes 1-10 in Table 7 are convictions⁴¹; outcomes 11-12 are proved outcomes but not convicted.

6.5% of all youth traffic cases 2009-2013 resulted in an adult diversion/ Youth Court discharge and 7.6% of all youth traffic offence cases had a Court outcome of not proved. 24% of Unlicensed Driver Compliance⁴² cases resulted in an adult diversion/ Youth Court discharge or were not proved.

Drink/Drug driving accounted for 47.3%, Driving while Disqualified 15.4%, Careless Driving 12% and Reckless/Dangerous Driving 9.7% of the total percentage of offences for individuals aged 14-19 years of age from 2009 -2013.

51% of Driving Causing death were attributable to alcohol and 9.8% of Driving Causing Injury were attributable to alcohol.

8.9% of the offences for individuals aged 14-19 years of age from 2009 -2013 were for Unlicensed Driver Compliance.⁴³

Alcohol ignition interlocks became available as a sentencing option for repeat⁴⁴ and high level⁴⁵ drink driving offenders in September 2012. No specific information on their use was recorded in the data. From September 2012-September 2013, 228 offenders received the Alcohol Interlock Sentence.⁴⁶

The use of youth traffic offending programmes as a sentencing option was not specifically recorded and their use at sentencing was not available in the data.

³⁹ These are primary outcomes. For example there would be licence disqualification periods where applicable along with the primary outcome.

⁴⁰ Only applies to offenders aged 14-16 years of age.

⁴¹ For information on sentences go to <http://www.justice.govt.nz/publications/publications-archived/2001/conviction-and-sentencing-of-offenders-in-new-zealand-1991-t0-2000/community-based-sentences> Last Accessed 30/6/2015.

⁴² Unlicensed Driver Compliance is "Unlicensed Driver Failed to Comply with Prohibition" – Driving without a licence.

⁴³ See 'Information Sharing and Data Limitations', page 59.

⁴⁴ Defined as 2 or more convictions for drink-driving in a five year period.

⁴⁵ Defined as over 800 micrograms of alcohol per litre of breath, or over 160 milligrams of alcohol per 100 millilitres of blood or twice the current legal limit. For drivers 20 years old and over, the drink-driving limits are 400 micrograms of alcohol per litre of breath or 80 milligrams of alcohol per 100 millilitres of blood. There is a zero alcohol limit for drivers under 20.

⁴⁶ Waters (2014).

Re-offending data

The workbook on re-offending was revised and updated after consultation with an analyst at the Ministry of Justice. Data on re-offending utilised proved first offence from 2008 to give 5 years re-offending data. Traffic re-offending is broken down into graphs by the following offences:

- Drive While Disqualified
- Drink/drug driving offences
- Driving Causing injury/ Death
- Reckless/Dangerous Driving
- Careless Driving
- Unlicensed Driver Compliance
- All Other Traffic Court offending excluding the categories above

Fig 32: Percentage of first-time young traffic offenders (any traffic offence) in 2008 who re-offended within 5 years (any offences, traffic offences and non-traffic offences), by age at first offence

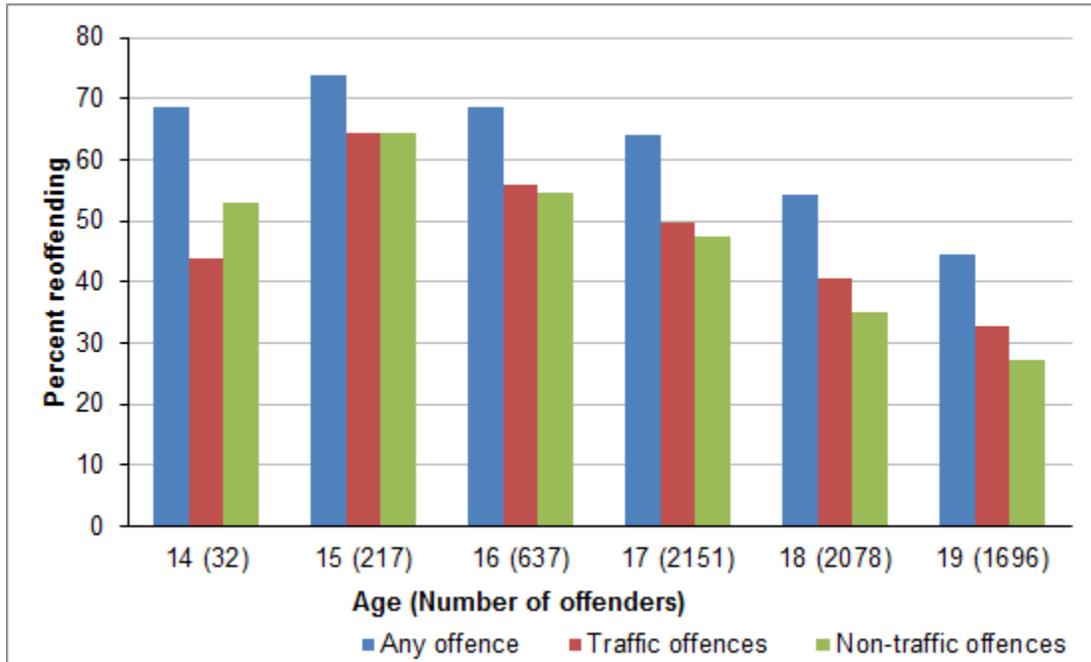


Fig 32 shows that:

- 69% of the thirty two 14 year old traffic offenders (any traffic offence) where this was their first offence in a Court, re-offended within 5 years for any offence, 44% re-offended within 5 years for any traffic offence; while 53% re-offended for a non-traffic offence within 5 years.
- 69% of the six hundred and thirty seven 16 year old traffic offenders (any traffic offence) where this was their first offence in a Court, re-offended within 5 years for any offence, 56% re-offended within 5 years for any traffic offence; while 55% re-offended for a non-traffic offence within 5 years.
- 45% of the one thousand six hundred and ninety six 19 year old traffic offenders (any traffic offence) where this was their first offence in a Court, re-offended within 5 years for any offence, 33% re-offended within 5 years for any traffic offence; while 27% re-offended for a non-traffic offence within 5 years.

Fig 33: Percentage of first-time young Drink/Drug Driving offenders in 2008 who re-offended within 5 years (any offences, traffic offences and non-traffic offences), by age at first offence

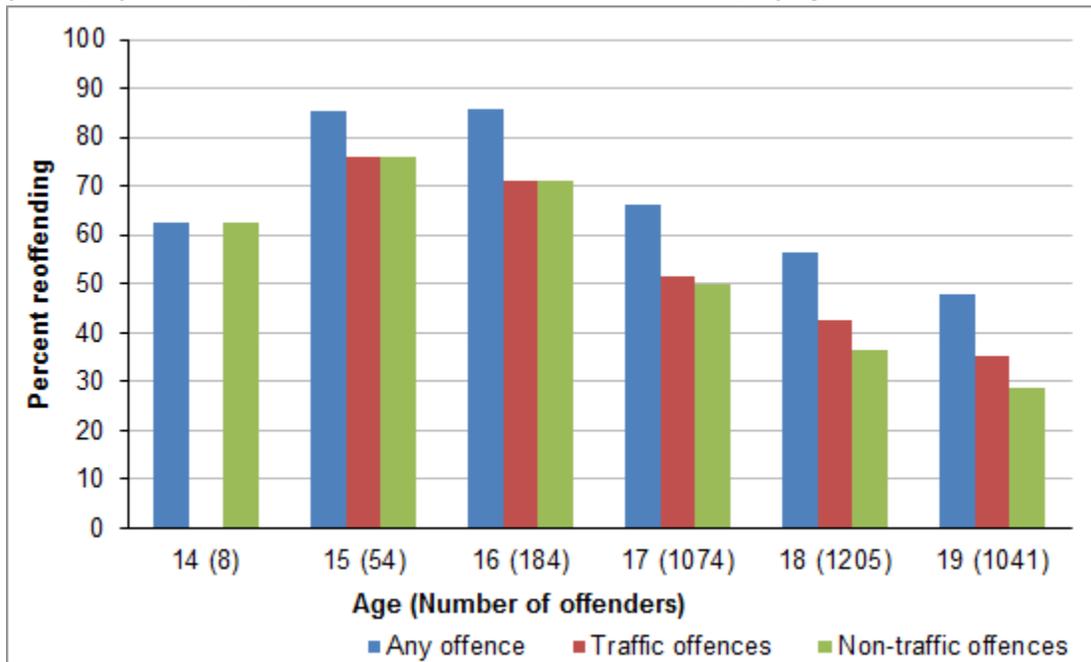
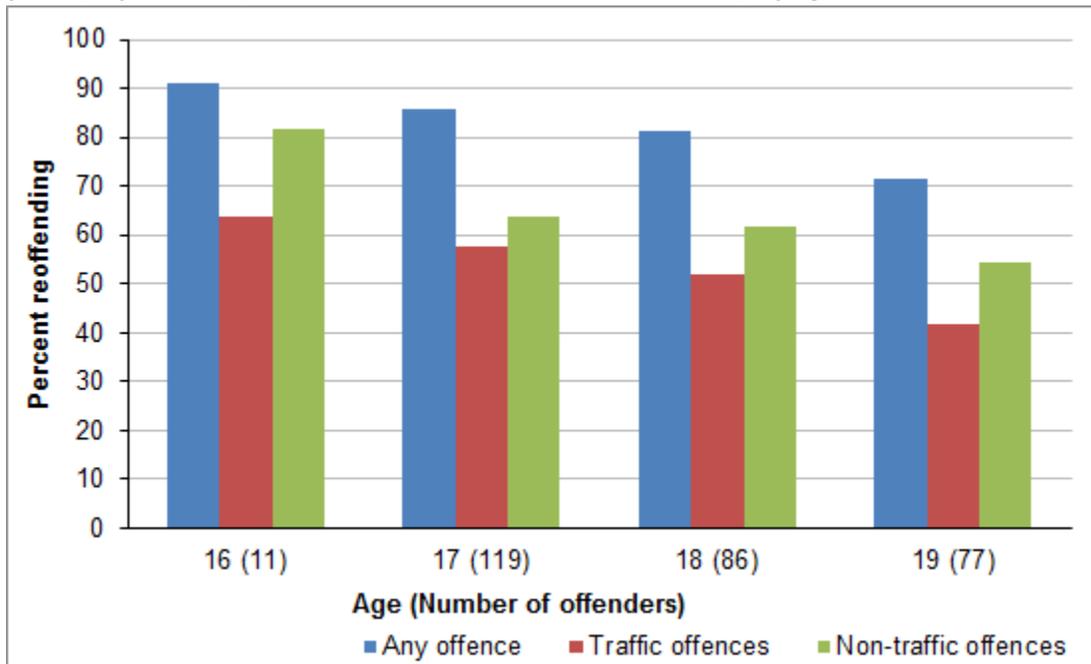


Fig 33 shows that:

- 63% of the eight 14 year old drink/drug driving offenders where this was their first offence in a Court, re-offended within 5 years for any offence, none re-offended within 5 years for any traffic offence; while 63% re-offended for a non-traffic offence within 5 years.⁴⁷
- 86% of the one hundred and eighty four 16 year old drink/drug driving offenders where this was their first offence in a Court, re-offended within 5 years for any offence, 71% re-offended within 5 years for any traffic offence; while 71% re-offended for a non-traffic offence within 5 years.
- 48% of the one thousand and forty one 19 year old drink/drug driving offenders where this was their first offence in a Court, re-offended within 5 years for any offence, 35% re-offended within 5 years for any traffic offence; while 29% re-offended for a non-traffic offence within 5 years.

⁴⁷ Caution needed as to any inference as data is limited to 8 offenders.

