

Queensland's Anti-Hoon Legislation and Policing Methods used to Prevent Hooning Behaviour.

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Abstract

The Queensland Police Service (QPS) has developed a range of strategies and enforcement programs to target individuals and groups who persist in driving vehicles in a manner that creates unnecessary risk to other road users. This group, typically referred to as 'hoons', tend to perform organised illegal street racing activities in vehicles that are often defective and unroadworthy. This paper will provide an overview of the provisions of Queensland's Anti-Hoon Legislation introduced in November 2002, and a statistical summary of the extent and severity of the hooning problem in Queensland. The effectiveness of the Traffic Response Group (TRG) or 'hoon squad' in targeting anti-social driving behaviour will also be outlined. Furthermore, an overview of the objectives and outcomes of 'Operation DRAG' and other similar problem-oriented policing methods used to prevent street racing in Queensland will be presented. The QPS is in a unique position with the ability to record and monitor 'hooning' complaints made by members of the community on the Traffic Returns Analysis and Complaints System (TRACS). The effectiveness of TRACS in monitoring anti-social driving behaviour, otherwise known as 'hooning' will be outlined. This will enable delegates to examine the suitability of Queensland's response to hoon-related driving behaviour for application in their own jurisdiction.

1. Introduction

One of the mechanisms applied in Queensland to reduce the incidence of road trauma is the power for police to confiscate vehicles for hooning related driver behaviour. This police power is commonly referred to as the "anti-hoon legislation", though this is not the official legislated terminology. The anti-hoon legislation was introduced in Queensland in November 2002 as an amendment to the *Police Powers and Responsibilities Act 2000*. The *Police Powers and Responsibilities and Another Act Amendment Bill 2002* is primarily aimed at clamping down on loutish behaviour involving motor vehicles on public roads. Behaviour such as burnouts, street racing and using loud sound systems is specifically targeted. The legislation was introduced in response to community concern raised primarily in the Gold Coast Police District, as well as an increasing number of complaints registered on the Queensland Police Service (QPS) Traffic Complaints system in relation to hooning behaviour.

As stated by the previous Minister for Police and Corrective Services, the Honourable Tony McGrady, "the idea behind these laws is to provide a tough mechanism to punish people who drive recklessly, endangering themselves and others" (Dibben, 2003: 39). However, whilst enforcement is a necessary approach to reducing the incidence of hooning, the QPS also recognises the importance of problem-oriented policing methods which aim at preventing the incidence of hooning behaviour. These include programs such as 'Operation Drag' which seek to reduce the incidence of crime, street and traffic offences amongst young people in

Queensland. In addition, the Traffic Response Group (TRG) also recently compiled an educational package on the dangers of risky driving behaviour aimed at high school students in the process of obtaining their drivers licence. This paper will seek to provide an overview of both aspects of the approach taken by the QPS against hooning driver behaviour, with the argument that a balance is required between the problem-oriented policing and reactive policing methods. Hooning activities and the motivation behind them are entrenched in society, and are often associated with 'youth and risky behaviour'. Subsequently, the desire to hoon is ingrained in the mindset of many newly licenced drivers and is often exacerbated by peer pressure. Legislation is important in so far as the enforcement perspective, however, education is essential in influencing driver attitudes and in turn may reduce the likelihood of risky driving behaviour.

2. 'Hoons' and 'Hooning' Defined

2.1 Definition

There is no uniform definition of a 'hoon', however an article printed by a Victorian Company 'Hoon Auto Gear – Australia' (http://www.hoon.com.au/main/about_hoon.htm) provided an impressive definition:

The slightly rebellious, sunglasses clad, ever so cool dude, usually spotted behind the wheel of something special, his arm mysteriously jutting out the window, usually with a smile a mile wide – he has an abnormally heavy right foot and it is believed gasoline flows freely in his veins.

In essence, a 'hoon' refers to a person who performs hooning activities, such as organised illegal street racing, in vehicles that are often defective and unroadworthy. 'Hooning' involves a number of illegal activities with vehicles, including travelling at high speeds, street racing, burnout offences and playing loud music from car stereos. Hoons tend to congregate in groups where they network and organise locations to commit the offences. The TRG identified that hoons in South East Queensland (SEQ) communicate by means of CB radios, mobile phones and the Internet. Scanners are also commonly used by hoons to monitor police radios (Crang, 2004).

2.2 Demographics

Hoons are often stereotyped as male, aged between 17 and 25 years, of low income and a blue collar worker or unemployed. However, there are exceptions to this rule, as outlined by the TRG, including wealthy Asian students, young women, and relatively wealthy middle-aged businessmen. The TRG have identified that an organised hoon subculture has formed in SEQ which accepts that anti-social driving is the normal behaviour, and that it is their right to drive in whatever manner suits them. They do not consider the unlawful nature of their driving, and even those who have had some form of enforcement action taken against them often consider this a 'rite of passage'. From the experience of the TRG, the typical hoon drives a car that is 10 years old or older, but many drive late model expensive cars (Crang, 2004). In Queensland the most predominant types of vehicles used by hoons are Holden and Ford sedans or high performance Japanese models. Modifications of both a legal and illegal nature are often made to the Holdens and Fords to enhance performance. A number of Japanese models are imported and can be purchased for under \$20,000. No modifications are required for these vehicles as they are already high performance and are therefore desirable

to hoons (Crang, 2004). It is important to note that not all people with modified vehicles are guilty of illegal hoon behaviours.

