

**GOVERNMENT RESPONSE TO THE REPORT, INQUIRY INTO VIOLENCE
ASSOCIATED WITH MOTOR VEHICLE USE BY THE VICTORIAN DRUGS AND CRIME
PREVENTION COMMITTEE**

The Government welcomes the report of the Drugs and Crime Prevention Committee (**the Committee**) on its inquiry into violence associated with motor vehicle use.

The inquiry was commenced in 2003 during the life of the Fifty-fifth Parliament. On 18 June 2003 the Governor in Council referred the following terms of reference to the Drugs and Crime Prevention Committee:

"the Governor in Council, under section 4f of the Parliamentary Committee's Act 1968, requires that the following matters be referred to the Drugs and Crime Prevention Committee for enquiry, consideration and report on:

- (a) the incidents, prevalence, severity, cost and impact of violence associated with motor vehicle use;*
- (b) a review of Victorian, national and international research into violence associated with motor vehicle use;*
- (c) the effectiveness of strategies and initiatives relating to violence associated with motor vehicle use; and*
- (d) need for policy and legislative reform to redress violence associated with motor vehicle use at the State level."*

The Committee has developed a comprehensive strategy to address the problems of violence associated with motor vehicle use.

The Committee's report contains almost 70 recommendations many of which are concerned with the education of road users in order to prevent incidents and occurrence of violence associated with motor vehicle use.

The following table sets out the Committee's recommendations and the Government's proposed response to them.

Rec Number	Summary of Recommendations	Government Response
1 (page 45)	<p>The Committee recommends that steps be taken by Victoria Police to encourage the victims of Road Violence, Road Hostility and Selfish Driving to report their experiences to Victoria Police.</p>	<p>The Government supports this recommendation in principle.</p>
2 (page 76)	<p>The Committee recommends that Victoria Police continue to review its data holdings to ensure that incidents involving ‘road user violence’ are more accurately classified in the Law Enforcement Assistance Program (LEAP), and that police receive ongoing training in the definition of ‘road user violence’ for the purposes of recording incidents in LEAP.</p>	<p>The Government supports this recommendation in principle. The Government’s consideration will be given to building an appropriate classification for “road user violence” into the proposed new LEAP system.</p>
3 (page 76)	<p>The Committee recommends that Victoria Police provide a yearly report on the nature and extent of incidents recorded on LEAP involving ‘road user violence’, including data on victim and offender demographics, prior history of offenders, financial loss and personal injuries suffered by victims, and prosecution outcomes.</p>	<p>This recommendation is partly supported by the Government in that the accurate recording of information and updates on LEAP is an ongoing initiative. The Government’s consideration will be given to building an appropriate classification for “road user violence” into the proposed new LEAP system. However, recording of information such as financial loss and personal injuries suffered is a matter of subjective evaluation and is not suitable for police members to assess and record. For example, a police officer will not know if a dent on the rear of a vehicle will cost \$100 or \$5,000 to fix and similar situations exist in relation to personal injuries where a simple headache may be a more severe medical condition. The feasibility of providing annual reporting as part of the Annual Crime Statistics published by Victoria Police will be examined.</p>
4 (page 96)	<p>The Committee recommends that journalists should familiarise themselves with the terms Road Violence, Road Hostility and Selfish Driving (as defined in this Report) and that these terms be used in preference to ‘road rage’ in future media reporting.</p>	<p>The Government notes the Committee’s recommendation and will write to the Journalists’ Association to seek their cooperation in this endeavor.</p>

Rec Number	Summary of Recommendations	Government Response
5 (page 96)	<p>The Committee recommends that journalists be encouraged to publicise the judicial outcomes of cases involving Road Violence, including details of sentences imposed for specific offences committed.</p>	<p>The Government notes the Committee's recommendation.</p>
6 (page 157)	<p>The Committee recommends that the Attorney General request the Court Administration Working Group and the Courts Practitioner Group of the Australian Bureau of Statistics to consider the need to gather statistics on cases involving Road Violence and related cases as part of their review of court statistics.</p>	<p>The Government supports this recommendation in principle but notes that the review of court statistics has already commenced. This recommendation will be reviewed once the Courts Improvement Project (which is currently being undertaken in two stages by staff from the National Centre for Crime and Justice Statistics) is completed. Stage 2 of the project has recently commenced and is expected to take approximately 9 months to complete.</p>
7 (page 332)	<p>The Committee recommends that VicRoads consider increasing the number of roadside electronic signs to advise road users of anticipated delays, reasons for the delay and alternative routes where available.</p>	<p>The Government supports this recommendation. The implementation and ongoing deployment of travel information on metropolitan arterial roads and freeways demonstrates the Government's commitment to providing on-route travel time advice to road users. In 2005/06 over 30 permanent electronic variable message signs will be deployed on critical parts of the metropolitan road network. These devices will enable the provision of advice to road users in relation to incidents on the network, anticipated delays, reasons for the delay and alternative routes. In addition, VicRoads is making more extensive use of portable electronic signs to advise road users of anticipated delays well in advance of roadworks.</p>

