

1984-85

PARLIAMENT OF NEW SOUTH WALES

FIFTH REPORT
OF THE
JOINT STANDING COMMITTEE
OF THE
PARLIAMENT OF NEW SOUTH WALES
ON
ROAD SAFETY
RELATING TO
TRAFFIC LAW ENFORCEMENT
AND ROAD SAFETY
AND
APPROPRIATE STRATEGIES FOR
POLICE TRAFFIC LAW ENFORCEMENT

*Ordered to be printed, 18 September, 1985
(pursuant to resolution of the House, 23 April, 1985)*

BY AUTHORITY
D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1985

STAYSAFE 5

APPROPRIATE POLICE STRATEGIES FOR TRAFFIC LAW ENFORCEMENT.

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(Appointment: *Votes and Proceedings*, No. 6, Entry 14 of 10 May, 1984; *Minutes of Proceedings*, No. 5, Entry 17 of 10 May, 1984 and No. 6, Entry 9 of 15 May, 1984; *Votes and Proceedings*, No. 7, Entry 14 of 16 May, 1984 a.m.; and, *Minutes of Proceedings*, No. 7, Entry 5 of 16 May, 1984.)

(Further resolutions relating to the Committee: *Votes and Proceedings*, No. 23, Entry 9 of 31 October, 1984 and No. 47, Entry 8 of 23 April, 1985.)

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†Appointed *Votes and Proceedings*, No. 23, Entry 10 of 31 October, 1984.

INTRODUCTION

This is the second in the series of reports by the STAYSAFE Committee on the term of reference:

"Traffic Law Enforcement and Road Safety".

Our objective in this report is to lay down general guidelines about what the role of the Police Traffic Branch should be and how its members can make an improved contribution to road safety in New South Wales.

While this report is critical of many practices in the Police Traffic Branch, the Committee hopes that the police will accept these criticisms in the constructive manner that is intended.

This report does not simply "knock" existing practices but offers a set of strategies which can both reduce the present tension between motorists and the police force and make a positive contribution to road safety.

MICHAEL KNIGHT, Chairman.

ACKNOWLEDGEMENTS

The Committee wishes to record its appreciation of the many citizens of New South Wales who took the trouble to make submissions on this matter. The Committee's deliberations have been enriched by their concern.

We also acknowledge the assistance of our Adviser, David Herbert, Secretary Leslie Gönye, stenographer Jennifer Goodwin, Serjeant-at-Arms Mervyn Sheather and the staff of Hansard.

Kind permission by the Traffic Authority of N.S.W. and SSC & B: Lintas for the use of the photograph on the cover of this Report is also appreciated.

Once again the Committee expresses its gratitude to the Government Printer for a high quality and speedy production.

RECOMMENDATIONS

CHAPTER 2

- (1) That the prime emphasis of the Police Traffic Branch be on enhancing road safety.
- (2) That the apprehension of people breaching road traffic laws be seen only as one tool in the overall quest for increased road safety, not as an end in itself.

CHAPTER 3

- (3) That the main police strategy should be one of preventing crashes rather than fining a small, arbitrary percentage of the bulk of motorists who breach the road rules at one time or another.
- (4) That every officer responsible for assigning road safety duties to other officers be supplied with, and maintain up to date information on crashes in the rostered area.
- (5) That in the assignment of work, priority be given to "high accident" or "black spot" locations.
- (6) That the type of enforcement at those locations be tailored to the major cause of accidents at each location.
- (7) That police tactics reflect the fact that a highly visible police presence is of prime importance in any deterrent programme.
- (8) That police tactics also take into account the fact that in most situations stationary patrols are more effective than mobile patrols.
- (9) That all highway patrol cars be clearly marked.
- (10) That much more education be given to individual highway patrol officers about the scientific basis for these changed tactics.
- (11) That regular feedback be provided to individual police officers on the benefits to road safety which have been gained from their implementation of new tactics.
- (12) That selective enforcement tactics for particularly dangerous locations be backed up by more widespread campaigns against practices like drink-driving and failure to wear seat belts or child restraints.