2.3 Hoon Activities:

There are a number of activities in which hoons typically engage in which constitute anti-social driving behaviour and are often enforceable offences. The list below defines the majority of these offences as they exist in Queensland, and most likely in other jurisdictions:

Burnouts: this refers to wilfully driving a vehicle in a way that causes the tyres or a substance poured onto the road surface, or both, to smoke when the drive wheels lose traction with the road surface. For example: oil may be poured on the road surface and a vehicle driven on the oily surface in a way that causes the tyres to spin and the tyres or oil to smoke (Situational Online Support SOS database: *Police Powers and Responsibilities Act 2000* (Qld) 'Hoon Legislation' scenario based tutorial'. [Internal QPS Intranet site] <http://www.qldpol/qupid/sostrng/hoon/glossary.htm>).

Lapping: involves vehicles being driven at a very slow speed repeatedly around a number of predetermined streets. The predominate source of complaint is the volume at which the stereo systems in the vehicles are operated during lapping (Jarred, 2002).

Street racing: occurs when two or more vehicles are side by side or in very close proximity to each other and then simultaneously and rapidly accelerate to a higher speed. It is a test of acceleration, and a conviction requires evidence of a starting and finishing point but not of any speed in excess of the speed limit being attained. Races predominantly occur on multilane arterial roads within the built up areas and on the motorways and highways.

Road Blockades: are incidents where vehicles, travelling on multi-lane roadways, slow down to speeds well below the prescribed speed limit to allow vehicles at the front of the blockade to commit street racing offences from a rolling start.

Speed Trial:

- (a) any attempt to establish or break any vehicle speed record of any description on a road; or
- (b) any trial of any description of the speed of a vehicle on a road; or
- (c) any competitive trial of any description designed to test the skill of any vehicle or driver or the reliability or mechanical condition of any vehicle on any road.

Drifting: this is performed when a vehicle approaches a corner or intersection at relatively low speed and is then rapidly accelerated through the corner causing the rear of the car to slide out and the tyres to slip on the roadway and screech.

Parking up: when hoons gather in large numbers, look at each others cars, network and arrange illegal behaviours.

3. Extent and Severity of Hooning in Queensland

3.1 Traffic Complaints by Members of the Public:

On 1 July 2000, the QPS implemented a state-wide computerised Traffic Complaints System, which is integrated with the Traffic Returns System and is jointly referred to as the Traffic Returns Analysis and Complaints System (TRACS). This particular traffic complaints system was extended to record and monitor hoon-related complaints made by road users, as well as recording all vehicle confiscations in an attempt to effectively enforce the anti-hoon legislation. The database was trialled from 28 May 1999 to 30 June 2000, in South Eastern and Northern Police Regions and due to its success, it was then implemented statewide on 1

July 2000. A total of 5325 complaints made by members of the public regarding hooning driver behaviour have been recorded on the traffic complaints system since the trial period in 1999 and up until June 2005.

Chart 1: Number of Hooning Related Traffic Complaints recorded on Complaints Database by Police Region (May 1999-June 2005)