Rec Number	Summary of Recommendations	Government Response
8 (page 332)	<p>The Committee further recommends that VicRoads develop and advertise a website and/or written form for people to advise of particular traffic sites at which traffic flow could be improved (Redspot Forms).</p>	<p>The Government notes the Committee's recommendation. However, the "Red spot" Form is an initiative prepared by the RACV biennially arising from surveys.</p> <p>The Government also notes that this facility already exists. All concerns about traffic matters can be reported via the VicRoads website 'comments section'. Members of the public are also able to submit concerns about traffic matters by completing the tear off section of the current 'Keep your cool in the car' brochure.</p> <p>VicRoads monitors freeway flows and is developing a system to more closely monitor traffic flow on arterial roads. This enables VicRoads to target improvements. Real-time traffic flow and incident information is available through the VicRoads website.</p>
9 (page 334)	<p>The Committee recommends that VicRoads consider increasing the number of roadside signs to advise road users of laneway keep left laws and penalties for noncompliance.</p>	<p>The Government notes that the Road Rules relating to keeping left on multi-lane roads with a speed limit in excess of 80kmh are already in place and that penalties exist for non compliance. Difficulties arise in implementing the Committee's recommendation as drivers are not required to keep left when overtaking or when traffic is congested. Such signs may give an erroneous message to drivers.</p> <p>While there are a number of "Keep Left Unless Overtaking" signs on highways and freeways, it is not current practice to erect new signs to reiterate existing road rules.</p> <p>VicRoads is currently examining the concept of restricting trucks from using the right lane of freeways.</p>

Rec Number	Summary of Recommendations	Government Response
10 (page 335)	<p>The Committee recommends that VicRoads consider increasing the use of street signs and signs indicating approaching streets along main roads.</p>	<p>The Government supports this recommendation in principle and supports the need to improve navigational advice to road users. VicRoads has just concluded a study on how people navigate around Melbourne. The study has identified a number of potential initiatives to make navigation simpler. The study highlighted the importance of street name signs. A detailed assessment of the findings is currently being made.</p> <p>The Government notes that careful consideration is needed in relation to appropriate indication signs. For example, it is not practical to indicate every forthcoming street off a main road as this may potentially result in too many distracting signs on main roads for motorists and cyclists, which may exacerbate hostility.</p>
11 (page 335)	<p>The Committee also recommends that the VicRoads Redspot Form (see Recommendation 8) be altered to allow individuals to identify sites in need of additional street signs and signs indicating approaching streets. Serious consideration should then be given to locating signs at any sites so identified.</p>	<p>The Government notes the Committee's recommendation. However, the "Red spot" Form is an initiative prepared by the RACV biennially arising from surveys.</p> <p>The Government notes that this facility already exists. People may advise VicRoads of any concerns on the arterial road network through the 'comments section' of the VicRoads website or via the tear off section of the current 'Keep your cool in the car' brochure.</p>

Rec Number	Summary of Recommendations	Government Response
<p>12 (page 336)</p>	<p>The Committee recommends that the VicRoads Redspot Form should be amended to allow the community to identify sites in need of signs advising about the need to share the road with bicycles and motorcycles. Serious consideration should be given to placing appropriate signs or road marking at the sites so identified.</p>	<p>The Government notes the Committee's recommendation. However, the "Red spot" Form is an initiative prepared by the RACV biennially arising from surveys.</p> <p>The Government notes that this facility already exists. People may advise VicRoads of any concerns they may have on this matter through the 'comments section' of the VicRoads website or via the tear off section of the current 'Keep your cool in the car' brochure.</p> <p>The Government notes that bicyclists and motorcyclists are legitimate road users. All road users are obliged to have regard to the road rules and share road space. However, the issues for bicyclists and motorcyclists are very different. Drivers may become hostile to motorcyclists who drive between lanes, and with cyclists because they are slow and force drivers to change lanes or slow down.</p> <p>The Principal Bike Network identifies specific bike routes and is supported in many locations by marked lanes to assist separation of traffic modes. VicRoads has also published a pamphlet entitled "Sharing the Road" (available on the VicRoads website).</p> <p>The Motorcycle Safety Levy is used to, amongst other things, improve sites where motorcycle crashes have occurred. There are also campaigns to encourage drivers to look out for motorcyclists and research is being conducted to improve motorists' interaction and awareness of motorcycles. It is unlikely that signs or road markings would influence driver behaviour towards motorcyclists.</p>