CHAPTER 1

POLICE AND TRAFFIC LAW ENFORCEMENT

1.1 While many bodies such as the Traffic Authority, the Department of Motor Transport and the Department of Main Roads all have a role to play in making our roads safer, it is the Police Force which carries much of the day to day responsibility for reducing the level of death and injury on our roads. It is the Police Force, especially the Traffic Branch, which provides the front line troops for the war on the road toll.

1.2 In our previous report (STAYSAFE 4: Is there a quota system?) the Committee considered the arguments for replacing the Highway Patrol by a civilian traffic control authority such as operates in New Zealand. However, on balance, the Committee opted for recommending that this function remain with the Police Force.

1.3 However, in the STAYSAFE 4 report the Committee indicated that while retaining this role, the Police badly needed to modernise their procedures and improve their performance. On page 6 of STAYSAFE 4 the Committee said:

“As traffic law enforcement is to remain the primary responsibility of the Police Traffic Branch then that Branch must clearly concentrate on road safety and orient its activities to that aim. This will require new approaches and a willingness to devise new strategies based on behavioural science research rather than traditional police practices.”

1.4 Traffic supervision and control is an expensive operation for the taxpayer to fund. In 1984/5, \$58 million was allocated in the State budget for this purpose. There are obviously many different ways in which the Police Traffic Branch could spend this significant amount of public money to combat the carnage on our roads. Obviously taxpayers have the right to expect that this money is spent as efficiently as possible.

1.5 Equally important though is the expectation by all road users (including motorists, motorcyclists, pedal cyclists and pedestrians) that this money will be used in the most effective manner to reduce their risk of being killed or injured on the roads.

1.6 In saying this the Committee recognises that many things which have helped reduce the road toll are outside of the direct control of the police. Improvements in vehicle design, construction of roundabouts, building of divided roads, Government legislative changes and so on, have all made road travel safer though none of these decisions was wholly within the power of the police to make.

1.7 Consequently the Committee recognises that it is unrealistic to hold the police alone responsible for further reducing the road toll. However, it is still the police force which each day allocates a large number of men and women to tasks theoretically designed to make our roads safer on that day. While other bodies have the responsibility of employing medium and long term measures to curb the road toll, it is the police force which each day must decide what it can do immediately to enhance road safety.

1.8 Within the limitations outlined above the police have a variety of strategies which they can employ. Some ways in which they use their resources will be more beneficial than others. It is to a discussion of appropriate strategies and tactics which we now turn.

CHAPTER 2

THE PHILOSOPHY OF POLICE AND ROAD SAFETY

Recommendations

- (1) That the prime emphasis of the Police Traffic Branch be on enhancing road safety.
- (2) That the apprehension of people breaching road traffic laws be seen only as one tool in the overall quest for increased road safety, not as an end in itself.

2.1 The STAYSAFE Committee is unequivocal in its belief that the Police Traffic Branch should have one overriding objective and that is, to reduce the road toll. This is the principle which should guide its planning of both overall strategy and day to day allocation of resources.

2.2 Some readers will no doubt feel that the Committee is stating the obvious. However, our detailed examination of police practices in the area of traffic law enforcement indicate that this is far from obvious. Some individual policemen feel, however wrongly, under pressure to collect revenue through the issuing of infringement notices. Many more feel that their primary duty is to enforce the traffic laws.

2.3 The STAYSAFE Committee feels very strongly that the enforcement of the traffic laws is but one tool among many which the police can utilise in their efforts to make our roads safer. On occasions it can be an effective tool, but the enforcement of traffic rules should not be allowed to take on a life of its own divorced from the overriding concern for road safety.

2.4 Enforcement of the traffic laws must be contained to being merely one of the means to the end of improving road safety: it must not become an end in itself. As the Committee recognised in STAYSAFE 4 "too much reliance on this tool (traffic law enforcement) alone is counter-productive" in the battle to reduce the road toll.

2.5 There is not a simple relationship between breaching the road rules and being involved in accidents. In July 1980 the Australian Transport Advisory Council (which is a Council of the Australian Transport Ministers) published a report on Driver Improvement Programmes. One of the conclusions of that report was that "a large proportion of accidents involve drivers who have not recently come to official notice in any way, either by way of accident involvement or conviction for traffic offences" (our emphasis).