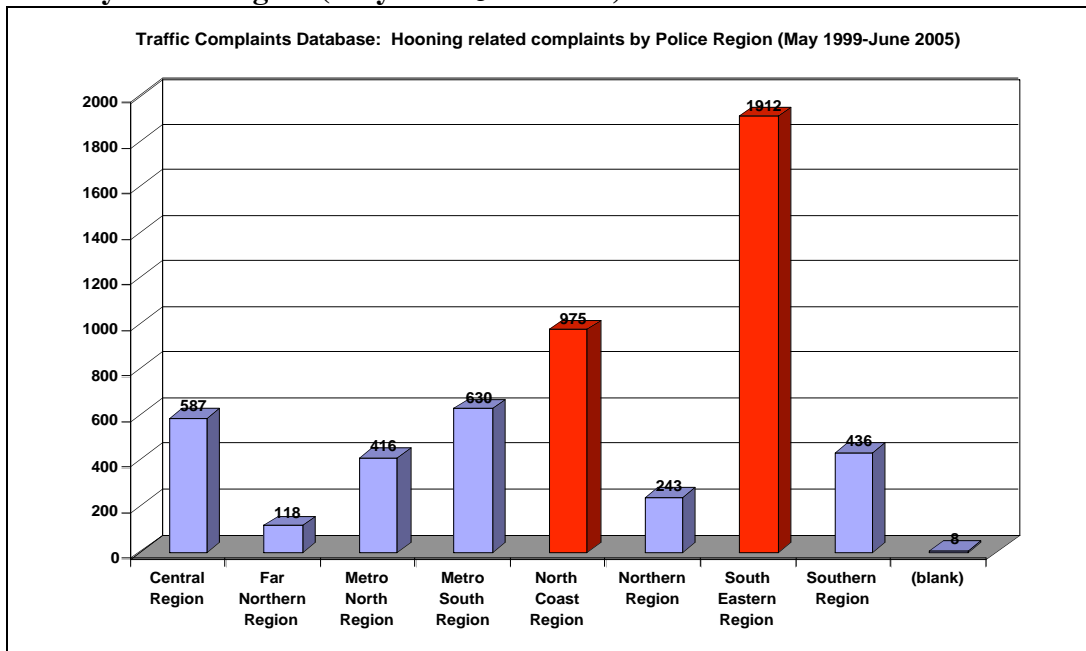


Chart 1 demonstrates that the South Eastern and North Coast Regions of Queensland are where the majority of hooning related traffic complaints are recorded on the QPS traffic complaints database. It must be noted though that the complaints database was in existence in South Eastern Police region and Northern police region prior to the other six police regions.

Traffic Complaints Management procedure

Complaints of a protracted or recurrent nature that are received from an external agency or members of the public are to be entered onto the Complaints Database. A copy of the complaint is then sent to the Officer in Charge (OIC) of the station responsible for the area where the offence occurred. The OIC of stations and establishments should check TRACS daily and determine whether a complaint requires investigation on the basis of the seriousness of the offence. The OIC then considers whether enforcement action or some other remedial action should be undertaken and makes arrangements for such action as deemed necessary. A complaint is considered finalised when: the investigating officer issues an infringement notice, completes a Traffic Breach Report, or otherwise commences a proceeding or decides that there is insufficient evidence to commence a proceeding. A complaint is also considered finalised if the complainant is satisfied with police action and the identified problem has ceased.

3.2 Road Crashes where street racing or hooning activities were identified as a cause:

There is no specific contributing circumstance field for hooning or street racing featured on the current QPS Traffic Incident Report form. However, an officer may include the contributing circumstance of 'hooning', drag or street racing, burnout etc. in the incident description. This makes it difficult to ascertain precise figures for the number of crashes

where hooning related activities were a contributing factor. Also, a witness is often required to identify whether hooning was involved prior to an incident as drivers would not be willing to confess to engaging in this behaviour. As a result, it can be argued that hooning related road crashes are underreported in Queensland. Despite this, a search was conducted of Queensland Transport's (QT) WebCrash 2.3 database under the contributing circumstance of 'Dangerous Driving' with a Report Type of 'Crash Details' (fatal and hospitalisation) and 'Police Region' for the period 2001-2004. This methodology was recommended by an officer from the Data Analysis Unit of QT. By using the search tool in pdf and entering queries such as 'street racing', 'drag', 'burnout', and 'hooning' it was possible to find some examples of serious injury crashes where hooning activities were a contributing factor. Crash details were obtained for a total of one fatal injury and 11 hospitalisation crashes where hooning activities were identified as a contributing circumstance in the crash description. An analysis of these crashes indicated the following trends:

Table 1: Age of Unit 1 Controllers involved in serious injury 'hooning' related crashes

Age of Unit 1 Controller	17-20	21-24	30-39
Number in age bracket	9	2	1

Seventy five per cent of serious injury crashes identified involved a unit 1 controller aged between 17-20. This controller was identified in the police report as being responsible for the incident as a result of hooning activities. Two of the 12 controllers were female, ten were male.

Table 2: Licence type of Unit 1 Controllers involved in serious injury 'hooning' related crashes

Licence Type held by Unit 1 Controller	Learner	Provisional	Open	Cancelled/Disq
No. of unit 1 controllers in licence group	3	6	1	2

Seventy five per cent of unit 1 controllers involved in these crashes had either a learner or provisional licence. Seventeen per cent did not hold a licence but were still driving and engaging in anti-social driving behaviour.

Table 3: No. of serious injury 'hooning' related crashes by Police Region (QLD)

Police Region	Far Northern	Northern	Central	North Coast	South Eastern	Southern	Metro North	Metro South
No. of crashes	1	0	1	1	1	2	2	4

Metropolitan South Region recorded the greatest number of serious injury crashes where 'hooning' related behaviour was cited in the description as a contributing circumstance. Crash details were also obtained for a total of five medical treatment and three minor injury crashes where hooning activities were identified as a contributing circumstance in the crash description for the period 2000-2004 using the same report constraints outlined above. An analysis of these crashes indicated the following trends:

Table 4: Age of Unit 1 Controllers involved in medical/minor injury 'hooning' related crashes

Age of Unit 1 Controller	17-20	21-24	30-39
Number in age bracket	6	1	1

In line with the serious injury crashes, the majority of unit 1 controllers involved in medical treatment and minor injury crashes were inexperienced drivers. That is, six out of the eight crashes involved unit 1 controllers aged between 17-20, with table 5 below indicating the most common licence type as provisional (n=4).