Fig 34: Percentage of first-time young Disqualified driving offenders in 2008 who re-offended within 5 years (any offences, traffic offences and non-traffic offences), by age at first offence



Note: Data not presented for 14 and 15 year olds as there were less than 5 offenders

Fig 34 shows that:

- 91% of the eleven 16 year old disqualified driving offenders where this was their first offence in a Court, re-offended within 5 years for any offence, 64% re-offended within 5 years for any traffic offence; while 82% re-offended for a non-traffic offence within 5 years.
- 86% of the one hundred and nineteen 17 year old disqualified driving offenders where this was their first offence in a Court, re-offended within 5 years for any offence, 58% re-offended within 5 years for any traffic offence; while 64% re-offended for a non-traffic offence within 5 years.
- 71% of the seventy seven 19 year old disqualified driving offenders where this was their first offence in a Court, re-offended within 5 years for any offence, 42% re-offended within 5 years for any traffic offence; while 55% re-offended for a non-traffic offence within 5 years.

While the numbers involved are relatively small the re-offending rate for all age groups is high for first offenders in the “Disqualified driving offender” category.

Fig 35: Percentage of first-time young other traffic offenders in 2008 who re-offended within 5 years (any offences, traffic offences and non-traffic offences), by age at first offence

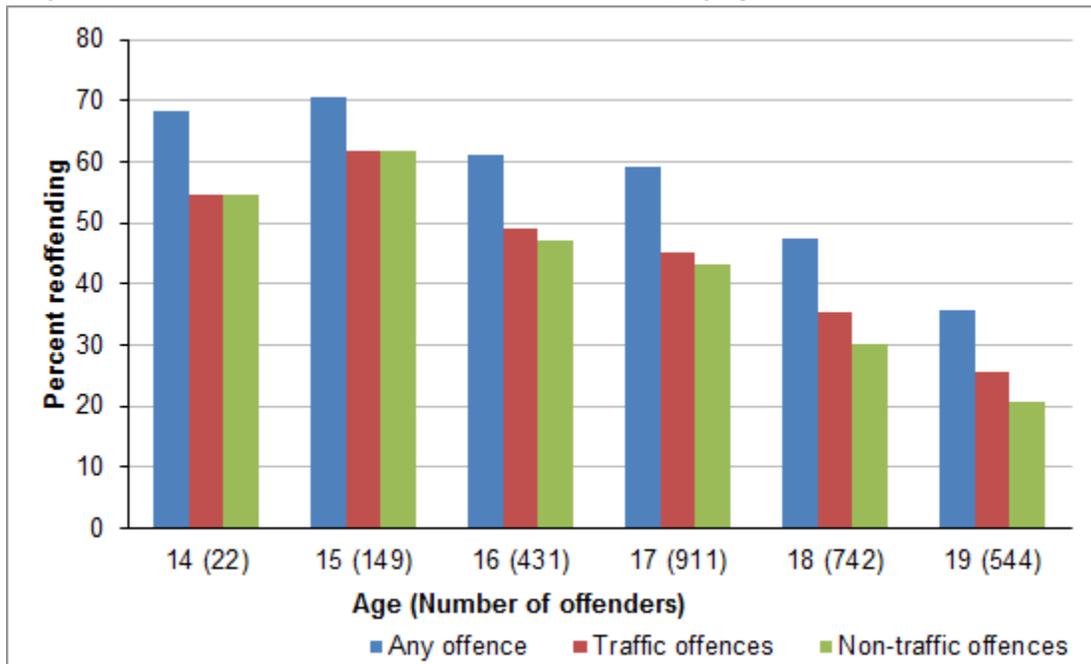


Fig 35 shows that:

- 68% of the twenty two 14 year old other traffic offenders where this was their first offence in a Court, re-offended within 5 years for any offence, 55% re-offended within 5 years for any traffic offence; while 55% re-offended for a non-traffic offence within 5 years.
- 61% of the four hundred and thirty one 16 year old other traffic offenders where this was their first offence in a Court, re-offended within 5 years for any offence, 49% re-offended within 5 years for any traffic offence; while 47% re-offended for a non-traffic offence within 5 years.
- 36% of the five hundred and forty four 19 year old other traffic offenders where this was their first offence in a Court, re-offended within 5 years for any offence, 26% re-offended within 5 years for any traffic offence; while 21% re-offended for a non-traffic offence within 5 years.

The high variability between age groups reflects the very small numbers of 14-16 year old offenders represented in the re-offending data.

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.

Section 3: New Zealand Transport Agency Data

Whilst the data from NZTA does not directly relate to pathways to the criminal justice system, data on crashes, demerit point accrual and disqualifications may have the ability to be used in building a model for predicting crash risk.

Table 8: The number of disqualifications recorded on the Driver Licence Register to drivers aged 15-19 years as at conviction date 2009-2013

Precedent code group ⁴⁸	Licence status at time of disqualification	2009	2010	2011 ⁴⁹	2012	2013	Total
	A Series - Alcohol Related Offences	Current	5050	4344	3480	2227	1777
Other ⁵⁰		1130	975	933	784	568	4390
B Series - Duties and Obligations	Current	93	115	109	67	76	460
	Other	35	62	64	84	66	311
D Series - Manner of Driving	Current	1666	1337	1030	694	524	5251
	Other	459	379	320	297	245	1700
L Series - Driver Licence and Vehicle Licensing Offences	Current	786	613	353	138	80	1970
	Other	1932	1630	1478	1399	1133	7572
Other offences attracting disqualification	Current	211	125	79	43	40	498
	Other	79	67	60	24	29	259
Total		11441	9647	7906	5757	4538	39289

From 2009-2013 54.1% of disqualifications for drivers aged 15-19 are for alcohol related offences. 63.7% of youth drivers held a 'current' licence status at the time of their disqualification. Disqualifications have fallen by 60.3% from 2009 to 2013 (table 8).⁵¹

⁴⁸ Traffic Offences are listed by precedent codes. These are broken down alphabetically into series. A series includes all licence disqualifications involving a wide range of alcohol and/or drug driving offences

⁴⁹ 1 August 2011 age for obtaining a driver licence increased from 15 to 16 years.

⁵⁰ The licence status 'Other' includes the following: Cancelled, Disqualified, Expired, Limited, Reinstated, Requalified, Revoked, Surrendered, Suspended.

⁵¹ It is worth noting that in the same timeframe licensed youth drivers fell by 30% (see fig 1).

Table 9: Total number of demerit⁵² suspensions⁵³ served to drivers aged 15-19, 2009-2013

Year demerit suspension served	Total
2009	6189
2010	6496
2011	5912
2012	5584
2013	4737
Total	28918

As can be observed from Table 9 (above) demerit suspensions for drivers aged 15-19 have fallen by 23.5% since 2009. However, if considered relative to numbers of youth licensed in the driving population at these times⁵⁴ there has been only a slight increase in this indicator (from 3% in 2009 to 3.3% in 2013).

Table 10: Total number of offences incurring demerit points recorded to drivers aged 15-19 as at offence date 2009-2013

Precedent code group	2009	2010	2011	2012	2013	Total
A Series - Alcohol Related Offences ⁵⁵	3528	2838	2825	2451	1833	13475
B Series - Duties and Obligations	425	383	309	227	138	1482
D Series - Manner of Driving	3515	2822	2295	1652	1310	11594
E and G Series - Speeding	27812	21857	17450	14577	13227	94923
F Series - Driver Duties and Obligations	2891	2294	1622	1322	1229	9358
L Series - Driver Licence and Vehicle Licensing Offences	49643	50450	49129	44115	43321	236658
N Series - Vehicle Related Offences	730	733	604	599	584	3250
Other	966	1401	910	640	570	4487
Total	89510	82778	75144	65583	62212	375227

Driver licensing and vehicle licensing offences accounted for 63% and speeding 25.3% of offences incurring demerit points recorded to drivers aged 15-19, 2009-2013 (Table 10).

⁵² Information on demerit points can be available at: <http://www.nzta.govt.nz/licence/offences-penalties/demerit.html>

⁵³ Suspension information available at <http://www.nzta.govt.nz/resources/factsheets/55/driving-offences.html>

⁵⁴ See Fig 1 page 15.

⁵⁵ A new infringement offence carrying 50 demerit points was introduced for low alcohol level offences on the 7th of August 2011 when the zero limit for young drivers came into force. The new infringement offence has an infringement fee of \$200 as well as 50 demerit points.

Table 11: Injury crashes between 1 January 2009-31 December 2013 where the driver was at fault and aged between 15-19 years (inclusive)

Crash Severity	Driver licence status as at crash date			
	Current	No match ⁵⁶	Others ⁵⁷	Total
Fatal	113	51	6	170
Serious	757	354	40	1151
Minor	3955	1573	146	5674
Total	4825	1978	192	6995

The above Table 11 shows data on 'at fault' driver crashes between 2009-2013 calendar years involving drivers aged 15-19, and their licence status at time of crash, broken down into crash severity – minor injury, serious injury and fatal. 66.5% of fatal crash drivers held a current licence status, 69.7% of minor crash drivers held a current licence status and 65.8% of serious crash drivers held a current licence status.

Table 11 also shows that there are very high proportions of people involved in the injury crashes who could not be matched for a licence (fatal:30%; serious: 30.7%; minor:27.7%).

⁵⁶ The licence status grouping 'No match' refers to records where: No licence number was provided to match to the Driver Licence Register (DLR), no record was found where the licence number AND date of birth AND last name was an EXACT match to DLR, the driver was never licensed, the driver was an overseas licence holder.

⁵⁷ The licence status grouping 'Others' include the following licence statuses: Inactive or Cancelled (refer to licence status where the licence is a pseudo licence, or where we receive notification on the same day that the licence holder is deceased (from a fatal crash)), Expired, Disqualified, Suspended, Limited, Reinstate, Requalify, Revoked.

Information Sharing and Data Limitations

The engagement and cooperation of the government agencies and departments involved in this project was vital and without the oversight and input of the Reference group this comprehensive review of the relevant data on youth traffic offending and offenders in New Zealand over the period 2009-2013 would not have been possible.

The expertise and knowledge of the analysts involved from all the agencies was also vital in identifying the most relevant datasets that would provide the most useful information. Anomalies in the data were resolved by inter-agency collaborative effort. Regular meetings of these analysts, to identify where different agencies may be able to data share more effectively, would be of great benefit.

Meetings between the research team and Reference Group to discuss data sources and initial data analysis were both involved and enlightening. The findings of the draft reports were disseminated and shared with other government agencies. This led to discussion and input from government departments outside the Reference Group such as the Accident and Compensation Corporation (ACC). At subsequent meetings the reference grew to involve other government organisations with a vested interest in the project. A final meeting of the Data Gathering Phase 1 findings, involved representatives and policy makers not only from the Reference Group but also; Child Youth and Family (CYF), the Ministry of Social Development (MSD) and The Treasury. A provider of rehabilitation to youth traffic offenders in New Zealand also presented at the meeting and talked of their experience with youth traffic offenders. The engagement and discussion following the meeting concerned not only factors involved in youth traffic offending but more broadly the characteristics of youth offending that are different from adult offending. Some of these differences were commented on as involving factors such as risk-taking, peer and family influence and brain development. The involvement and comment of the international community on the draft papers was also a key component in identifying key areas of research and statistical analysis.

Due to the project's time constraints the data used in this paper concerns total youth figures nationally. Specific demographic and regional information will be provided, where available, in the further reports on the key areas identified as further work-streams. While there were no major barriers to the identification of datasets, the key observed limitations to the data reviewed were as follows.

The time constraints disallowed the data to be broken down to individual calendar years to take into account the legislative changes (see page 12, most significantly the increase in the driving age in 2011) that impact upon all the data contained in this paper. For example material such as that in Figure 1 could be considered in two phases: 2009 – 2011 (with a statistical correction to the latter related to the August 2011 legislative change in number of young drivers); and the second that includes the two full years under the new system 2012 – 2013, taking into account that these figures exclude the 15 year old population that would have been represented in the 2009, 2010 and early 2011 figures.

The data shows a relatively high figure related to 'Unlicensed Driver Compliance' (page 50) and this data could have been examined by year given the changes in licensing. As referenced throughout the report there is a need to ensure that the future use of these statistics takes account of the major cohort effects documented in the data on the changes over time due to the changes in licensing regulations for the young novice driver. This was outside the range of the present report analysis but needs to be strongly and directly noted in all use of these data.

A further important analysis could have been provided that compared the outcomes of the categories of first offences in terms of types of offence committed at re-offending. The initial data gathered reveals numerous possible research projects that will be discussed by the researchers and Reference group to inform on further work- streams.