2.6 The American insurance industry's organisation, which has a vested interest in both reducing accidents and in identifying those drivers most likely to have accidents, has come to a similar conclusion. In a recent edition of its Highway Loss Reduction Status Report (No. 106) that organisation pointed out that "points systems for various traffic violations have not improved the ability to spot individuals who are likely to become involved in crashes".

2.7 A detailed study in the Australian Capital Territory again found similar results. The report released by the Office of Road Safety in 1983 found that in a three year study of A.C.T. drivers, some 8.8% had traffic offences but no traffic accidents. A larger number, 11.5% had accidents but no traffic offences. Only 4.2% of the drivers studied had both traffic offences and accidents during the period. Certainly in the A.C.T. in the early 1980s traffic infringement notices were not a good predictor of which motorists would have accidents.

2.8 In giving evidence before the STAYSAFE Committee, representatives of the Police Traffic Branch repeatedly affirmed their belief that there was a high correlation between detected breaches of the traffic rules and likelihood of crashes. However, they were unable to produce any scientific or research evidence to support this claim and instead relied on "experience" and "seat of the pants" feelings.

2.9 The inescapable conclusion from all of the available evidence is that the vast majority of breaches of traffic law, including those for which drivers are charged, do *not* lead to crashes.

2.10 Not only is there no simple relationship between breaking the road rules and having accidents, but there is some arbitrariness about which breaches of the law the police actually detect. Every day there are thousands of traffic offences committed on our roads. After all, who amongst us would in a day of driving on suburban roads at some time not once exceed the 60 kph limit applicable to most of those roads?

2.11 Yet on any given day the police will only detect a tiny percentage of breaches of the road rules. Just which motorists actually get caught by the police, depends partly on luck and partly on which locations the police choose to concentrate their resources. The vast majority of breaches of traffic law go undetected.

2.12 There is some evidence to suggest that the police often have located their resources in places where it is easiest to catch people infringing the traffic rules, rather than at those locations where the danger of an accident is greatest.

2.13 For example, during the course of this inquiry the Committee asked the police to produce the details of how they allocated their manpower during one twenty-four hour period in number 35 Division. This data is reproduced in Table 1. While this data relates only to one twenty-four hour period in one division it is not atypical. Police witnesses appearing before the Committee admitted that this allocation was not unusual; indeed several of them defended the allocation as a sensible use of resources to enhance road safety.

2.14 As Table 1 demonstrates a very large proportion of resources was placed on the F5 Freeway. Five out of the eleven officers restored for duty spent all or part of their shifts patrolling the F5 Freeway.

Table 1: Highway Patrol Roster for 35 Division on Wednesday,
23rd January, 1985.

OFFICER	DUTIES
	<u>5 a.m. to 1.30 p.m.</u>
1	General Patrol all areas. Attn: F5 Freeway. Radar Unit 061.
	<u>7 a.m. to 3.30 p.m.</u>
2	Patrol Campbelltown Airds Claymore Leumeah & Minto. Attn: Bradbury Swimming Pool re' Parking.
3	Patrol Appin Bargo to Camden Narellan Bringelly & F5 Attn: Appin & Bulli Roads.
4	Patrol F5 Freeway Cross Roads Glenfield to Campbelltown.
	<u>3 p.m. to 11.30 p.m.</u>
5	Random Breath Testing Duties.
6	Patrol F5 Freeway Bargo Picton Camden The Oaks Mt. Hunter. Radar Unit 061.
7	Patrol Campbelltown area, Leumeah & Minto.
8	Patrol Campbelltown Airds Ambarvale Claymore Minto.
9	Patrol Campbelltown Minto M/Fields Glenfield & F5 Freeway.
10	Random Breath Testing Duties.
11	Patrol Appin Campbelltown Leppington Bringelly Narellan. Radar Unit 049.

2.15 If the two officers allocated to random breath testing units are considered separately, then five out of the nine highway patrol units on the road spend all or a considerable amount of their patrol on the F5 Freeway.

2.16 Almost half of the non-RBT resources in the vast area between Bargo and The Cross Roads near Liverpool were devoted to patrolling the F5 Freeway.