Table 5: Licence type of Unit 1 Controllers involved in medical/minor injury ‘hooning’ related crashes

Licence Type held by Unit 1 Controller	Learner	Provisional	Open	Cancelled/Disq	Unlicenced
No. Unit 1 controllers in Licence group	1	4	1	1	1

Table 6: No. of medical/minor injury ‘hooning’ related crashes by Police Region (QLD)

Police Region	Far Northern	Northern	Central	North Coast	South Eastern	Southern	Metro North	Metro South
No. of crashes	0	1	1	3	3	0	0	0

North Coast and South Eastern Regions recorded the greatest number of medical and minor injury crashes. These are also the areas where the highest number of complaints are recorded by members of the public regarding hooning matters (refer to Chart 1), and where the majority of offences are detected (refer to Chart 2). Three of the eight medical and minor treatment crashes (37.5%) cited the contributing circumstance of ‘over the prescribed concentration of alcohol’ in addition to dangerous driving and hooning related activities. In summary, the crash data indicates that crashes where ‘drag racing’, ‘burnout’, ‘street racing’ or ‘hooning’ is cited in the description commonly occur in SEQ and involve a unit 1 controller aged between 17-20, holding a learner or provisional licence.

3.3 Geographical location of offences – Queensland:

A first offence under Queensland’s anti-hoon legislation carries a penalty of vehicle confiscation for a 48 hour period. From the inception of the Queensland anti-hooning laws on 4 November 2002 to 30 June 2005, a total of 2005 vehicles have been confiscated for a period of 48 hours. Since the inception of the Hoon Legislation, 40 offenders have been detected committing hoon offences on a second occasion. Under Queensland’s anti-hoon laws, the commission of a second offence carries with it the penalty of vehicle confiscation for a period of up to three months. Since the inception of the Hoon Legislation, three offenders have been detected committing a third prescribed offence. One of these third offences was committed in Ipswich District, one in the Bundaberg District, and one in the Redcliffe District. The penalty for the commission of a third prescribed offence is forfeiture of the vehicle to the Crown. Chart 2 below demonstrates that the Gold and Sunshine coasts are the state’s hoon capitals, with approximately 56% of all cars confiscated by police seized in those areas.

On 20 January 2005, a hearing was conducted at Redcliffe Magistrates Court where an alleged offender was found guilty of a third prescribed offence and the vehicle was subsequently forfeited to the Crown. The offender was also fined \$350 and disqualified for a period of three months. The offender is now appealing the decision of the Magistrate.

Chart 2: Vehicle Confiscations by Police Region and Year (4/11/2002 – 30/06/2005)

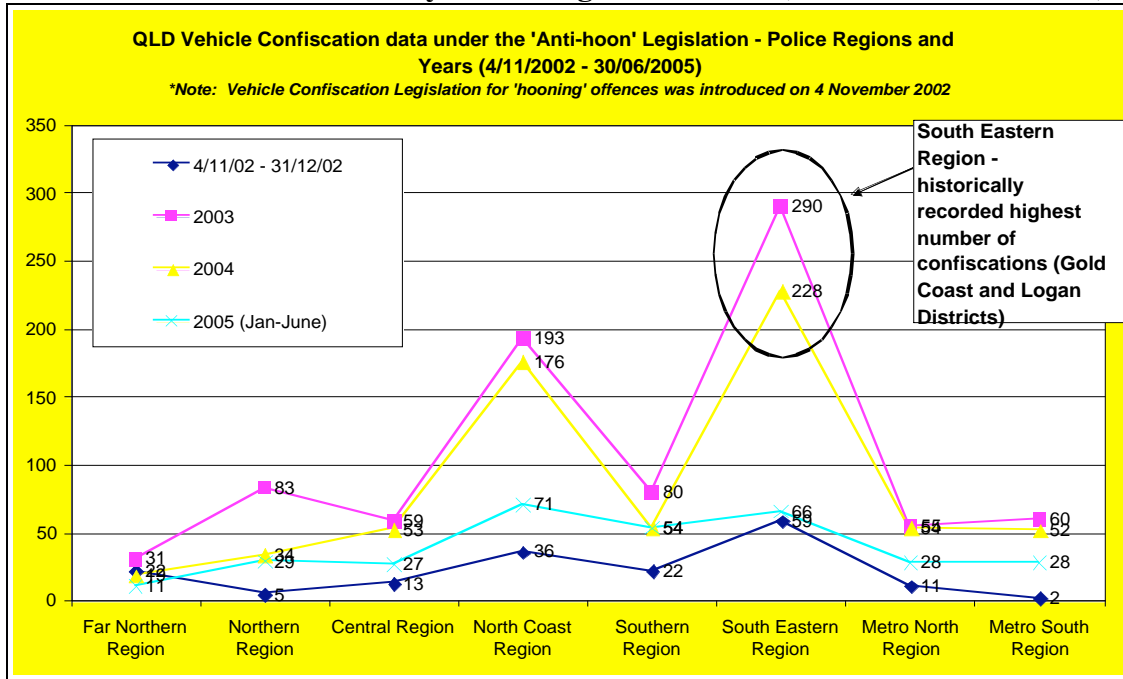


Chart 3: Comparison between No. Hoon related Traffic Complaints vs No. Vehicle Confiscations by Police Region 4/11/2002 – 30/06/05