Rec Number	Summary of Recommendations	Government Response
13 (page 336)	<p>The Committee recommends that the VicRoads Redspot Form allow individuals to identify sites in need of additional warning signs about the need to merge. Serious consideration should be given to locating signs at any sites identified.</p>	<p>The Government notes the Committee's recommendation. However, the "Red spot" Form is an initiative prepared by the RACV biennially arising from surveys.</p> <p>The Government notes that this facility already exists. People may advise VicRoads of any concerns they may have on this matter through the 'comments section' of the VicRoads website or via the tear off section of the current 'Keep your cool in the car' brochure.</p> <p>There are standard warning signs for merging and guidelines for their placement. Consideration is being given by Standards Australia to modify a number of these signs to ensure compatibility with road rules in relation to merging. VicRoads has also produced a brochure entitled "Merging Safely" which explains the road rules and promotes good driving practice.</p>
14 (page 336)	<p>The Committee also recommends that VicRoads install give way signs at all freeway entrances, to clarify the need for those entering the freeway to allow drivers in the left lane to proceed.</p>	<p>The Government notes that this recommendation has been superseded as ramp meters, which regulate the volume of merging traffic, have been and continue to be implemented on ramps on several urban freeways. These devices and a long merge length are provided at entry ramps to assist merging. VicRoads has also produced and marketed a brochure entitled "Easy Merge – Safer Flow" (available on the VicRoads website) to complement this initiative.</p> <p>Traffic entering a freeway is required to give way to traffic on the freeway. However, for successful merging, drivers on the freeway, in heavier traffic, need to show courtesy to provide gaps in the traffic.</p>

Rec Number	Summary of Recommendations	Government Response
17 (page 338)	<p>The Committee recommends that the Victorian Government create standards to ensure that all new car parks are designed to allow sufficient space for the free movement of vehicles and to prevent over-crowded parks with inadequate room for easy traffic flow.</p>	<p>The Government supports this recommendation in principle but notes that this recommendation will necessitate negotiations with local councils.</p> <p>The Government notes that there are Australian Standards for car parking and that off road parking planning issues are controlled through the Victoria Planning Provisions (VPP), Clause 52.06, which details car parking requirements for space sizes and number of spaces.</p> <p>The Government also notes that there are practical implications as there will not be available space to increase parking in many areas or it may be cost prohibitive to create additional parking spaces.</p>
18 (page 338)	<p>The Committee also recommends that part of any Selfish Driving campaign to be conducted by Victoria Police and VicRoads (see Chapter 18) specifically focus on the need to be courteous in car parks. To coincide with such campaigns the Committee recommends that VicRoads develop a specific sign or poster that can be used by car park operators to encourage car park courtesy.</p>	<p>The Government notes a number of the Committee's recommendation relate to advertising/education campaigns. To the extent that the campaigns referred to in recommendations, 18, 31, 33, 34, 35, 36, 37, 38, 39, 46, 49 and 52 can be combined and or utilise existing education or advertising material then the government supports an advertising/education campaign.</p> <p>The Government questions the value of such an approach as the Committee noted that research shows that such posters have not been proven to be effective. The Government also notes that car parking issues are primarily a local government responsibility (eg. shopping centre car parks/city/strip shopping centres).</p>