2.17 Yet the F5 Freeway is one of the safest stretches of road in that whole region. Many millions of dollars of taxpayers' funds have been spent to construct a road with a standard of inbuilt safety features equal to any in the world. This expensive dual lane, divided road with no intersections has been constructed in a manner which deliberately reduces the accident risk.

2.18 Why then did the police allocate a disproportionate amount of their resources to one of the safest roads? The official police explanation is that the F5 Freeway owes its good safety record as much to the police presence as to its design criteria. The reality is that the F5 Freeway is an easy place to detect motorists exceeding the speed limit. It is an easy location to detect breaches of the traffic rules.

2.19 While the Committee in no way wishes to condone breaches of the traffic laws, we recognise that police resources are not unlimited and that there will always be many breaches which go undetected. The central issue is not whether the police should knowingly allow people to break the road rules, but which breaches do the police want to concentrate on detecting or preventing?

2.20 By concentrating so much effort on the F5 Freeway, the police effectively gave up the chance to put their resources into other roads where accidents were more likely to occur. The opportunity cost of patrolling the F5 Freeway is that other, more dangerous roads do not have the benefit of police activity to reduce the chance of an accident.

CHAPTER 3

STRATEGIES FOR POLICE TO ENHANCE ROAD SAFETY

Recommendations

- (3) That the main police strategy should be one of preventing crashes rather than fining a small, arbitrary percentage of the bulk of motorists who breach the road rules at one time or another.
- (4) That every officer responsible for assigning road safety duties to other officers be supplied with, and maintain up to date information on crashes in the rostered area.
- (5) That in the assignment of work, priority be given to "high accident" or "black spot" locations.
- (6) That the type of enforcement at those locations be tailored to the major cause of accidents at each location.
- (7) That police tactics reflect the fact that a highly visible police presence is of prime importance in any deterrent programme.
- (8) That police tactics also take into account the fact that in most situations stationary patrols are more effective than mobile patrols.
- (9) That all highway patrol cars be clearly marked.

- (10) That much more education be given to individual highway patrol officers about the scientific basis for these changed tactics.
- (11) That regular feedback be provided to individual police officers on the benefits to road safety which have been gained from their implementation of new tactics.
- (12) That selective enforcement tactics for particularly dangerous locations be backed up by more widespread campaigns against practices like drink-driving and failure to wear seat belts or child restraints.

Barriers to Change

3.1 As was clearly spelled out in the preceding chapter, the Committee firmly believes that the Police Traffic Branch should place its emphasis on enhancing road safety. Once this overall philosophy is accepted, then it naturally follows that prevention of accidents must rate a much higher priority than detection of people breaching the traffic rules. Prevention is much better than conviction.

3.2 Shifting to a preventive strategy poses several problems for the police force. First, and foremost, the ingrained culture of the police force is to catch people breaking the law. While lip service has often been given to a belief in prevention, and some officers have actually tried to devise programmes to implement that belief, the general thrust of the police force in New South Wales has been on detecting breaches of the law.

3.3 A second impediment is the lack of knowledge and experience to implement such programmes. When an organisation has been exclusively steeped in one tradition of work practices, its personnel frequently know little about other ways of doing things. So that even if the leadership of the organisation decides to change the focus there will be a significant lag in time while the new skills and appropriate knowledge are obtained.

3.4 A third, and quite significant barrier is that preventive practices usually provide much less immediate work satisfaction than apprehending people who have committed offences. To say this is not to belittle the police or to trivialise their perception of their own personal worth. It simply recognises a fact of life.

3.5 For the individual police officer the link between preventive work and the outcome of that action is very tenuous. The outcome, is never immediate, is often delayed and may not even be communicated to the police officer. Catching an escaping armed robber is a clear and specific achievement for a police officer. Advising a service station proprietor on how to reduce the likelihood of being burgled seems much more vague, and the community benefit is harder to quantify.

3.6 Similarly, it is much more satisfying to drive a high powered highway patrol car at 140 kph down the F5 Freeway to issue a traffic infringement notice to a speeding motorist, than it is to spend an hour doing the repetitive and laborious work of conducting a random breath station.