Information on the nature of the GDLS breaches (curfew, passenger, unsupervised driving or in combination) is available but due to time constraints was not reported.

Compliance figures do not record the total use of compliance, only those with positive outcomes. Those who do not comply are simply passed on to be dealt with through the usual system. The data excludes infringements and offences where age information is missing. For the 2013 data this meant excluding 128,061 infringements/offences out of 1,574,970, or about 8%. There is no information on why the age was not recorded. The use of Police Compliance was not recorded on the police databases as an outcome until 2010.

Alcohol interlocks and youth traffic offending programmes as sentencing options were not specifically recorded and their use at sentencing was not available in the data. Further research on alternative sentencing options is part of later phases of the Youth Traffic Offending Project.

Addendum paper: Collection of Fines

During the review of Court outcomes data within this paper it became apparent that no information was available on fines referred to Court by outcome. On investigation a new data base was revealed held by the 'Collections' Unit of the Ministry of Justice. Due to the timeframes available it was decided not to research this area at this stage of the data gathering. This information has now been reviewed and has been added as an addendum. The data from Collections uses the Australian and New Zealand Standard Offence Classification (ANZSOC) system of classification and direct links to the 'Fatal Five' and 'Other' classification system used in Section 1 of the main paper have not been identified.

Discussion

This is a comprehensive review of the relevant data on youth traffic offences and offending in New Zealand over the period 2009-2013. It documents and organises a unique and detailed set of data within the context of the relevant regulation and legislative information. The report has been able to focus on the overlapping areas of licensing, offending and offenders. This could only have been undertaken with a collaborative and supportive association with all relevant government departments involved.

This is an exhaustive review of offence statistics and associated legislative changes related to young people aged 14-19 years over the period 2009-2013. The supplementary data contained in the addendum paper provides material on fines referred to Court for collection and also includes information on their outcomes.

Obtaining these data and completing the associated analyses has been a major task. The collaborative involvement of government agencies and analysts has been commented on in the previous section but it cannot be emphasised enough how critical this was to the project. Recognition needs to be given to all those involved who have achieved this. It is hoped that this 'Whole of government' involvement in the project will continue and grow as the project progresses.

Outside the direct scope of this study the findings of declining offending (page 44, in particular Fig 25) need to be examined in more detail to attempt to explain the reductions overall of both youth and adult traffic and non-traffic offending. Reviewing the data on first proved offending (i.e. serious offences that require a Court outcome and include all Court types), we see significant reductions. These reductions flow through all the data and also include significant reductions in all traffic offending including adults. We have not, at this stage, proposed any explanation of these reductions but discussions with the Reference Group and the analysts involved in the project commented that the use of Policing Excellence (PE)⁵⁸ could play a major role in this phenomenon.

PE is the largest, strategically significant and operationally relevant change programme undertaken by New Zealand Police to date. PE changed the face of policing in New Zealand, shifting the emphasis away from being predominantly reactive and offender focused, to being proactive, prevention and victim focused, resulting in a more modern, mobile and accessible police service.⁵⁹

Further information and explanation may become available for the next stages of reporting. This is an area that clearly needs input and advice from the Reference Group.

The data contained in the paper shows that 54% of first time youth traffic proved offending 2009-2013 and 53% of total youth traffic cases at Court 2009-2013 are alcohol related. From 2009-2013 54.1% of

⁵⁸ For further information go to <http://www.police.govt.nz/about-us/programmes-initiatives/policing-excellence> last accessed 29/6/2015.

⁵⁹ Reproduced from NZ Police (2014). Page 7.

disqualifications for drivers aged 15-19 are for alcohol related offences. From 2009-2013 there was a 22% drop in adult convictions and a 50.5% drop in drink/drug driving convictions recorded for youth. The early impact of the introduction of the youth zero alcohol limit are reflected in the data contained in this paper and could provide an opportunity for an early evaluation of the zero limits effectiveness. Further detailed information on youth drink and drug driving in New Zealand would be desirable.

It is suggested that the declining traffic offending in all categories provides support for the changes made to youth driver licensing in New Zealand. Further research, to include crash rates, would provide greater evidence of this.

The data shows that Infringements are the largest component of the records on youth traffic offending. The majority of infringement fines imposed are referred to Court unpaid. From 2009-2013 86.4% of the fatal five category 'other' youth traffic offences resulted in an infringement offence, including Warrant of Fitness and Vehicle Licence/Registration offences. Of these 88.4% were referred to Court unpaid. 68.3% of all total infringements are referred to 'Collections'. A review of the use of infringements and the payment methods involved may be of benefit in informing on its efficacy as a response to youth traffic offending.

As mentioned in the previous section, during the review of Police traffic offences outcomes data it became apparent the databases available had no information on fines referred by PIB unpaid to Court for collection. Because this was the most common outcome for all infringement fees, its omission was significant. On investigation, a new database held by the 'Collections' Unit of the Ministry of Justice was made available for research. This information has now been reviewed and has been added as an addendum to this paper.⁶⁰ Detailed information on the fines referred to Court for collection can be found in this document. The main findings of this addendum were that:

From 2009-2013 84.6% of referrals to Collections were police infringement fine referrals. The amount of monetary fines imposed for collection for the Police infringements referred to Collections in 2009 was \$42,054,645. By 2014, 54% of this total had been paid, 41% had been remitted⁶¹ and 5% was still outstanding. Of the total monies imposed for collection for Police infringements referred to Collections in 2009: 27% was paid by 2010, 26% was paid from 2011-2014. 24% of the monies imposed were remitted in 2009/2010 and 16% of the total monies owed were remitted from 2011-2014. 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. It may be of benefit to further research the Collections data.

The Graduated Driver Licence System was introduced to reduce the exposure of inexperienced drivers to high risk situations.⁶² Graduated driver licence breaches account for 72% of all youth High Risk Driving

⁶⁰ Waters, 2015

⁶¹ See page 18 of Addendum for information on remittance.

⁶² Begg et al, 1995.

Offences for 2009-2013 (212769 offences), 26.9% of all youth traffic offences 2009-2013 and 3% of total youth and adult traffic offences 2009-2013.⁶³ From 2009-2013 97.1% of youth graduated driver licence breach offences resulted in an infringement offence of which 72.8% was referred to Court unpaid. Further research on the use of the infringement based response for GDLS breaches and information on international initiatives/interventions regarding this type of offending would be desirable.

The first time youth traffic offender re-offending rates, though numbers low, are high and the effectiveness of the current penalties regime for our cohort of offenders may benefit from a review. It is suggested that the current use of rehabilitative efforts and technologies, such as alcohol interlocks, as a sentencing option for our cohort of offender should be reviewed. An international literature review of initiatives/interventions used for youth traffic offenders across all traffic offence types may provide useful information for any such reviews undertaken.

Regarding the question 'Is traffic offending a leading path into the criminal justice system for young New Zealanders?' If the term path is used as a first appearance at Court then the data contained in this paper would suggest that the answer is yes. With 41% of all proved first offending being traffic offences in 2009 and 46.4% in 2013.

There has been no attempt to answer the question 'Are there more effective interventions than standard penalties at reducing re-offending and improving road safety outcomes?' in this, the Data Gathering phase of the project. However this data analysis stage of the project has revealed data that with further research may be able to inform regarding this question and recommendations for further work-streams are contained in the recommendations for further research (following page).

It is suggested that all further research work-streams of this project should include corrections for legislative changes and specific demographic, ethnical and regional information should also be provided, where available.

Whilst it was not within the aims and purposes of this phase of the 'New Zealand Youth Traffic Offences and Traffic Offending Project' to propose any hypotheses or suggest any rationale or reason to explain the data contained within this paper in detail, it would be of significant value if such an undertaking was considered.

⁶³ See page 43.

Recommendations for Further Research

It is the recommendation of the researchers that the following areas be investigated further. The further research would look more closely at these areas in detail and also investigate the international experience of countries with similar socio- economics to identify if similar areas have been researched and to report on any conclusions found.

- **Youth Drink/Drug Driving**
Detailed regional research on youth drink/drug driving is necessary. The current use of interventions/rehabilitation needs to be researched. International research on interventions/initiatives used to positive effect
- **Infringements**
Effectiveness of infringement based response need to be researched.
- **Graduated Driver Licence Breaches**
Research needed on effectiveness of GDLS breach infringement based response and investigation on possible alternatives. Unlicensed or never licensed driving could also be included in this research. Analysis of detailed regional data on GDLS breach offending
- **Driving Causing Death or Injury Offences**
The 'other traffic offences' (Fig 29) contributing to the large number of deaths and injuries offences should be investigated further
- **Demerit point accrual and crash risk/ predictive modelling**
The attainment of a predictive model to attempt crash reductions for young drivers is a worthy goal and should be investigated
- **Data integration and integrity**
A meeting of Data analysts from relevant stakeholders/agencies should be undertaken to discuss data limitations and ability to data share effectively. A detailed review of the data within this paper and proposed hypotheses would also be desirable
- **Literature Review**
International literature review of initiatives/interventions used to tackle youth driving offending
- **Collections data**
It may be of benefit to further research the Collections data to attempt to identify any correlation between offence types and payments made, as well as any correlation between fine amounts imposed and payments made. Follow up on the outcomes of alternate sentences that were imposed, i.e. community work, after fines were remitted may also provide good information

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⁶⁴ The 2010/11 Road Policing Programme (RPP) is a variation of the 2009/12 RPP. It was prepared by the NZ Transport Agency, and approved by the Minister of Transport in consultation with the Minister of Police, in accordance with section 18 of the Land Transport Management Act 2003.

Appendix

Information on data sources used in project

Police Data

The data contained in this section has been retrieved from the **Police Infringement Processing System** (PIPS) and the **National Intelligence Application** (NIA). The workbooks formed from these databases give the breakdown of youth and adult infringements and offences for the years 2009-2013 also broken down by the type of resolution.

Information Included

All infringements and offences for offenders aged 14 or more. An infringement can be resolved by the payment of a fee whereas offences are referred to Court. However, an infringement may also be referred to Court if, for example, the fee is not paid, or if it is associate with more-serious offences being referred to Court.

Camera-issued infringements are also included.

Excluded:

Parking infringements

Stickers (pink/green)

A green sticker, which directs that the vehicle is not to be driven on a road, may be issued to the driver or owner of a vehicle by an enforcement officer who believes on reasonable grounds that a vehicle does not comply with the provisions of the regulations or rules, or that a vehicle was operated with unnecessary exhibition of speed or acceleration or sustained loss of traction. At the discretion of the enforcement officer, the green sticker notice will remain in force until:

- a) the vehicle has been inspected and a new Warrant of Fitness (WoF) or Certificate of Fitness (CoF) has been issued, or
- b) the enforcement officer has been notified in writing that the vehicle is now compliant (this type of green sticker is often referred to as 'discretionary green sticker' or 'G2 sticker').

A new WoF or CoF is not required, however, instead of notifying the enforcement officer in writing, the vehicle driver/owner may choose to obtain a new WoF or CoF, which will automatically remove the flag from the NZ Police system.

A pink sticker, which directs that the vehicle is not to be driven on a road, may be issued to the driver or owner of a vehicle by an enforcement officer who believes on reasonable grounds that a vehicle is not in a safe condition to be driven on a road. A pink sticker will remain in force until the vehicle has been inspected and a new WoF or CoF has been issued.⁶⁵

⁶⁵ <http://vehicleinspection.nzta.govt.nz/virms/in-service-wof-and-cof/introduction/inspection-and-certification-process/duties-and-responsibilities>

Warnings

The Written Traffic Warning trial was introduced in July 2010, initially in Wellington and later in districts within the greater Auckland region. Roll-out to all districts commenced on 30 March 2014, but the required training material was not fully available until 18 June 2014.

Driver licence Stop Orders (DLSO)

If you have outstanding traffic related fines or reparation, the Ministry of Justice (MoJ) may impose a driver licence stop order and suspend your driver licence. The use of DLSO began in 2014 and not enough time has passed for any worthwhile information to be gathered for this stage of the project.

Age

The data excludes infringements and offences where age information is missing. For the 2013 data this meant excluding 128,061 infringements/offences out of 1,574,970, or about 8% (the remaining 25 were 13-year-olds). There is no information on why the age was not recorded. The youth age group refers to 14-19 yrs old inclusive. 20 and older are classified as adults in this data.