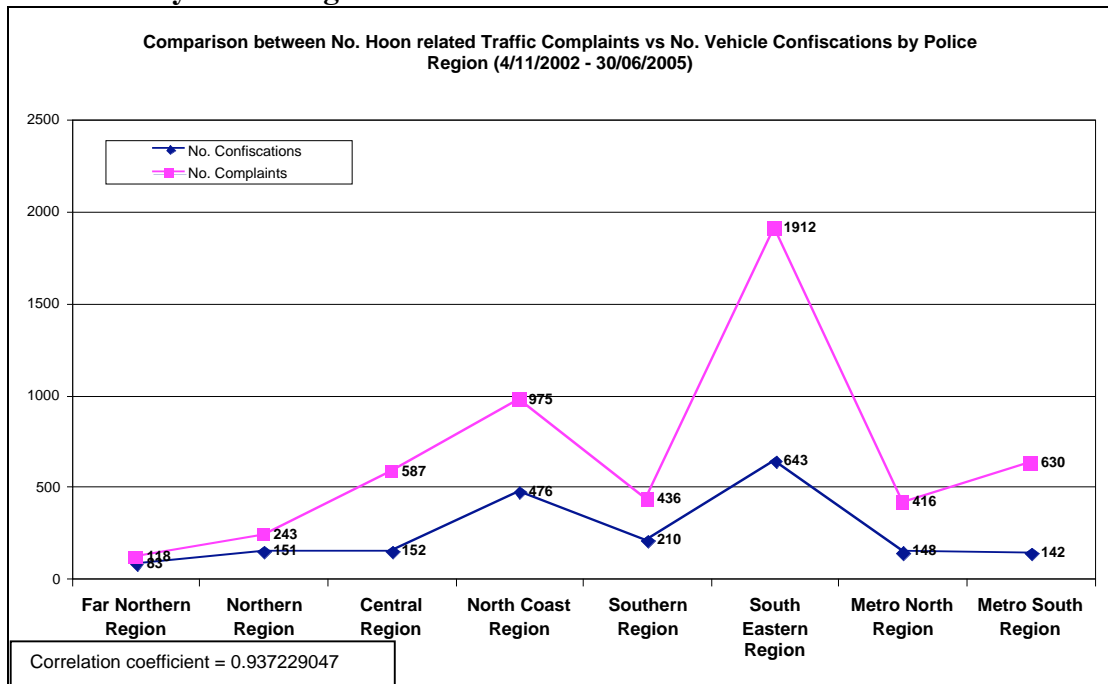


Chart 3 compares the number of hoon related traffic complaints recorded on the Traffic Complaints database by police region and the number of vehicles confiscated when separated by Police Region. The correlation of the two data sets was 0.937229047, which indicates that both data sets are positively correlated. For example, South Eastern Region recorded the highest number of hoon related traffic complaints (n=1912) and correspondingly, the greatest number of vehicles have been confiscated in this region (n=643). This may in part be due to enforcement saturation in high complaint areas due to intelligence indicating that they are problem locations.

When analysing vehicle confiscations by Police District in Queensland, the two districts where the most vehicles have been confiscated are Gold Coast (n=475) and Logan Districts (n=168) respectively. Both of these districts fall within the South Eastern Region. When analysing the number of second offences committed broken down by Police District, Bundaberg District has recorded the highest reoffence rate, with Redcliffe District and Gold Coast close behind. Once again, these districts lie within the North Coast and South Eastern Police Regions. In summary, it can be argued that the success of the Queensland “anti-hoon laws” is evident from the low level of recidivism in terms of second and third offences detected.

4. What are we doing about it – Reactive Policing Approach

4.1 Overview of the Legislation

The *Police Powers and Responsibilities and Another Act Amendment Bill 2002* allows a police officer to impound a vehicle used in the commission of a "prescribed offence" for a period of 48 hours for a first offence, or with the authority of a court, a period of up to 3 months for a second offence, and forfeiture to the State for a third or subsequent offence. The Act also provides Queensland police with power to deal with excessive noise emitted by a radio, CD player, or other similar equipment in a vehicle. Section 59G of the Act requires that a further prescribed offence must be committed within three years of a previous offence before the latter offence may be considered a second or subsequent offence. Consequently, should three years lapse between a first and second offence, the second offence will be dealt with as a first offence.

The provisions of the *Police Powers and Responsibilities Act 2000* allow for the impounding or forfeiture of vehicles being driven in contravention of certain provisions of the Criminal Code and/or the *Transport Operations (Road Use Management) Act 1995* in specific circumstances. A **prescribed offence** is any of the following offences committed in circumstances that involve a ‘speed trial’, a race between vehicles, or a ‘burn out’ as previously defined:

- a) an offence against the Criminal Code, section 328A committed on a road or in a public place; or
- b) an offence against the Road Use Management Act, section 83; or
- c) an offence against the Road Use Management Act, section 85; or
- d) an offence against the Road Use Management Act involving wilfully starting a vehicle, or driving a vehicle, in a way that makes unnecessary noise or smoke.