3.7 However, to recognise that there are impediments in shifting to a preventive approach is not to say, that such a shift cannot be made or that there are no hopeful signs. In recent years the impetus of change, provided by both Police Minister Peter Anderson and Police Commissioner John Avery, has seen the police force generally begin to move into preventive work.

3.8 The highly successful Safety House Programme for children and the newer Neighbourhood Watch Programme are proving to be both popular and effective preventive programmes.

3.9 In the road safety area the Government's Random Breath Testing initiative has been enthusiastically embraced by senior police and their implementation of it has led to a massive reduction in the N.S.W. road toll. Indeed the N.S.W. Police have conducted RBT more successfully than any other police force in the world.

3.10 So while the Committee acknowledges that moving to a preventive approach is easier said than done, we are optimistic that such a change can be successfully achieved. We observe that the start of this change is already occurring both in the police force as a whole and in the Traffic Branch in particular.

The Essential Research Basis

3.11 Any successful preventive strategies must have a sound basis in research. By research we do not mean that some lengthy and expensive academic study must take place before anything practical can be done. Instead the Committee simply believes that as a starting point the police should plan their tactics using the hard data they already have on accident locations and utilise the results of some practical studies already conducted on which types of police presence work best.

3.12 An obvious starting point in any preventive approach is to see where the highest concentrations of crashes are occurring. If several crashes are occurring on a particular section of road then that is clearly a location where police resources could be concentrated with some positive effect on road safety.

3.13 The second obvious step is to try to identify the most frequent factors contributing to accidents at that location. Often the most appropriate medium term solution may not involve the police but require engineering works, though, in the short term the police may need to devise tactics to try to reduce the danger immediately. The type of police action will depend on the most frequent factors contributing to accidents at each location. For example if drink-drivers are crashing at a particular location then the use of RBT units will be more sensible than setting up a radar trap.

3.14 In short the sensible approach is to identify any "black spot" locations, find out whether there are significant breaches of the law and, if so, concentrate police resources at that location.

3.15 With this in mind the Committee was delighted to be presented with material prepared by Sgt. D. J. Morris of the Highway Patrol Response Group. Sgt. Morris looked at the overall pattern of crashes in 34 Division which centres on Fairfield. He identified the twenty worst "black spots" in that area. Further he discovered that nearly 61% of all crashes occurred at these locations due to the failure of at least one driver or rider to obey a stop sign.

3.16 Morris found that significant engineering improvements were being made at half of the "black spots" he identified. Perhaps the best long term solution at the other "black spots" would also be through physical changes to the road environment. However, in the short term a police presence at those "black spots", which concentrated on having motorists obey the stop sign rules properly, would have a positive effect in reducing crashes.

3.17 As indicated in paragraph 3.15, the Committee was impressed with Sgt. Morris' presentation. However, we were also dismayed by two related facts. First, Sgt. Morris' work was a special "one off" job when it should have been the normal bread and butter work of every senior officer in the highway patrol in deciding how to deploy their resources.

3.18 Second, the Officer in charge of allocating highway patrol officers to the Fairfield area, (coincidentally the same officer who rostered so many units to patrol the F5 Freeway) had never even seen Sgt. Morris' document several months after it had been produced.

3.19 The STAYSAFE Committee strongly recommends that the foundation for all day to day roster planning be the relevant accident statistics for the area being rostered. This should be a simple matter for the police. Not only does the Traffic Authority record and process such information but the police themselves are the people who actually record it in the first place.

Choosing the Best Tactic

3.20 Once the high risk locations are identified and the major causes of accidents at those sites are defined, there still remains the difficulty of choosing the most appropriate tactic to deal with each particular problem. Obviously a mobile police motorcyclist is not the best method of dealing with a place where most accidents involve drunk drivers at an intersection. But, what is the best tactic for dealing with excessive speedsters, for dangerous overtakers and for people who fail to obey stop signs?

3.21 These are difficult questions to answer and the Committee does not pretend to have a magic solution to solve all such problems. However, there is some good practical research which helps us lay down general principles to govern how the police should choose their tactics.

3.22 First, police visibility has a far greater proven deterrent value than the fear of the possibility of a hidden police officer. When motorists see an obvious police presence they often alter their behaviour.