Rec Number	Summary of Recommendations	Government Response
19 (page 343)	<p>The Committee recommends that VicRoads amend the Learner Driver's Handbook by including material dealing with the question of driver errors and how best to indicate an apology to other motorists.</p>	<p>The Government supports this recommendation in part. The current handbook provides appropriate information in a simple to understand way about sharing the road safely, cooperating with other motorists, dealing with aggressive drivers, and "Keeping your cool in the car". VicRoads will review this material.</p>
20 (page 344)	<p>The Committee recommends that VicRoads conduct an evaluation of the effectiveness of Australian Design Rule 8/00 in order to determine whether or not the window tinting standards should be revised to allow motorists to see drivers of other vehicles more clearly than at present.</p>	<p>It should be noted that it is not necessarily appropriate to recommend an apology signal be given in all cases where driver errors occur. If a driver is unaware that s/he have made a driving error (therefore failing to make an apology signal), an aggrieved driver may then be offended that they did not get an expected apology potentially exacerbating the problem. Further, a signal may be misinterpreted again exacerbating the situation. In other cases the aggrieved driver may actually be the driver in error but may incorrectly believe the fault lies with the driver at which they may vent their hostility.</p>
21 (page 347)	<p>The Committee recommends that the VicRoads Redspot Form be amended to permit the community to identify sites in need of traffic calming measures. Serious consideration should be given to implementing measures at any locations so identified.</p>	<p>The Government notes that Australian Design Rules are developed and governed by the Commonwealth Department of Transport and Regional Services (DOTARS). The Government further notes that Australian Design Rule 8/00 has been prepared to take into account driver visibility by requiring reduced tinting on driver windows.</p> <p>The Government notes the Committee's recommendation. However, the "Red spot" Form is an initiative prepared by the RACV biennially arising from surveys.</p> <p>The Government notes that this facility already exists. All concerns about traffic matters can be reported via the VicRoads website 'comments section' or via the tear off section of the current 'Keep your cool in the car' brochure. Generally traffic calming measures involve interventions involving local roads, which are the responsibility of local Governments.</p>

Rec Number	Summary of Recommendations	Government Response
22 (page 347)	<p>The Committee recommends that further research be conducted by VicRoads into the effectiveness of specific traffic calming measures in preventing Road Violence.</p>	<p>The Government notes the Committee's recommendation and further notes that the Report suggests that road calming measures (such as speed humps etc) may have an adverse effect on drivers and promote driver violence (page 346 of Report).</p> <p>As part of <i>arrive alive! Victoria's Road Safety Strategy 2002-2007</i> the Government has significantly reduced speed limits and driver speeds throughout Victoria via the introduction of the default 50 km/h urban speed limit, the 40 km/h school speed limits, the 40 km/h strip shopping centre speed limits, increased speed enforcement and increased anti-speeding promotion and publicity.</p> <p>VicRoads will consider this issue as part of the current Speed Limit Review throughout Victoria, however, traffic calming measures typically aim to improve road safety rather than reducing road violence and hostility; are generally targeted at local roads that are the responsibility of local Governments, and road violence is generally part of broader antisocial tendencies that are only coincidentally associated with the road environment and therefore, road safety agencies should not be deemed to be the lead agency in researching road violence.</p>
23 (page 360)	<p>The Committee recommends that VicRoads in its current review of the Victorian drivers' licensing process take into consideration the issue of Road Violence, Road Hostility and Selfish Driving.</p>	<p>The Government will investigate the feasibility of this recommendation.</p> <p>The Government's Young Driver and Graduated Licensing Discussion Paper involves a review of the licence process for novice drivers. The Discussion Paper encourages views on possible measures to improve the safety of novice drivers from individuals and others. The Committee's views will be considered as part of this review. The Government notes however, that there is a lack of evidence suggesting licensing can address the issue of road violence, hostility and selfish driving.</p>

Rec Number	Summary of Recommendations	Government Response
24 (page 367)	<p>The Committee recommends that VicRoads, as part of its current review of the Victorian drivers' licensing process, should investigate ways in which to incorporate information about driver attitudes and Road Violence into its educational materials provided to novice drivers.</p>	<p>The Government supports this recommendation in principle.</p> <p>The Government notes that information on dealing with aggressive drivers is currently included in the handbook which learners must study to pass their learner driver knowledge test. VicRoads currently addresses high risk driver behaviour through educational resources, licence testing, development of appropriate penalties (such as demerit points), assessing medical fitness of drivers and other means. VicRoads will continue to look for opportunities within these programs and systems to target inappropriate behaviours and ways to achieve compliant behaviour.</p>
25 (page 368)	<p>The Committee recommends that VicRoads should, as part of its review of driver licensing in Victoria, investigate whether all applicants for licences should be required to attend anger management/behaviour change programmes.</p>	<p>This recommendation is not supported. Recent research suggests that only 2.7 percent of young drivers have serious anti-social and violent behaviour problems and engage in frequent high risk driving. It is therefore not appropriate to require all licence applicants to undergo an anger management program.</p> <p>The Government notes and affirms statements in the report to the effect that "At present the research evidence has not supported the predictive ability of psychological tests in isolating individuals who may be at risk of committing Road Violence" (Page 362 Report). Accordingly, as it would be very difficult to accurately screen and predict which drivers would require such a program, licence screening is not supported.</p> <p>The Government also notes the practical impact on time and monetary costs arising from the attendance of testing would potentially be borne by individuals seeking a licence and therefore the requirement may create inequities which may preclude implementation.</p>