At the enactment of this definition, a relevant offence for paragraph (d) was an offence against the *Transport Operations (Road Use Management – Road Rules) Regulation 1999*, section 291(1)(b). With regards to point d, in order to impound a vehicle there is a requirement for smoke to be produced. Section 59AA of the Act requires that proceedings by way of arrest or notice to appear must be first commenced before a vehicle can be impounded for a prescribed offence. Further, Section 59C outlines that if the court is satisfied the offence has been committed, it may order the confiscation of the vehicle for a period up to three months (for a second offence) and may order that the vehicle be forfeited to the Crown (for a third or subsequent offence).

How are car owners notified?

The Act requires that an owner be given written notice of the impounding of a vehicle for a first prescribed offence. The Act stipulates the contents of the notice. The Act requires that an owner be given written notice of the impounding of a vehicle for a second or subsequent prescribed offence. The section also sets out the contents of the notice which includes informing the owner of the fact that the owner may make an application for the return of the vehicle pending the hearing of the application for impoundment or forfeiture if the vehicle has not already been returned when the original application was made (i.e. if there are two different prescribed offences committed, a vehicle may be returned to the owner, but this is at the discretion of the Magistrate). Additionally, the definition of "owner" has been altered to ensure that persons who have a registered interest in a vehicle by virtue of the Register of Incumbent Vehicles, are notified of an application for impoundment or forfeiture.

Who pays for the cost of impoundment?

Costs for impoundment are borne by offenders. However, the QPS incur the costs for impounding a car for the initial 48 hours, pending the outcome of the offender's court proceedings. If found guilty, the QPS Finance Officer will invoice the offender for all costs associated with the impoundment. If the offender does not cover these costs, then it will proceed to the State Penalties and Enforcement Registry (SPER) system.

When can impoundment be avoided?

There are two instances where impoundment can be avoided. These include:

- (1) Where impoundment or forfeiture would cause severe financial or physical hardship to the owner of the vehicle (s59L(2) and 59L(4)); or
- (2) Where a defence is raised that the offence occurred in circumstances whereby an innocent owner of the vehicle had not given permission for the offending activity to take place with his/her vehicle (s59M).

In these cases, an alternative penalty may be ascribed against the offending driver.

What if the driver is not the owner of the vehicle?

Section 59K of the Act also obliges police to furnish a Notice of Impoundment to the person operating the vehicle, and the owner or owners of the vehicle if the operator is not the owner. They are also obliged to give written notice of the date, time and place of any hearing of an application for impoundment or forfeiture. In exercising its discretion, the court may order that the vehicle be returned to its owner or usual driver and order that the person in control of the vehicle at the time the prescribed offence was committed perform not more than 240 hours of community service in accordance with the *Penalties and Sentences Act 1995*. Any vehicle that is impounded and is subsequently found to have been stolen or unlawfully used or found to be a rental vehicle is not to remain impounded or be subject to a forfeiture application by police and must be returned to its rightful owner.

What happens if impounded vehicles are not reclaimed?

The Commissioner of Police may dispose of any impounded vehicle that has not been recovered within two months of its impounding period ending. Any such proposed disposal must be communicated in writing to the owner of the vehicle. Section 59W details

procedures the Commissioner may adopt to dispose of a vehicle if the Commissioner decides to sell a vehicle under section 59T or 59V. These include by public auction, or disposal of vehicle in a way the Commissioner considers appropriate.

Instruments which cause undue noise

These laws allow a police officer to issue a direction to the driver of a vehicle to cease use of sound equipment for a period of 12 hours where its use is excessive in the circumstances having regard to the degree of interference or annoyance the noise is causing. A failure to comply with the direction may result in the equipment being removed from the vehicle for a period of 24 hours and the driver being prosecuted for disobeying a direction. These laws merely extend the excessive noise laws relating to vehicles 'off road' to those that are on a road or in a public place. However, the extension does not require a police officer to receive a complaint from a member of the public before the police officer can take action to abate the noise nuisance. This is because the activity in question is taking place in a public place.

4.2 Traffic Response Group (TRG)

In recognition of the problems associated with illegal street racing activities, the QPS established the Traffic Response Group (TRG) in January 2002, which is essentially a 'hoon squad' equipped with an array of covert-type technologies to assist in detecting offenders. At present, the TRG consists of 6 staff members including one Sergeant and five Senior Constables/Constable positions and it is attached to the State Traffic Task Force (STTF).

Enforcement methods

Since the formation of the TRG, several tactics of gathering evidence and enforcement have been used by TRG officers. Some of these methods are no longer in use because they have been proven inefficient, ineffective or are no longer necessary or involve a high level of risk for involved participants (Crang, 2004). The TRG sources intelligence from TRG officers, Regional police, TRACS, Internet, members of the public and hooners themselves to assist in determining target areas. STTF has a permanent intelligence officer who assists in gathering and collating the intelligence information. Based on intelligence, an example of possible enforcement patterns for the TRG is as follows:

Monday to Wednesday: Following up video-taped offences, correspondence, computer entries, preparing briefs of evidence, industry meetings, maintenance of equipment, research or regular traffic patrols. Sound level testing is also conducted during these times.

Thursdays: Hooners tend to gather at such venues as McDonalds Restaurant car parks across the Metropolitan areas.