3.23 In this regard the Committee commends the efforts made by the Police Minister and the Police Force to dramatically increase the number of marked police cars and the shift to identical marking for general duties police vehicles and highway patrol cars.

3.24 Indeed the Committee can see no value at all in the highway patrol continuing to use any unmarked vehicles.

3.25 The second general principle which emerges from practical research is that a stationary police presence is a much more effective deterrent than a mobile police presence. Mary Armour, of the Victorian Road Traffic Authority among others, has clearly demonstrated this. Armour's research is all the more relevant because much of it was conducted in N.S.W.

3.26 Armour demonstrated how a highly visible police radar unit could effectively reduce speeds at a specific location. However, not only were speeds reduced at that location (which after all is hardly a surprising find) but there was a "halo" effect, in that motorists drove at lower speeds for some distance *after* passing the radar unit.

3.27 Even more importantly, Armour found that a memory effect could also be created. A concentrated blitz over a period of time would, if occasionally reinforced, cause drivers to reduce speed at that location even when police were not present. The total effect of an intensive highly visible enforcement programme, supplemented by periodic re-enforcement can be to change some behaviour of drivers at a dangerous location and cause them to alter their behaviour whenever they are at or near that location.

3.28 There can be no question that a stationary highway patrol officer will be seen by many more motorists than a mobile patrol and hence will have a much more effective deterrent value.

3.29 The Committee recommends that the police make much more use of stationary patrols at "black spot" locations such as particularly dangerous stretches of road or intersections and that they use a combination of short term blitzes and ongoing periodic re-enforcement to reduce the incidence of crashes at these locations.

3.30 The Committee realises that any such change in police tactics must be accompanied by an educative programme to explain to individual officers why these new tactics are better. It is essential that part of this programme involve regular feedback to those officers of what positive results have been achieved by the new tactics at the locations they have been applied. Police officers must get some indication of where their work has been effective.

Some Complementary Tactics

3.31 While the strategy outlined above should form the basis of police traffic work there are several special circumstances which need to be taken into account. For example, some sensitivity will need to be exercised in deciding when to completely abandon a police presence at a particular site. Obviously there is no point keeping the resources there when there are no longer any crashes but equally obviously there is little point letting the site deteriorate to its previous crash record.

3.32 There will always need to be some discretion exercised by the police in these matters. The Committee in no way seeks to intervene in such decisions but rather to set general principles for how police tactics should be formulated.

3.33 In addition to the strategy of concentrating on "black spot" locations there is another preventive strategy which the police should use to complement those activities. This involves tactics to deal with particularly dangerous offences which are not heavily related to particular locations.

3.34 Random breath testing is the obvious example of such a programme. RBT is a strategy which aims to deter one very dangerous form of behaviour — drink-driving — by a widespread enforcement programme. (A detailed review of RBT practices will be covered in a subsequent report later this year.)

3.35 Another example would be a campaign which concentrated on seat belt wearing. Such a campaign would not be relevant to just one high accident area location but would have much more widespread application. It need not necessarily be a campaign involving the fining of people failing to use seat belts and child restraints. A campaign could work effectively through initially the use of cautions and warnings.

3.36 In summary then the Committee believes that while there are limitations to what the police alone can achieve, improving road safety should be the aim of the Police Traffic Branch and that prevention is much better than simply issuing traffic infringement notices. A first step in any sensible approach involves identifying the most dangerous locations and what the major contributing factors to accidents are at these sites. Then the police should devise appropriate tactics to deal with those problems. Such tactics should reflect the fact that stationary patrols are much more effective than mobile patrols and that intensive blitzes backed up by periodic reinforcement can lead to significant changes in motorists' behaviour.

3.37 These selective policing tactics should be complemented by some more widespread approaches to deterring especially dangerous practices like drink-driving and failure to wear seat belts. In this whole process the use of fines is but one tool — and not necessarily the most effective tool — which the police have at their disposal. The emphasis should always be on enhancing road safety rather than simply on catching offenders.

3.38 Only then can the police become more effective in forming a partnership with the community to reduce the incidence of death and injury on our roads.

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