



VICTORIA POLICE

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No 24

Traffic Support Division  
Victoria Police Centre (C/3)  
637 Flinders Street  
Melbourne 3005

3 January 2006

The Research Director  
Travelsafe Committee  
Parliament House,  
George Street  
Brisbane  
Qld. 4000

**RECEIVED**  
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TRAVELSAFE  
COMMITTEE

Dear Sir/Ms.

Thank you for the opportunity to make a submission to the Inquiry Into Vehicle Impoundment for Drink Drivers.

The contents of the Issue Paper have been examined and responses to the Issues for Comment are provided in the following table.

Issues for Comment	VicPol Comment
1. Do drink drivers in Queensland continue to drive illegally after being apprehended by police or disqualified by the courts?	VicPol have no comment to this question.
2. Is this a significant number of drivers?	VicPol have no comment to this question.
3. How often do drink drivers in Queensland continue to do this?	VicPol have no comment to this question.
4. What are the costs and benefits of vehicle impoundment and forfeiture?	<p><b>Costs:</b> Towing fees, storage fees, civil liability for damage to vehicles. Police resources are consumed whilst carrying out impoundment activities and this impact's on the ability to attend to other tasks. Costs to individuals in the community may occur in instances where a vehicle is shared by multiple people. In these circumstances additional public transport charges may be forced on people who ordinarily use the vehicle.</p> <p><b>Benefits:</b> Provides a deterrent value to prevent offending. Removes access to vehicle to prevent re-offending. Provides an additional enforcement option to deal with road safety offences.</p>

<p>5. What are the costs and benefits of ignition key confiscation?</p>	<p><b>COSTS:</b> There are minimal costs associated with this enforcement activity. Costs include enforcement time and administration.</p> <p><b>BENEFITS:</b> Provides a deterrent value to prevent offending. Removes immediate access to vehicle to prevent re-offending. Provides an additional enforcement option to deal with road safety offences.</p>
<p>6. Should vehicle impoundment or key confiscation be used in Queensland to prevent drink drivers from repeating or continuing the offence?</p>	<p>Either of these measures may be used having regard to individual circumstances, discretionary considerations and the appropriateness of the option being used.</p>
<p>7. Would other vehicle sanctions help reduce the amount of repeat drink driving? Which sanctions?</p>	<p>A range of sanctions could be considered to provide options in these circumstances. The sanctions to be considered may include Alcohol Interlock Programs, Immediate Suspension of Drivers Licence, Key Seizure and Vehicle Impoundment.</p>
<p>8. Would these vehicle sanctions work in conjunction with vehicle impoundment and key confiscation?</p>	<p>An Alcohol Interlock Program could be used in conjunction with vehicle impoundment and key confiscation.</p>
<p>9. Can other recidivist drink driving countermeasures be used to improve the effectiveness of vehicle sanctions? How?</p>	<p>Effective countermeasure to recidivist drink driving offending includes a highly visible and regular random testing enforcement regime that provides the community with a strong impression that if they drink and drive they will be detected.</p> <p>An additional countermeasure in Victoria is the Immediate Licence Suspension provision that may remove the offender's authority to drive contemporaneous with the alleged offence.</p>
<p>10. How effective are the existing penalties under the Transport Operations (Road Use Management) Act 1995 in reducing repeat drink driving?</p>	<p>VicPol have no comment to this question.</p>
<p>11. Are the powers provided to police to manage drink driving under the Transport Operations (Road Use Management) Act 1995 enough?</p>	<p>VicPol have no comment to this question.</p>
<p>12. How effective is the Police Powers and Responsibilities Act 2000 in reducing the number of individuals driving carelessly, dangerously, in racing or speed trials or in a way that makes unnecessary noise or smoke?</p>	<p>VicPol have no comment to this question.</p>
<p>13. Should the Police Powers and Responsibilities Act 2000 be amended to include drink driving as a 'prescribed offence' enabling police officers to impound drink drivers' vehicles?</p>	<p>VicPol have no comment to this question.</p>
<p>14. What effect, if any, do successful appeals against licence suspension or disqualification have on drink driving behaviour and existing penalties for drink driving?</p>	<p>VicPol have no comment to this question.</p>

15. Should the appeal process for drink driving be tightened to reduce the incidence of successful appeal in Queensland?	VicPol have no comment to this question.
16. Is vehicle impoundment and key confiscation legislation successful in reducing the number of recidivist drink drivers in other Australian jurisdictions and overseas?	Victoria does not currently have a vehicle impoundment enforcement regime; however, forthcoming legislation is intended to introduce vehicle impoundment in July 2006 however it will not apply to drink driving offences but it will address those who drive whilst disqualified, having lost their licence for drink driving. Anecdotally, vehicle key confiscation is an effective measure to preventing immediate re-offending in Victoria.
17. Should Queensland introduce legislation that is consistent with the legislation in other Australian jurisdictions?	VicPol have no comment to this question.

### UMMARY

Drink driving is a complex social, economic and public health issue<sup>1</sup>. Victoria Police consider that a multi-purpose deterrent approach to offending which includes Random Breath Testing, Immediate Licence Suspension, Key Seizure, an Alcohol Interlock Program and appropriate sentencing of offenders is required to provide sufficient diversification of approaches to deal with the problem.

Victoria Police will commence vehicle impoundment enforcement in July 2006. The Victorian vehicle impoundment enforcement regime does not include drink driving offences as a prescribed offence for impoundment of motor vehicles. Including drink driving to the range of prescribed offences would provide an additional method of dealing with drink driving offenders to deter and prevent recidivist offending. However, an extensive cost and workload analysis should be completed to determine the impact of such a provision on operational police budgets and resource requirements.

Yours faithfully,

Peter J Keogh  
Superintendent.

<sup>1</sup> Maximum Penalties for Repeat Drink Driving Report, Sentencing Advisory Council Victoria, Sept.2005, P.1.