Provisional Data

Please note that this reply contains provisional data which is drawn from a dynamic operational database. This is subject to change as new information is recorded or recoded.

Referral of fees to Ministry of Justice

The monetary penalty recorded on an infringement notice is referred to as an 'infringement fee'. If the infringement fee is not paid in full by the due date, it is referred to the Ministry of Justice for enforcement of a 'fine'. This is at the 71 days after the notice i.e. 56 days plus another 15 day to allow for late returns from the second notice. Police do not record whether the infringement fees referred to Ministry of Justice are paid, remain outstanding, or whether the requirement to pay the fee has been withdrawn.

Table 12: Category 'other' traffic offences (Police)

Offence description
Failure To Obey Officer
Failure To Fulfil Duties After Accident
Owner Failing To Supply Information
Warrant Of Fitness
Certificate Of Fitness
Exceeded Certificate Of Loading
Cng & Lpg Offences
No Distance Licence Carried
Other Distance Licence Offences
Exceeded Licensed Weight
False Or Misleading Particulars
Breach Of Traffic Signals Camera Offence
Transport Services Licensing Offences
Offences Against Rental Service Rules
Offences Against Hazardous Substances Rules
Transport Service Licensing And Passenger Service Offences
Driver I.D. Card Offences
Vehicle Licence And Registration
Noisy Motor Vehicle
Excessive Smoke
Loading Offences
Other Nuisances
Restrictions Affecting Trailers
Breaches Of The Heavy Vehicles Rule
Other ByLaw Offences (R500)
Other ByLaw Offences (R600)
Defective Brakes
Lighting Offences
Failure To Dip Lights
Mech Defective Vehicle
Trailer Offences
Vehicle Identification Number Offences
Vehicle Standards Offences

Table 13: Other youth traffic offences by offence numbers 2009-2013

Offence description	2009	2010	2011	2012	2013	Total
Warrant Of Fitness	23471	18887	15093	12841	11698	81990
Vehicle Licence And Registration	18503	14543	14037	12626	11933	71642
Failure To Obey Officer	3526	2260	1627	1268	940	9621
Mech Defective Vehicle	1980	1425	897	496	388	5186
Vehicle Standards Offences	607	457	284	263	151	1762
Failure To Dip Lights	481	378	241	199	195	1494
Noisy Motor Vehicle	725	316	173	99	91	1404
Lighting Offences	345	326	184	136	113	1104
Trailer Offences	354	285	191	122	86	1038
Other Distance Licence Offences	333	265	246	99	0	943
Failure To Fulfil Duties After Accident	225	203	148	112	102	790
No Distance Licence Carried	6	4	0	166	434	610
Owner Failing To Supply Information	107	109	79	80	53	428
Other ByLaw Offences (R500)	144	40	43	31	39	297
Breach Of Traffic Signals Camera Offence	155	66	2	8	28	259
Certificate Of Fitness	84	45	32	34	38	233
Vehicle Identification Number Offences	39	37	25	24	26	151
Transport Services Licensing Offences	15	14	14	18	33	94
Loading Offences	19	15	23	15	12	84
Other Nuisances	25	22	13	13	10	83
Excessive Smoke	18	16	20	10	11	75
Defective Brakes	28	13	13	4	10	68
Other ByLaw Offences (R600)	18	6	5	3	17	49
Restrictions Affecting Trailers	13	9	3	2	1	28
False Or Misleading Particulars	4	2	1	2	0	9
Offences Against Hazardous Substances Rules	2	2	1	0	4	9
Exceeded Certificate Of Loading	2	3	3	0	0	8
Driver I.D. Card Offences	1	0	0	0	2	3
Offences Against Rental Service Rules	0	1	2	0	1	4
Breaches Of The Heavy Vehicles Rule	0	1	0	1	0	2
Exceeded Licensed Weight	0	2	0	0	0	2
Cng & Lpg Offences	2	0	0	0	0	2
Transport Service Licensing And Passenger Service Offences	0	0	0	0	1	1

*Youth Pedestrian and Bicycle offending were not included in the above table

Court Data

1. Analysis of breakdown of Court penalties and sanctions issued/ completed for offences that are traffic related, by offence, from 2009 to 2013, for ages 14 to 19.

Cases are defined as all charges with the same charge outcome date

The most serious offence associated with each case is firstly determined by penalty imposed. If 2 or more offences have the same penalty imposed, then the most serious offence is determined by the MoJ seriousness score.

Only includes cases where the year of the charge outcome date was between 1 January 2009 and 31 December 2013 All data is final.

Number of traffic offence cases for individuals aged 14 to 19 from 2009 to 2013, by case outcome, offence group and sub-group. Number of cases where a traffic offence was the lead offence in the case.

Offence Groupings

Offence group of most serious offence- based on Top 30 offences analysis classifying offences into groups based on numbers in prison in 2008 and updated in October 2014.

Outcome of case

Outcomes 01-10 are convictions:

:

- Imprisonment
- Home Detention, Other custodial
- Community Detention
- Intensive Supervision
- Community work
- Supervision
- Monetary
- Deferment
- Other
- Discharge

Outcomes 11-12 are proved outcomes but not convicted:

- Youth Court Sentence
- Discharge without conviction

2. First-time young offenders by offence 2009 to 2013

Analysis of number and percent of first-time youth Court offences that are traffic related, by offence, from 2009 to 2013.

First offence is based firstly on the first time a young person was proved to have offended while aged between 14 and 19, in the Youth, District or High Court.

Time of offence is determined by charge outcome date. For example, if a person had a case finalised on 3 July 2010 for burglary, aged 17, but the charge was withdrawn, then had a case finalized on 3 July 2011 for drink driving, aged 18, and was convicted, this would be recorded as: Year = 2011; age = 18; offence group=Drink/Drug driving.

The most serious offence associated with each person is firstly determined by penalty imposed. If 2 or more offences have the same penalty imposed, then the most serious offence is determined by the MoJ seriousness score.

Only includes cases where the year of the charge outcome date was between 1 January 2009 and 31 December 2013. All data is final.

3. Re-offending rates Youth Traffic

First offence is based firstly on the first time a young person was proved to have offended while aged between 14 and 19, in the Youth, District or High Court, and where the first offence was a traffic offence. Time of offence is determined by charge outcome date. For example, if a person had a case finalised on 3 July 2010 for burglary, aged 17, but the charge was withdrawn, then had a case finalised on 3 July 2011 for drink driving, aged 18, and was convicted, this would be recorded as: Year = 2011; age = 18; offence group=Drink/Drug driving.

The most serious offence associated with each person is firstly determined by penalty imposed. If 2 or more offences have the same penalty imposed, then the most serious offence is determined by the MoJ seriousness score.

Only includes cases where the year of the charge outcome date for the first offence was between 1 January 2008 and 31 December 2008. All data is final.

Time to new offence is based on time between the charge outcome date for the first traffic offence and offence date for all subsequent offences. Offences occurring within x years are counted outcome date was within x and 6 months of the first charge outcome date. For example:

- 18 months after the charge outcome date for the first prosecution for 12 month re-offending rates
- 2 years and 6 months after the charge outcome date for the first prosecution for 2 year re-offending rates
- 3 years and 6 months after the charge outcome date for the first prosecution for 3 year re-offending rates...etc

The data was provided by 5 status categories:

- Proved Re-offending (Cases)
- Proved Re-offending (Charges)
- Individuals Convicted
- Individuals Re-offending
- Individuals Prosecuted

After consultation with data analyst at Ministry of Justice it was decided that the category 'Individuals re-offending' would provide the most useful and relevant data.

NZTA Data

Please note, the data for table 8 (licence status at time of disqualification) is limited to:

- The sentence type 'Driving Disqualification' where the conviction date of the disqualification is between 1 January 2009-31 December 2013

- Count of disqualifications, not the number of people disqualified
- The licence status 'Other' includes the following licence status:
 - Cancelled
 - Disqualified
 - Expired
 - Limited
 - Reinstate
 - Requalify
 - Revoked
 - Surrendered
 - Suspended

(Please note that the status refers to the licence status at the time of the disqualification conviction date, not the offence date)

- The following licence types:
 - o Standard
 - o Diplomatic
- Drivers aged 15-19 years as at disqualification conviction date
- Licence status is as at disqualification conviction date
- Data is limited to disqualifications recorded on the Driver Licence Register as at 15 October 2014
- Figures are as at 15 October 2014

Please note, the data for Table 9 (demerit suspensions) is limited to:

- The sentence type 'Suspended Licence' where the suspension start date is between 1 January 2009-31 December 2013

- Count of demerit suspensions, not the number of people suspended
- The following licence types:
 - o Standard
 - o Diplomatic
- Drivers aged 15-19 years as at suspension start date

Data is limited to demerit suspensions recorded on the Driver Licence Register as at 15 October 2014

- Figures are as at 15 October 2014

Please note, the data for Table 10 (offences incurring demerit points) is limited to:

- Offences incurring 10-50 demerit points recorded on the Driver Licence Register as at 15 October 2014

- Offences where the offence date is between 1 January 2009-31 December 2013
- Count of the number of offences, not the number of people who offended
- The following licence types:

- o Standard
- o Diplomatic
- Drivers aged 15-19 years as at offence date
- Figures are as at 15 October 2014

The data for Table 8 is limited to disqualifications recorded on the **Driver Licence Register** as at 15 October 2014

- The data for Table 9 is limited to demerit suspensions recorded on the **Driver Licence Register** as at 15 October 2014
- The data for Table 10 is limited to offences incurring 10-50 demerit points recorded on the **Driver Licence Register** as at 15 October 2014

The data for Table 11 is originally from the Crash Analysis System, but with some records matched to the Driver Licence Register (please refer to the caveats in the first tab for a full list of limitations).

As for a brief description of each precedent code grouping, they are as follows (please note, these are also recorded in the spreadsheet):

Please note:

- Data is limited to injury crashes from the Crash Analysis System (CAS) where the crash severity is recorded as Fatal/Serious/Minor where:

- o The driver was at fault/primarily at fault/partly at fault

- o The driver was aged 15-19 years (inclusive) at the time of the crash (as recorded on the Crash Analysis System)

- o The crash date is between 01 January 2009-31 December 2013 (inclusive)

- The data from CAS is matched to the Driver Licence Register (DLR) by the following EXACT matches:

- o Licence number AND

- o Date of birth AND

- o Last name (Surname)

- The licence status grouping 'Others' include the following licence statuses:

- o Inactive or Cancelled (refer to licence status where the licence is a pseudo licence, or where we receive notification on the same day that the licence holder is deceased (from a fatal crash))

- o Expired

- o Disqualified

- o Suspended

- o Limited

- o Reinstate

- o Requalify

- o Revoked

- The licence status grouping 'No match' refers to records where:

- o No licence number was provided to match to the Driver Licence Register (DLR)

- o No record was found where the licence number AND date of birth AND last name was an EXACT match to DLR
- o The driver was never licensed
- o The driver was an overseas licence holder
- Figures are as at 3 November 2014

Addendum Paper

New Zealand Youth Traffic Offences and Traffic Offending
Phase 1 Data Gathering Addendum
Ministry of Justice 'Collections'



RIDNZ
KIDNZ

Researching impaired Driving in New Zealand
Gerald Waters 2015

Executive Summary

Aims and Objectives

This paper is an addendum to Phase 1 (data gathering) of the 'New Zealand Youth Traffic Offences and Offending Project'. Its purpose is to:

- identify relevant data sources;
- report on levels and outcomes of youth Police infringement traffic offences that were referred to the Ministry of Justice unit 'Collections' from 2009-2013;
- report on Collection outcomes of calendar year 2009 youth Police infringement traffic offence referrals 2009-2014; and
- provide an overview of the workings of the Ministry of Justice unit 'Collections'.

Methodology

Two workbooks were compiled by analysts at Collections:

- 1) youth (14-19 years) traffic offence fines and fees referred to Collections in the calendar years 2009-2013; and
- 2) follow up data on fines outcomes/resolutions for 2009. The 2009 follow up data workbook was also modified to provide data on remittals.