Fridays: Harry's Diner on Newmarket Road, Windsor is a problem area because of the large number of people who gather there at this time (between 200-400 people).

Saturdays: Broadwater Carpark at Southport is frequented by hooners from all around SEQ. Approximately 800 to 1000 cars attend and most travel to and from the venue via the M1. Hooners also congregate at Industrial estates such as Yatala, Creastmead and Carole Park where burnouts and street racing often occurs.

Sunday: In the afternoon, TRG officers patrol problem areas and target offences such as defective vehicles, speeding, unnecessary noise and racing.

Effectiveness of TRG

In 2004, a review of the detections of offences by the TRG was undertaken by officers from the TRG (Crang, 2004). The review found that the ability of the TRG to target and successfully detect prescribed offences is evident by the fact that the TRG has less than 0.1% (n=6) of the States' total operational Police numbers yet up until the end of June 2005, the TRG had impounded 290 of the 2005 vehicles impounded within Queensland. This calculates to approximately 14.5% of the total. It is argued that a continual and visible police presence has reduced the number of hoons visiting Harry's Diner at Windsor from about 400 to 200. However, the TRG are of the opinion that it will increase in size again if a police presence is not maintained.

The frequency of Rolling Blockades on M1 has also reduced largely due to TRG video enforcement action where large numbers of offenders are recorded, not intercepted at the time of the offence but interviewed later and prosecuted. In addition, 'No parking' signs have been placed near the Shell Mudgeeraba service station to assist in deterring offenders from congregating and entering the M1 in groups. In 2003, 54 races were detected by the TRG as opposed to 27 in the later six months and nine up until May 2004. The combination of unmarked cars and video cameras has undoubtedly reduced the number of high-speed pursuits that TRG officers have been involved in. Up until September 2004, TRG officers have been involved in only four pursuits, one of which was initiated only when the presence of a marked police vehicle became known to the offenders. Methods of enforcement at large gatherings such as industrial estates and carparks has varied overtime and continues to remain flexible. Vehicles can be simply defected, which has the tendency to disperse the group. Other options have been to video tape offences using TRG equipment or with the assistance of the Technical Support Unit. Risk of injury to pedestrians at these meeting spots is also an ongoing concern.

Proposed best practice TRG

The TRG have identified a number of processes and enforcement methods which they believe comprise the most appropriate approach for Queensland to the hooning problem. These include, but should not be limited to the following:

- Only the use of cars that are not recognizable as police cars can be used in such circumstances if officers wish to witness and gain evidence of an offence.
- Best practice in relation to street racing is when the offence is video-taped and TRG officers do not exceed speeds any higher than is necessary to obtain evidence that the vehicle is traveling at 50km/hr above the speed limit. Although handycams are a very useful tool for the TRG, permanent in-car video systems such as those used in Victoria and New South Wales for use in mobile mode would be most beneficial.
- Video usage for fast motorbikes has been very useful for prosecution purposes.
- A time over distance device as currently used by Victoria Police may also be useful in allowing the speed of a vehicle to be checked when following a vehicle without maintaining a constant distance behind the vehicle.
- Integrated in-car video systems with digital hard drives are recommended as an effective method of enforcement for both TRG vehicles and traffic vehicles.
- Whilst very few prescribed offenders are being caught a second time, it is unknown if this can be attributed mostly to the fact that they are not reoffending or because they are not being caught re-offending. Subsequently, the TRG argue that staffing resources need to be expanded and younger officers from regions could be utilised. In addition, hoons

recognise the faces of the TRG officers, which supports the argument for frequent rotation of or secondment of additional officers.

- The TRG believe that a greater variety of makes and models of vehicles need to be considered for use by the TRG including both older and newer models. However, from a hoon perspective, the use of powerful cars by police can act as a deterrent due to the perceived high performance of a V8 car, resulting in a reduction in offenders attempting to evade the police, and a corresponding reduction in unnecessary pursuits.
- If an area is not consistently targeted by police from both the TRG and individual police regions, then the deterrent effect is not maintained, and hooners return believing they are safe from detection.
- With a specialised group like the TRG targeting anti-social driving behaviour, a region may reduce the amount of resources deployed to target this activity. However, it is argued by the TRG that a coordinated response from both the region and TRG is required to effectively reduce the incidence of hooning driver behaviour.

5. Problem-Oriented Policing Approaches

5.1 Education Package – Operation YARD (Young at Risk Drivers)

Operation YARD is a high school educational package compiled by officers from the TRG and is an example of a problem-oriented policing project. Problem-oriented policing is a systematic approach to identifying, analysing and addressing the causes of crime, calls to police for service and associated community problems (Centre for Problem-Oriented Policing, 2003). In the late 1970s, US Professor Herman Goldstein suggested police should shift their emphasis from relying principally on a reactive approach towards trying to identify the underlying causes of crime. This approach was termed ‘problem-oriented policing’ (Feather, 2005). Operation YARD has not yet been implemented, but with the assistance of Education Queensland, it will be trialled in a Brisbane high school in upcoming months. The aim of the project is ultimately to reduce the incidence of anti-social driving in Queensland by informing young drivers of the risks and consequences of this behaviour and the importance of a safe driver attitude. It will also aim to demonstrate that perceived driving ability may not be to the same level as actual abilities.