Section 1 of this paper identifies numbers and referral methods for youth traffic offences using the same timeframe, calendar years 2009-2013, and the same age group, 14-19 years, as those used in the data gathering phase of the main project. These referral methods to Collections can be classified as:

- Police Infringements;
- Court imposed fines;
- Other (Local Authority enforcement).

Section 2 of this paper selects the Police Infringement offences referred to Collections in 2009 and follows their referral outcomes through to 2014. This component of the research work provides information over that period on:

- Numbers of fines paid;
- Number of fines still outstanding;
- Any other outcomes or referrals back to court for alternative sentencing.

Data Limitations

The data from Collections use the Australian and New Zealand Standard Offence Classification (ANZSOC) system of classification and links to the 'Fatal Five and Other' classification system used in section 1 of the main paper have not been made.

Key Findings

- From 2009-2013, 84.6% of referrals to Collections were Police infringement fine referrals.
- The amount of monetary fines imposed for collection for the 126234 Police infringements referred to Collections in 2009 was \$42,054,645.
- By 2014, 54% of the total monies imposed for Police referred infringements to collections in 2009 had been paid, 41% had been remitted and 5% was still outstanding.
- Of the total \$42,054,645 monies imposed for collection for Police infringements referred to Collections in 2009:
 - 27% was paid by 2010;
 - 26% was paid from 2011-2014
 - 24% of the monies imposed were remitted in 2009/2010; and
 - 16% of the total monies owed were remitted from 2011-2014.
- 55.5% of the Police infringement notices referred to Collections in 2009 were resolved in the following two years. That is, the fine had been paid in full, the remaining monies had been remitted or the whole fine remitted.
- 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.

Contents

Executive Summary	2
Glossary	6
Introduction	7
Collections	9
The Australian and New Zealand Standard Offence Classification (ANZSOC)	11
Section 1	
Fine Referral Types to Collections.....	12
Police Infringements	15
Court Imposed Fines	16
Local Authority Infringements	17
Section 2	
Resolutions of Police Infringement Offences Referred to Collection in 2009	18
Remittance.....	18
Resolution	20
Remittance and Alternative Sentences.....	22
Data Limitations	25
Discussion	25
Recommendations for Further Research	25
Appendix	26
Figures	
Fig 1: Number of fines referred to Collections by type of prosecuting authority 2009-2013	12
Fig 2: Referral offence numbers by prosecuting authority and year	14
Fig 3: Number of police infringements referred to Collections 2009-2013 by age	15
Fig 4: Number of court imposed fine referrals to Collections 2009-2013 by age.....	16
Fig 5: Number of local authority fines referred to Collections 2009-2013 by age	17
Fig 6: Outcome of fines imposed 2009 by 2014	19

Fig 7: Number of referred offences 2009 resolved by year.....	20
Fig 8: Resolved 2009 referred offences by year and by fine outcome	21

Tables

Table 1: Bicycle and pedestrian police infringement offences referred to Collections 2009-2013	11
Table 2: Total police Infringement ‘referred to court unpaid’ outcomes 2009-2013	13
Table 3: Police Infringement referrals ANZSOC classification	15
Table 4: Court imposed fine referrals by ANZSOC classification	16
Table 5: Local authority Infringement referrals by ANZSOC classification.....	17
Table 6: Percentage of total offences resolved by year	20
Table 7: Percentages of remittals and payments of resolved offences by year	21
Table 8: Remittal outcomes by type and year	24

Glossary

ANZSOC Australian and New Zealand Standard Offence Classification

CIF Court Imposed Fine

LOS Legal and Operational Services

PA Prosecuting Authority

Introduction

During the review of court outcomes for the 'New Zealand Youth Traffic Offences and Offending Project' it became apparent that no information was available on fines referred to court by outcome. On investigation a Ministry of Justice unit 'Collections' data base was revealed. The following is an addendum to the 'New Zealand Youth Traffic Offences and Offending Project'.

The largest response to youth traffic offences are fine based infringements. The vast majority of these are referred to court for non-payment and the level of non-payment varies with the type of offence. In order to clarify the data we have on youth traffic offences outcomes it is important to understand what happens to these fines.

- From 2009-2013:
 - 73.1% of youth dangerous/careless driving offences resulted in an infringement offence of which 50.2% were referred to court unpaid;
 - 98.9% of youth restraint offences resulted in an infringement offence of which 66.3 % were referred to court unpaid;
 - 89.1% of youth high risk driving offences resulted in an infringement offence of which 74.7% were referred to court unpaid;
 - 37% of officer issued speed infringements and 41.5% of camera speed infringements referred to court unpaid;
 - 86.4% of youth 'other' traffic offences resulted in an infringement offence. Of these 88.4% were referred to court unpaid;
- From 2011-2013:
 - 62% of drink driving infringement penalties incurred in 2011-2013 have been referred to court for non-payment.

Understanding what happens to these fines will provide unique further data for our insight into the efficacy of infringement based responses for youth traffic offences.

This addendum provides numbers referred to Collections and referral methods and an overview of the workings of Collections and information on those who pay their Police Infringement fines or other outcomes.

Section 1 of this paper will firstly identify numbers and referral methods for youth traffic offences using the same timeframe, 2009-2013, and the same age group, 14-19, as those used in the data gathering phase of the project. These referral methods can be classified as:

- Police Infringements;
- Court imposed fines;
- Other (Local Authority enforcement).

Section 2 of this paper isolates the Police Infringements referred to Collections offences from 2009 and follows the fines outcomes through to 2013. This component of the research work will give information on:

- Numbers of fines paid;
- Number of fines still outstanding;
- Any other outcomes or referrals back to court for alternative sentencing.

Collections

Collections is a business unit within the Ministry of Justice. Within the Ministry there are various Groups like Higher Courts, Legal and Operational Services (LOS), District Courts and Special Jurisdictions etc. Collections falls within LOS.

The Collections Unit of the Ministry of Justice is responsible for the collection and enforcement of fines, including Court-imposed fines, lodged infringements and reparation. They also provide enforcement services for unpaid civil judgements/orders at a creditor's request.

A fine can be an unpaid infringement fine (an infringement fine) that has been filed in court for collection or an amount of money a person has been ordered to pay as penalty for a criminal offence (a court imposed fine).

The Infringement Fine Process

Local councils, the Police, and other authorities (called prosecuting authorities) can issue an infringement fee for things like speeding or illegal parking. These prosecuting authorities send infringement reminder notices in the post explaining how to pay and, if necessary, how to dispute the infringement and also the due date for payment.

If the "infringement fee" is not paid in time, it gets lodged at Court for collection and it becomes a "fine". A court administration cost of \$30 is added to the original amount. A notice of fine informing that the fine has come to Court and there are 28 days to pay the new fine to the Court is issued. If this is not paid an enforcement action starts and an enforcement fee of \$102 is also added to the fine.

The Court Imposed Fine Process

A Judge can fine an offender in Court for an offence they have committed such as drink-driving, disorderly behaviour, or theft. The Judge may also make an order about how the offender must pay the fine. They get sent a notice of fine confirming the details of their fine, any additional costs and payment requirements.

As with Infringement fines, offenders have 28 days from the day the fine was ordered to pay it or make a payment arrangement with the Court. When enforcement action starts an enforcement fee of \$102 is also added to the fine.

From 17 February 2014, unpaid traffic fines or reparation could result in a driver licence suspension. This means offenders will not be able to legally drive in New Zealand or overseas. If offenders do not pay or make a payment arrangement by the due date, the Court can take enforcement action against them to collect the outstanding amount. The Court can:

- Make compulsory deductions from their wages, benefit or bank account;
- Seize and sell their property;
- Stop them from travelling overseas;
- Arrest them.

If any of the above enforcement actions are started, the Court adds an enforcement fee to each fine being enforced. From 1 July 2013 this fee is \$102.

In addition:

- Offenders could have their credit affected by having unpaid fines. This means they may not be able to buy items on hire purchase, as the Ministry of Justice passes details of unpaid fines to credit reporting agencies;
- The Ministry of Justice can also suspend driver licences for unpaid traffic fines and reparation. This means offenders will not be able to legally drive on New Zealand's roads. The suspension will remain in place until their fines are paid or a payment plan is set-up.¹

¹ Information on Court Collections retrieved from <http://www.justice.govt.nz/fines> (Last Accessed 11th of February 2015).

The Australian and New Zealand Standard Offence Classification (ANZSOC)²

The data from Collections uses the Australian and New Zealand Standard Offence Classification (ANZSOC) classification and groupings. This differs from the 'Fatal five and Other' categorisation groupings used to compile the Police data for the main paper. The individual offence codes are the same as those used by the Police but the group classifications are different. In the main paper Police Infringement data on pedestrian and bicycle traffic offences were easily identified and omitted from the research data. Whilst the pedestrian data was identified in the Collections data bicycle infringement offence data was not provided separately and the removal of this data was not easily achievable. This means that some offences that were removed from the Police data (bicycle offences) are included in the Collections data. To have comparable data from both Police and Collections the data from the Police workbook on pedestrian and bicycle infringement offences referred to Collections has been provided in Table 1.

Table 1: Bicycle and pedestrian police infringement offences referred to Collections 2009-2013

Bicycle offences	23738
Pedestrian offences	150
Total	23888

A review of the Police workbook used in the main paper identifies that from 2009-2013 there were 23,888 infringement referrals by Police to Collections for bicycle and pedestrian offence infringement referrals to Collections. These offences are not contained in the data presented in this addendum paper.

A full description of the ANZSOC Categorisation and its limitations, as used in our data gathering, can be found in the Appendix.

² Australian and New Zealand Standard Offence Classification (ANZSOC) 2011 (Third Edition) which can be found here: [http://www.ausstats.abs.gov.au/Ausstats/subscriber.nsf/0/5CE97E870F7A29EDCA2578A200143125/\\$File/123402011.pdf](http://www.ausstats.abs.gov.au/Ausstats/subscriber.nsf/0/5CE97E870F7A29EDCA2578A200143125/$File/123402011.pdf) (Last Accessed 10th Feb 2015).

Section 1

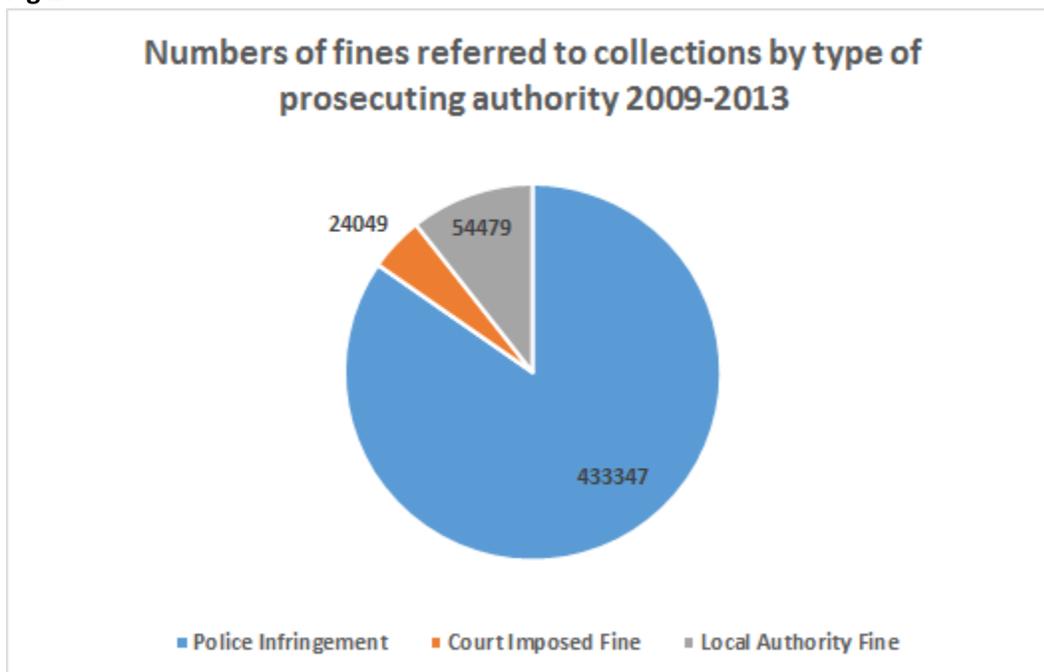
Fine Referral Types to Collections

There are three referral avenues or fine types by Prosecuting Authorities (PA) to Collections these are:

- Police Infringements;
- Court Imposed Fines;
- Local Authority Infringements.

Fig 1 shows that from 2009-2013 there was a total of 511,875 fines³ referred to Collections from the three prosecuting authorities. 4.6% of these fines were from Local Authority referrals, 10.6% were from Court imposed fine referrals and 84.6% were police infringement fine referrals.

Fig 1



In the main paper (Section 1 pages 18-21,) the number of Police offence outcomes 'Referred to court unpaid' were as follows in Table 4.

³ Includes pedestrian and bicycle offences (see page 11).

Table 2: Total Police Infringement ‘referred to court unpaid’ outcomes 2009-2013

Drink/drug driving	1,503
Dangerous/careless driving	24,309
Restraint offences	30,643
High risk driving	196,678
Speed	55,359
Other	158,363
Total	466,855

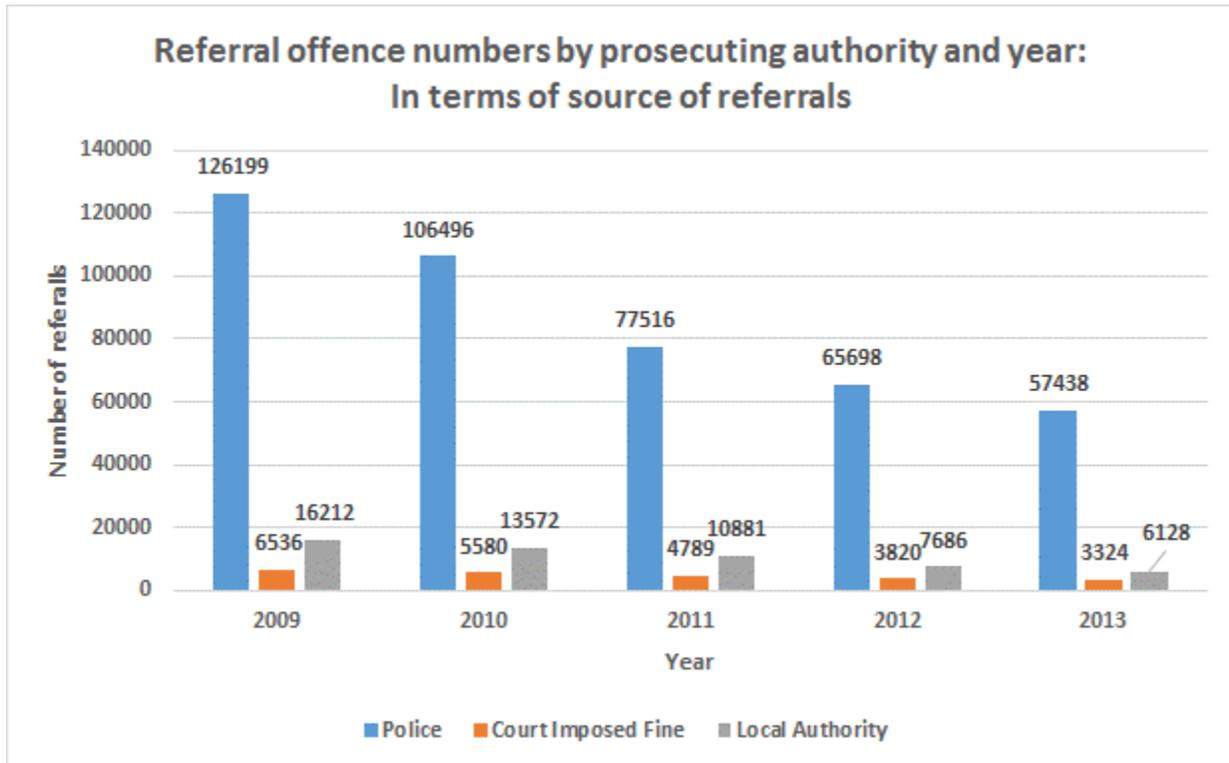
There is a difference of 33,380 offences referred to court as a Police infringement outcome and the number of Police infringement offence referrals recorded by the Collections data (Fig 1). This equates to 7% of the total Police infringements that were referred to Collections from 2009-2013. Also, as has been noted,⁴ the Collections data includes pedestrian and bicycle offences. The addition of these Police infringements referred to Collections (Table 1) increases the anomaly to 57,396 infringement offences referred to Collections by Police and not present in the Collections data. This raises the percentage of referrals from Police infringements to Collections that are unaccounted in the Collections data to 11.7% of the total referrals to Collections from Police infringements.

Analysts at both Police and Collections were advised and asked if they could provide any explanation for this anomaly. The main reason provided is that data provided by Police are based on the date of the offence. However, the Court Collections data are based on the date a fine is imposed by the court. As such, the two datasets are not directly comparable.

⁴ See page 11.

Fig 2 shows that all referrals to Collections by all Prosecuting Authorities have fallen since 2009. In 2009 Police referrals made up 84.7% and in 2013, 85.8% of all referrals to Collections. In 2009 Local Authority referrals made up 10.8% and in 2013, 9.2% of all referrals to Collections. In 2009 Court Imposed Fine referrals made up 4.3% and in 2013, 4.9% of all referrals to Collections.

Fig 2



As was highlighted in the main paper there were several Legislative changes⁵ that impact across all areas of the data gathering stage of the entire project.

⁵ See page 12 of main paper.

Police Infringements

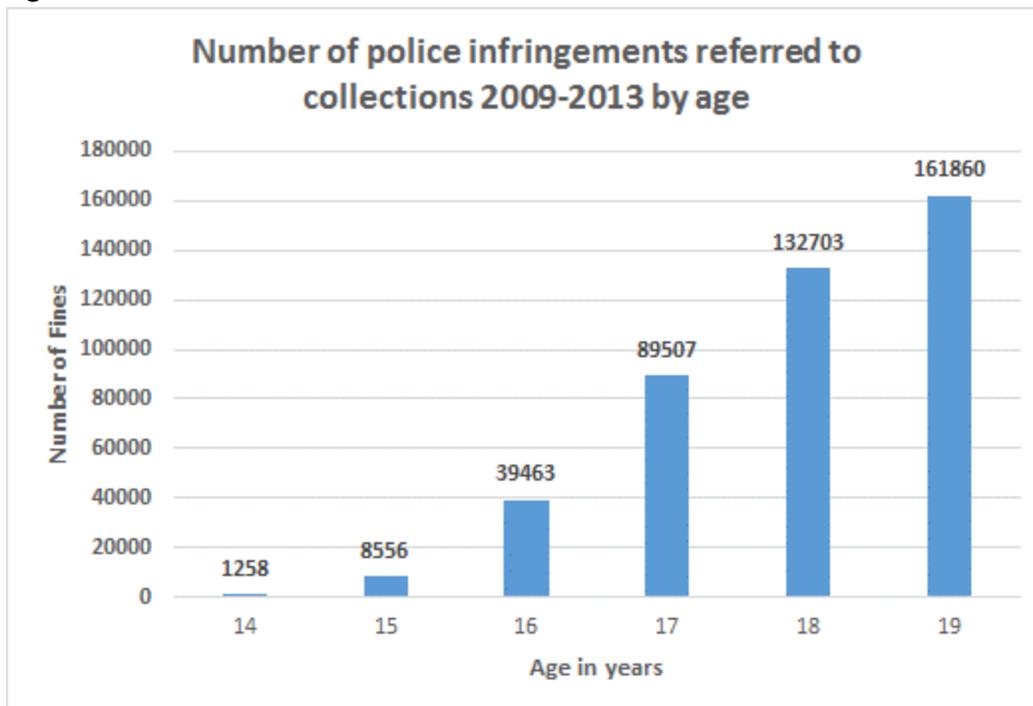
These are unpaid infringements referred to Collections by the Police. These would be covered in Section 1 of the main paper and would be those fines titled 'referred to court unpaid' in the Police outcomes data. The ANZSOC classification groupings of these infringement offences are as follows in Table 3.

Table 3: Police Infringement referrals by ANZSOC classification

Driver licence offences, nec⁶
Exceed the legal speed limit
Exceed the prescribed content of alcohol or other substance limit
Parking offences
Pedestrian offences
Registration offences
Regulatory driving offences, nec
Roadworthiness offences
Vehicle registration and roadworthiness offences not further defined

A breakdown of total Police infringements referred to Collections during this period is given in Figure 3 below.

Fig 3



⁶ Not Elsewhere Classified. See Appendix for classification descriptions.

Court Imposed Fines

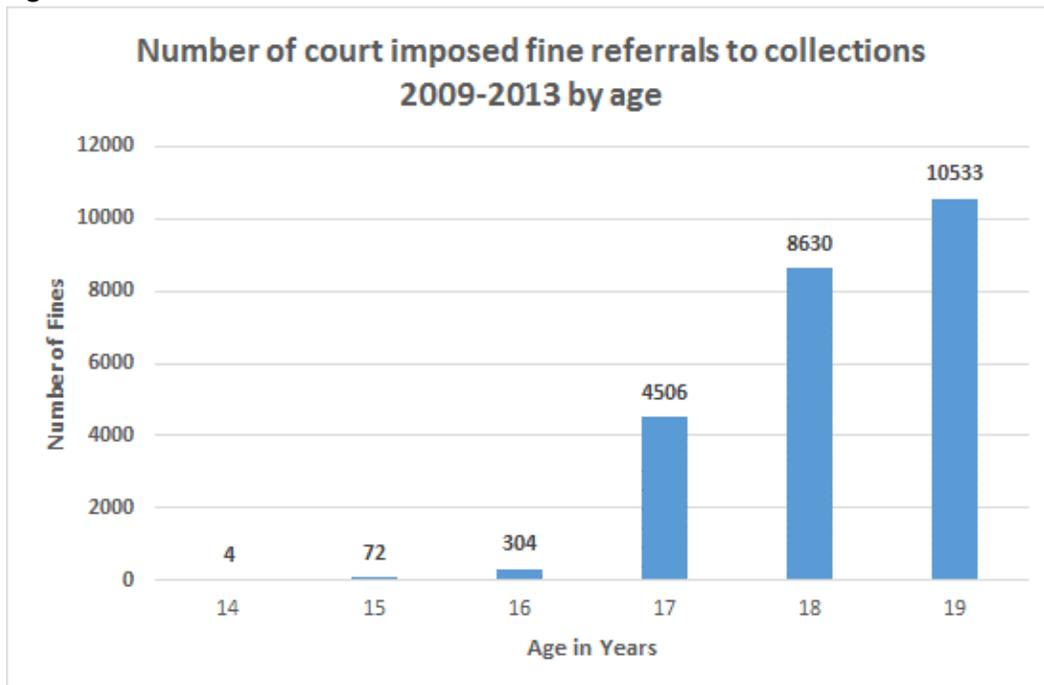
Court Imposed Fines (CIF) are fines imposed in Court after referral by any prosecuting authority. These referrals would be covered in Section 2 of the main paper and represent monetary impositions imposed at court.⁷ The ANZSOC classification groupings of these Court imposed offences are as follows in Table 4.

Table 4: Court Imposed Fine referrals by ANZSOC classification

Drive while licence disqualified or suspended
Drive without a licence
Driver licence offences, nec
Exceed the legal speed limit
Exceed the prescribed content of alcohol or other substance limit
Pedestrian offences
Registration offences
Regulatory driving offences, nec
Roadworthiness offences

From 2009-2013 there were 24,049 referrals to Collections from Court Imposed Fines.⁸

Fig 4



⁷ See Table 7 in the main paper (page 49).

⁸ There may be other costs at Court such as: reparation, court costs, enforcement fees and other costs like towage, storage, blood tests. The data in Fig 4 however refers only to the fines imposed as a Court outcome.