Operation YARD will be delivered in an approximately hour long session to high school students in the form of a powerpoint presentation and a short video presentation where racing car drivers will deliver information and possibly attend in person. Young drivers are the target audience as they are more likely to engage in risk taking behaviour such as illegal driving activities often as a result of peer pressure. Also they often underestimate risks and do not understand the physical capabilities of a motor vehicle. Further, young people and provisional drivers and riders are overrepresented in serious injury crashes as outlined in the submission made by the QPS in response to the Parliamentary Travelsafe inquiry into young drivers and riders. This is also illustrated in the overview of crash data presented in 3.2 above.

Operation YARD aims to detail to young people how handling risk involves being aware of the road environment, potential hazards, and having the ability to predict what may occur around you, and be in a position where risk can be minimised. It also outlines some physics and geometry involved in manoeuvring a motor vehicle. Other areas of focus include:

- education about risk taking when driving, and associated personal and financial consequences of these behaviours;

- a discussion of the influence of peer pressure and an understanding that driving is a privilege and not a right;
- the mechanics of driving a vehicle and how a moment's indiscretion can have a lifetime impact; and
- the 'it can't happen to me' attitude is discussed and how a driver needs experience and practice as well as the ability to assess risks to be classified as a good driver.

A survey has been developed in consultation with the Crime Prevention Unit of the QPS which will be issued to students undertaking the Operation YARD session. This will assist in evaluating the content and perceived value of the project from the perspective of participants.

5.2 Operation 'DRAG'

Operation DRAG has been developed to enhance relationships between the Warwick community, youth and the QPS. The Operation is another example of a 'problem-oriented policing project'. Street racing, hooning and other illegal activities have been identified as problems within the Warwick Police Division. The police officer responsible for initiating Operation Drag, Senior Constable Young, stated that this behaviour occurs because young people in Warwick division are fanatical about their motor vehicles and motor sports. This is due to a large motor sporting complex being located in the Warwick area.

Consultation with the Warwick District Youth Service revealed that young people are turning to crime and street offences due to lack of activities, boredom and no direction in their lives. Youth service providers have advised that this is caused by the lack of potential job prospects within this area. Whilst there is no crime reporting evidence to support these claims, the problem is significant enough to come to the attention of youth groups and police. Operation DRAG targets young people under the age of 25 who are considered "youth at risk". The aim of Operation DRAG is to:

- reduce the incidence of crime, street and traffic offences and truancy amongst participating young people;
- encourage participating young people to seek alternative life goals;
- educate participating young people through accredited TAFE courses;
- encourage positive interaction between local police and youth at risk; and
- develop a set of media materials to encourage road safety by younger people

A partnership between QPS, Southern Queensland Institute of TAFE (SQIT), Warwick Shire Council, Education Queensland, Department of Families, Warwick District Drag Racing Association Incorporated, Australian National Drag Racing Association, Queensland Blue Light Disco Association, PCYC and QT has been developed in an attempt to address youth boredom and lack of career prospects in Warwick District. The QPS identified several youths at risk to participate in the program. The Department of Education has provided funds for the enrolment of these youth in a mechanics course at SQIT. Applying what they have learnt in the course, participants construct and race drag cars at the local speedway.

6. Conclusion

This paper has explored the current approach of the Queensland Police Service in responding to drivers who engage in anti-social driving behaviour, with an overview of both the legislative or enforcement component and problem-oriented policing approach. Based on the crash data utilised in this report, hooners involved in crashes were most commonly aged

between 17-25 and held a learner or provisional licence. However, local knowledge held by police officers enforcing the anti-hoon legislation indicates that whilst hooners are often stereotyped as young drivers, there are a number of other groups who engage in this activity such as wealthy Asian students, young women, and relatively wealthy middle-aged businessmen.

South Eastern and North Coast Police Regions have recorded the highest number of vehicle confiscations as well as traffic complaints from members of the public in relation to hooning driver behaviour. The incidence of first offences appears to have reduced quite significantly since the implementation of the hoon legislation in 2002. This may be due to a saturation of enforcement upon introduction of the legislation and a subsequent stabilisation from mid 2004-2005. Alternatively, the reduction in offences recorded could also infer that the incidence of hooning has reduced as a result of the introduction of the legislation. In addition, it can be argued that the success of the Queensland “anti-hoon laws” is evident from the low level of recidivism in terms of second and third offences detected.

A number of approaches are currently being considered at a national level in response to ‘hooning’ behaviour including vehicle wheel clamping as an alternative to impoundment, as well as the placement of a sticker on a vehicle to indicate that the vehicle is not to be driven on the road. New South Wales have indicated that they will be contracting two tow truck companies to administer wheel clamps.

Every day another potential hooner is issued a licence. Whilst a reactive policing policy is necessary to reduce the incidence of anti-social driving behaviour, there is clearly a need to educate young people in the risks associated with these activities before they obtain a licence.

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