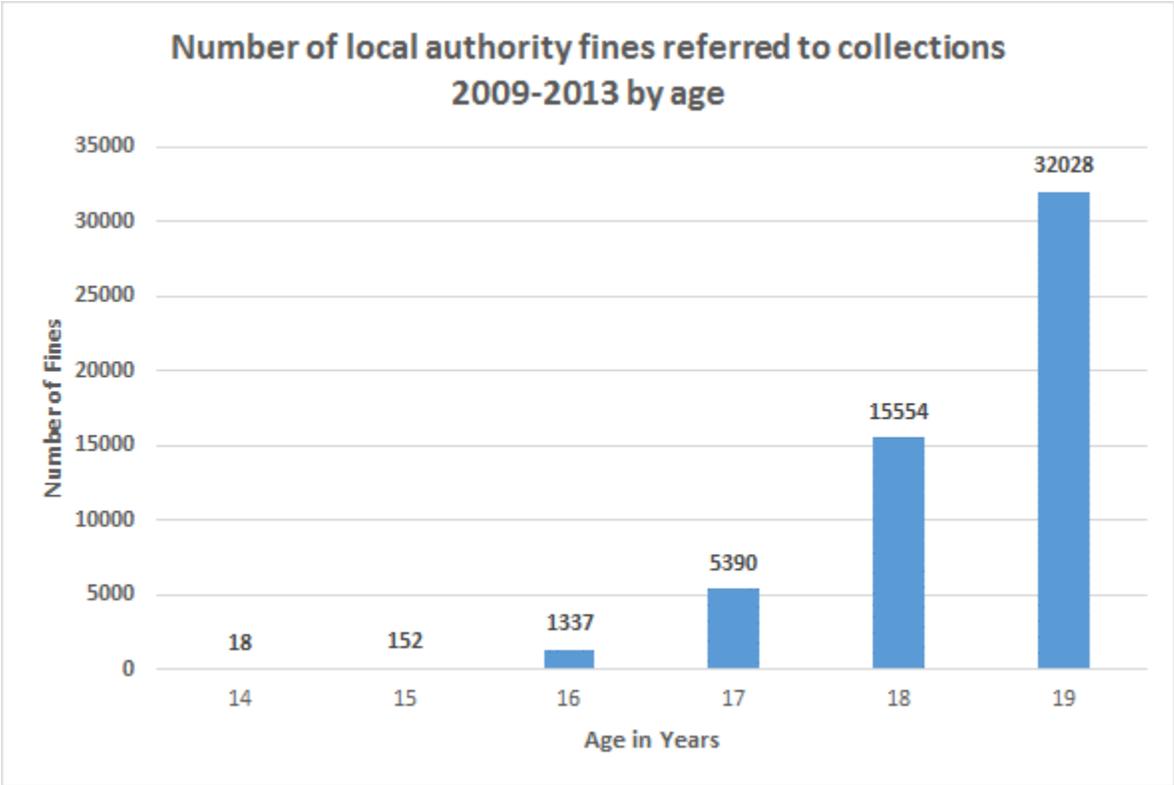
Local Authority Infringements

These are unpaid infringements referred to Collections by a Local Authority, numbers of fines imposed by local authorities were not part of the initial data gathered by the first paper. The ANZSOC classification groupings of these Local Authority offences are as follows in Table 5.

Table 5: Local authority Infringement referrals by ANZSOC classification

Parking offences
Registration offences
Regulatory driving offences, nec
Roadworthiness offences

Fig 5



Section 2

Resolutions of Police Infringements Referred to Collections in 2009

This Section of the paper follows up on the outcomes of the Police youth infringements referred to Collections in the calendar year 2009. The fines will either have a resolution date or will remain outstanding.⁹ There are three outcomes, for the fines imposed in 2009, contained in the workbook used in this Section:

- Fines received or paid;
- Fines remitted;
- Fines outstanding.

Remittance

A remittal is where a fine or part of a fine is cleared. Fines remitted may be replaced with alternative sentences such as community work.¹⁰ Other examples of when remittal may occur include if a person dies or when a deputy registrar makes a decision to remit small outstanding balances, such as those less than five dollars. In addition, registrars and deputy registrars have discretion to remit court costs and enforcement fees to encourage people to pay the original fines.

The data from the workbook used in Section 1 (Fig 2) shows that in 2009 there were 126,299 Police infringements referred to Collections. The data from the workbook used in this section has a slightly lower total referral number of 126,234 Police infringements referred to Collections.¹¹ The Police data used in the main paper give a figure of 133,543 Police infringements referred to Collections in 2009.¹²

⁹ As of date of data collection.

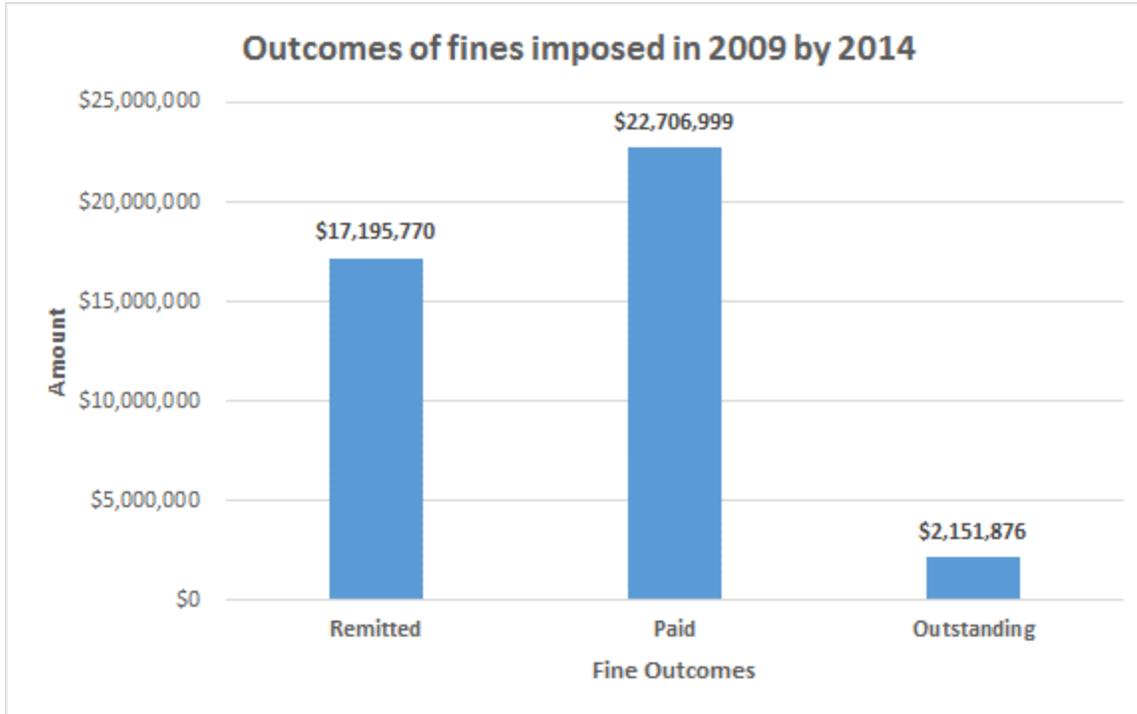
¹⁰ See page 22.

¹¹ Explanation of this difference has not been researched.

¹² See page 12.

The Total amount of monetary fines imposed for collection for the 126,234 Police infringements referred to Collections in 2009 was \$42,054,645.

Fig 6



As can be seen in Fig 6, by 2014, 54% of the total monies imposed for Police referred infringements to collections in 2009 had been paid, 41% had been remitted and 5% was still outstanding.¹³

¹³ With regard to resolutions, from 2011 - 2014, remittals made up 29.6% of the total value resolved nationally (all fine types) of traffic offences referred to Collections.

Resolution

A fine becomes resolved when either the fine has been paid in full or has had the remaining monies owed remitted or the whole fine has been remitted. The data in this Section will give dates by year of these resolutions and amount of offences resolved.

Fig 7

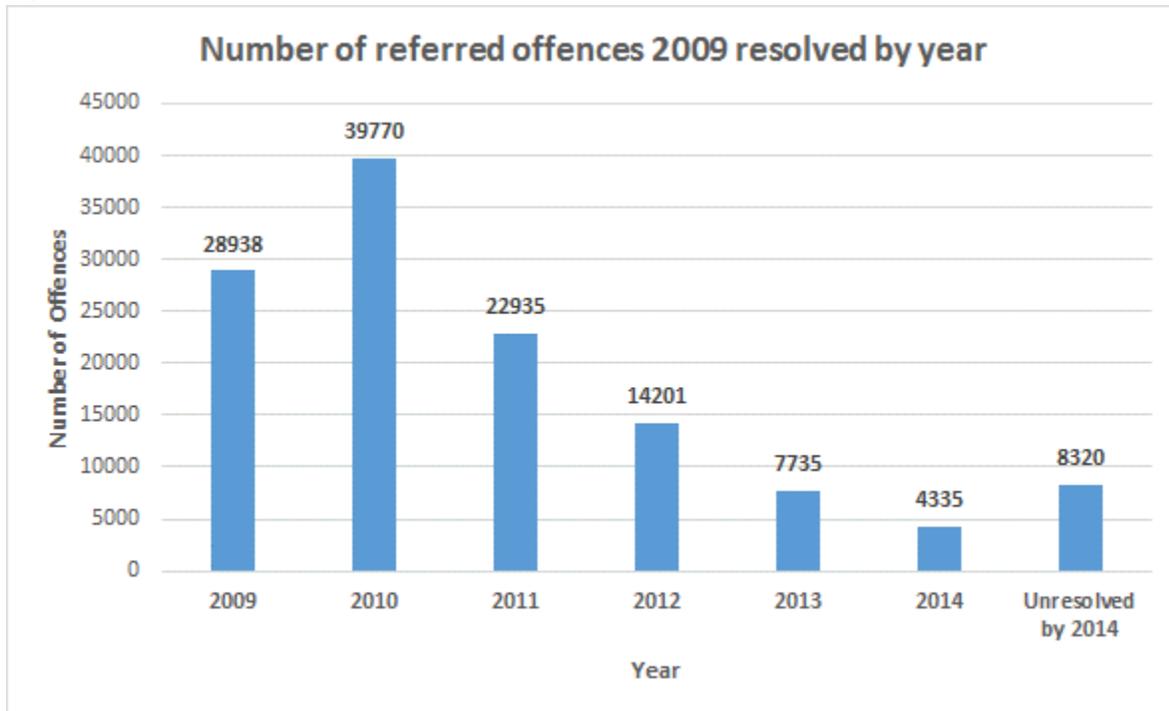


Table 6: Percentage of total offences resolved by year

	2009	2010	2011	2012	2013	2014	Unresolved by 2014
% of Total	23%	31.5%	18%	11%	6%	3%	6.6%

As can be seen in Fig 7 and Table 6, 54.5% of the Police infringement offences referred to Collections in 2009 were resolved in the first two years. The resolutions decrease up to 2014. 6.6% of the offences remain unresolved by 2014.

Due to the fact that offence fines may be resolved by either payment, part payment, remittal or part remittal, the data on fine outcomes is best interpreted in amounts (\$NZ) paid or remitted as opposed to individual offences.

Fig 8

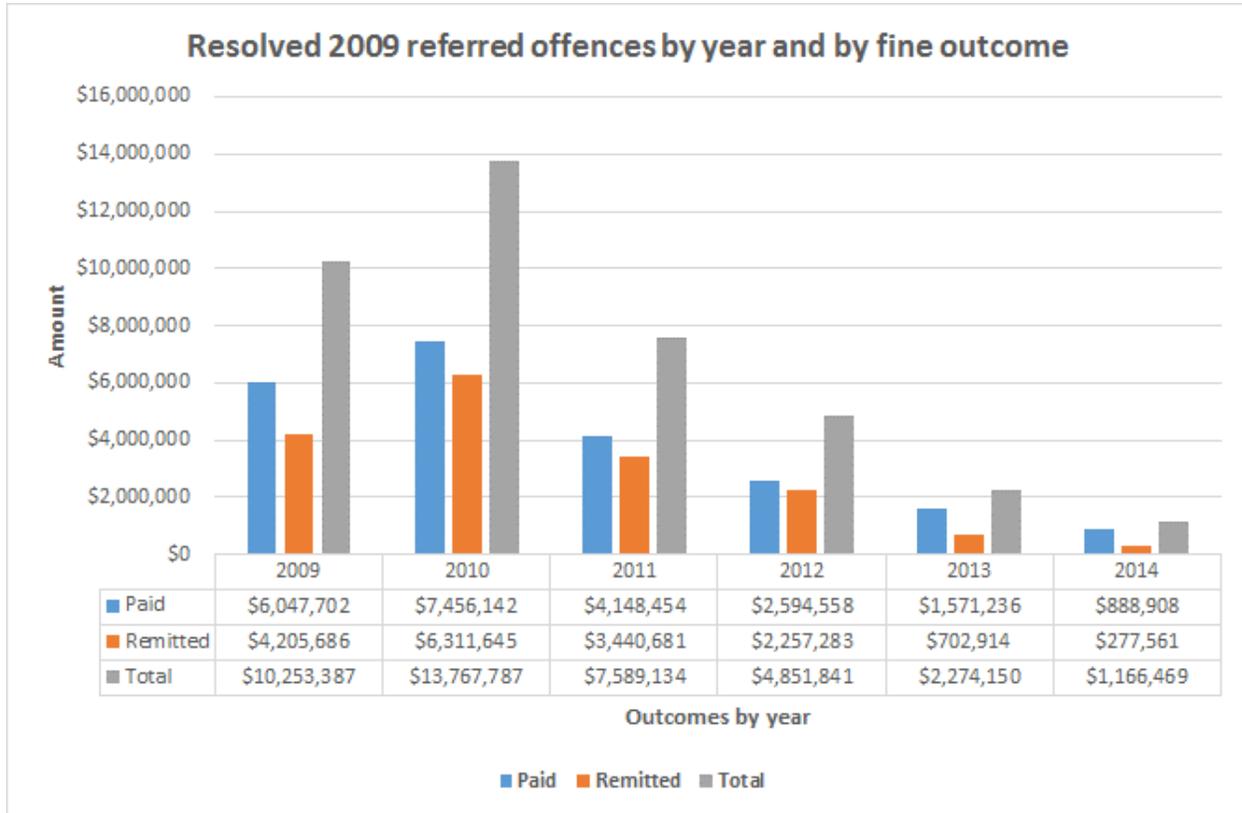


Fig 8 shows that, of the total \$42,054,645 monies imposed for collection for Police infringements referred to Collections in 2009, 32% was paid by 2010, 22% was paid from 2011-2014. 25% of the monies imposed were remitted in 2009/2010 and 16% of the total monies owed were remitted from 2011-2014.

Table 7: Percentages of remittals and payments of resolved offences by year

	2009	2010	2011	2012	2013	2014
% Paid	59%	54%	55%	53.5%	69%	76%
% Remitted	41%	46%	45%	46.5%	31%	24%

Table 7 shows that the percentages paid, of the total amounts imposed, versus the amounts remitted were slightly higher in 2009, 2010 and 2011 and the proportion increased every year from 2012-2014.

Remittance and Alternative Sentences

There are 3 types of remittal contained in the workbook that could be used:

Registrar - Registrars have certain powers to remit low values or enforcement fees.

Late Payment - where a fine was referred to Collections and the offender paid the original authority at a later date it's remitted from Collections.

Judges - When the fine is referred back to a Judge by a Registrar and the Judge makes a decision to remit. This is usually a court appearance and in a lot of instances occurs when an offender is due in court for other offences. For example, if an offender is sentenced to prison for another offence, the Judge may decide to remit existing fines for another offence.

As was explained on page 18, fines remitted may also be replaced with alternative sentences. A Judge can also decide to replace a fine with an Alternative Sentence. There are four alternative Sentencing outcomes supplied in the data provided:

- Community Detention;
- Community Work;
- Imprisonment;
- Home Detention.

Alternative Sentence

After considering a report to a Judge, the Judge or Community Magistrate can order that the offender's fines, or some of their fines, are converted to an alternative sentence. A Judge can also order giving further time to pay after considering an "on notice" application for re-sentencing.

Community Work

Community work requires an offender to undertake unpaid work for the benefit of the community. Community work is managed by a probation officer at community probation.

Community Detention

Community detention requires an offender to undergo a curfew at specified times. During the curfew, the offender is connected to electronic monitoring equipment and cannot leave the curfew address named in the order, except in an emergency.

Home Detention

Home detention requires an offender to stay at the specified home detention address at all times. During the home detention, the person is connected to electronic monitoring equipment and cannot leave the address named in the order, except in an emergency or when authorised by their probation officer to attend work or for specific appointments.

Warrant of Commitment (Imprisonment)

After considering a report to judge, a judge can order that the offender's fines, or some of their fines, be converted to a sentence of imprisonment. This is done by issuing a warrant of commitment.

A warrant of commitment cannot be issued if:

- the fine was imposed in the Youth Court;
- the fine was imposed for a traffic offence not punishable by imprisonment;
- the offender was under 17 years and unmarried when the offence was committed.

The following data combine the remittal types and use of alternative sentences. As mentioned on page 21 the remittal data are best interpreted in amounts (\$NZ). The total amount of monies remitted 2009-2014, for fines imposed in 2009, was \$17,195,770 (Fig 6).

64% of the total amount of monies remitted were replaced with alternative sentences. Of the total amount of monies remitted 3% were replaced with Community Detention, 56% with Community Work, 1% with Home Detention and 4% with imprisonment. 23% of the total amount of monies remitted were remitted by Judge, 11% by Registrar and 2% were late payments.

Table 8: Remittal Outcomes by type and year

	2009	2010	2011	2012	2013	2014
Community Detention	\$56,260	\$251,815	\$158,265	\$100,118	\$21,165	\$19,110
Community Work	\$2,431,823	\$3,845,263	\$1,936,497	\$955,384	\$308,188	\$98,151
Home Detention	\$31,865	\$39,248	\$54,123	\$13,447	\$855	\$10,458
Imprisonment	\$187,145	\$252,151	\$194,271	\$75,071	\$32,876	\$12,512
Judge	\$1,063,774	\$1,535,599	\$811,192	\$333,942	\$142,113	\$ 66,978
Late Pay	\$286,672	\$21,319	\$0	\$0	\$0	\$0
Reg	\$148,146	\$366,248	\$286,331	\$779,319	\$197,717	\$70,351
Total	\$4,205,686	\$6,311,645	\$3,440,681	\$2,257,283	\$702,914	\$277,561

The total amount of monies imposed in 2009 was \$42,054,645. As can be seen in Table 8: 26% of the total monies imposed in 2009 were remitted and replaced with alternative sentences. Of these alternative sentences, when expressed as a percentage of the total monies imposed in 2009, 1% were community detention, 23% were community work, 2% were imprisonment and less than 1% were home detention.

9% of the total monies imposed in 2009 were remitted by Judge, 4% by registrar and 4% of remittals were late payments.

Data Limitations

As was the case in the main paper without the involvement of the analysts at Collections the compilation of the data for this addendum paper would not have been possible.

Due to time limitations the data used in this paper concern total youth figures nationally.

The data from Collections uses the Australian and New Zealand Standard Offence Classification (ANZSOC) system of classification and direct links to the 'Fatal Five' and 'Other' classification system used in section 1 of the main paper have not been identified.

Discussion

The largest response to youth traffic offending are fine based infringements and the majority of these are referred to court for non-payment. It was vitally important that we gained an understanding of what happens to these fines.

From 2009-2013, 84.6% of referrals to Collections were police infringement fine referrals. The amount of monetary fines imposed for collection for the 126,234 Police infringements referred to Collections in 2009 was \$42,054,645. By 2014, 54% of the total monies imposed for Police referred infringements to collections in 2009 had been paid, 41% had been remitted and 5% were still outstanding. Of the total \$42,054,645 monies imposed for collection for Police infringements referred to Collections in 2009, 27% was paid by 2010 and 26% was paid from 2011-2014. 24% of the monies imposed were remitted in 2009/2010 and 16% of the total monies owed were remitted from 2011-2014. 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.

Further research work on infringement fines referred to Collections and information on outcomes would be desirable.

Recommendations for Further Research

It may be of benefit to further research the Collections data to attempt to identify any correlation between offence types and payments made, as well as any correlation between fine amounts imposed and payments made.

Follow up on the outcomes of alternate sentences that were imposed, i.e. community work, after fines were remitted may also provide good information.

Appendix

Workbook 1

The extract of actual offences provided in the workbook from Court Collections was linked to the Australian and New Zealand Standard Offence Classification (ANZSOC) 2011 (Third Edition) which can be found here

[http://www.ausstats.abs.gov.au/Ausstats/subscriber.nsf/0/5CE97E870F7A29EDCA2578A200143125/\\$File/12340_2011.pdf](http://www.ausstats.abs.gov.au/Ausstats/subscriber.nsf/0/5CE97E870F7A29EDCA2578A200143125/$File/12340_2011.pdf)

The ANZSOC classification schema comprises various levels of categorisation and standardised offence descriptions. When aggregating data on offences this classification is generally used. It can be linked to the Justice (Collections) offence codes via an Excel file (Offence_Precedent_Codes) in which the alphanumeric offence code used by Collections is linked to the ASOC (Original title, used interchangeably with ANZSOC) identity code "ASOC". This in turn allows us to link the ANZSOC categories to the alphanumeric code generally used by the Police. As the offence descriptions tend to be abbreviated and not standardised, it is often useful to use the standardised descriptions in ANZSOC in the place of the ones in Collect. Unfortunately there is a considerable number of fines in Collect that have no offence code or description associated with them or do not have a matching counterpart in ANZSOC. In applying the ANZSOC schema to the fines extract from Collect provision has to be made to include these fines in order to ensure completeness of the data. The manner in which this is dealt with is described below.

The first issue encountered is the presence of a category of fines in Collect that do not arise directly from offences and have no offence codes associated with them outside Justice (Collections).¹⁴ This issue is dealt with by adding offence codes and appropriate ANZSOC categories into the dataset. The offence codes that apply in these cases are LEVY, 10CC and DLSO being:

- a. An offender levy (LEVY): A levy imposed on every occasion when someone is found guilty in court of any offence. It is applied once at every occasion when an offender is found guilty in court, be it for a single or for multiple offences, and irrespective of whether the sentence includes a fine.
- b. A confiscation cost (10CC): These are costs that may arise from Court cases that do not result in a fine and are to be recovered from the guilty party by Collections.
- c. A Driver Licence Stop Order (DLSO): A penalty that can be applied during the course of undertaking enforcement action, to recover fines debts, when very specific conditions (e.g. type of debt, amount of debt, type of offending) exist. This penalty is specifically aimed at a particular class of traffic offenders hence confiscation of a driver's licence.

Some offence descriptions are very specific e.g. "exceed speed limit in Auckland domain", but may be similar to others e.g. "exceed speed limit in ...". Typically these offences have non-matching offence codes or codes that don't exist elsewhere and consequently cannot be matched to ANZSOC codes. This

¹⁴ This data was excluded from the Court Collections data provided in this paper.

issue is dealt with by using another recognised offence code, for a similar offence, in the place of the one it has. Where this is done the original offence description will be retained to enable the person using this data to reallocate it if desired.

Some offence descriptions have no associated code. This is dealt with by finding similar offences and using those codes. The offence description is retained as in the previous case.

Some offence codes have no associated original description. Where the codes can be matched to ANZSOC those descriptions will be used.

As the data in the workbook were broken down by individual ages 14-19, it is possible that an offender can have incurred fines at different ages and of different types and may therefore be represented in more than one cell. For this reason care must be taken when considering column or row totals of numbers as double counting can occur. The data in this paper however refer only to offences and not individuals.

Workbook 2

Analysis of all fines where:

- Police are the prosecuting authority;
- ASOC Division is Traffic;
- Fines were imposed in the 2009 calendar year;
- The offender's age at imposition was between 14 and 19 years.

The data contained in the workbook tracks fine activity for the next five calendar years (transactions, owed).

The "Data" worksheet contains all data, totaled at the most granular level.

Offence and ASOC groupings are taken from the Distinct Codes program used in the work previously completed for this project.

The Target Analysis program is adapted from the code used in the work previously completed for this project. The code retains the original dataset and adds future transaction activity and owed amounts.

This workbook was also modified to provide data on remittals.