Rec Number	Summary of Recommendations	Government Response
26 (page 368)	<p>The Committee recommends that VicRoads consider the introduction of targeted educational courses for existing drivers who have been convicted of offences relating to Road Violence, prior to having licences renewed every 10 years.</p>	<p>This recommendation is not supported. It is noted that VicRoads is not advised of serious criminal offences such as assault and other serious violence offences. The Government also notes from the Report that the type of anger management/behaviour change programme envisaged may be expensive to administer and as such may not be capable of being economically justified.</p>
27 (page 370)	<p>The Committee recommends that the Victorian Government should trial and evaluate a voluntary anger management/behaviour change programme dealing with ways to reduce Road Violence, Road Hostility and Selfish Driving for those people who are required to drive for their employment.</p>	<p>This recommendation is not supported.</p>
28 (page 370)	<p>The Committee further recommends that the Victorian Government consult with the Australian Taxation Office to investigate ways in which to provide taxation incentives for companies that require their employees to attend anger management / behaviour change programmes dealing with ways to reduce Road Violence, Road Hostility and Selfish Driving.</p>	<p>This recommendation is not supported but the Government note that employment related expenses are tax deductible for companies and individuals where such expense is incurred in deriving assessable income. Accordingly, professional drivers etc may already be able to claim tax deductions from attending anger management courses.</p>
29 (page 371)	<p>The Committee recommends that VicRoads, as part of its current review of the Victorian drivers' licensing process, investigate the feasibility of requiring all drivers' licence applicants to drive around a roundabout as part of their licensing practical test.</p>	<p>The Government supports this recommendation in principle, noting the Committee's recognition that some licence testing facilities in urban and regional areas do not have ready access to roundabouts for the purposes of implementing this recommendation.</p>
30 (page 374)	<p>The Committee recommends that VicRoads conduct a study to ascertain the effectiveness of voluntary refresher courses for drivers in Victoria. The Committee further recommends that if the findings are positive, such courses should be developed.</p>	<p>The VicRoads review of the on-road driving test will be guided by research that indicates the key areas which are critical to improving young driver safety. In light of the Report's findings that "the Committee is uncertain whether there would be a demand for such courses in Victoria" (Report page 374) the Government does not support the recommendation. The option of Voluntary refresher courses was also examined by the Parliamentary Road Safety Committee in its Inquiry into Improving the Safety of Older Road Users (p145) which did not make such a recommendation.</p>

Rec Number	Summary of Recommendations	Government Response
<p>31 (page 380)</p>	<p>The Committee recommends that VicRoads develop a specific educational package addressing driving attitudes that includes a focus on Selfish Driving, Road Hostility and Road Violence. This package should be provided to schools or community groups on demand, as well as to community road safety councils.</p>	<p>The Government notes a number of the Committee's recommendation relate to advertising/education campaigns. To the extent that the campaigns referred to in recommendations, 18, 31, 33, 34, 35, 36, 37, 38, 39, 46, 49 and 52 can be combined and or utilise existing education or advertising material (as in recommendation 32) then the government supports an advertising/education campaign.</p> <p>One example of how some messages are integrated by Government agencies to address driving attitudes and behaviours is the 'Starting Out Safely' Program. This program was developed by VicRoads to educate pre-school children, their parents and carers about key road safety behaviours. The TAC has worked for a number of years with VicRoads to produce a mass communications campaign highlighting the key messages from the program. These road safety agencies will continue to look for opportunities within this and other programs to target behaviours which potentially act as triggers to road violence and to promote role modeling as a means of achieving compliant behaviours</p>
<p>32 (page 380)</p>	<p>The Committee recommends that VicRoads, Victoria Police and Community Road Safety Councils should review their existing educational materials, to ascertain whether it is possible to amend existing programmes to more thoroughly incorporate attitudinal issues.</p>	<p>The Government supports this recommendation to make thorough use of existing educational materials to attitudinal issues and incorporate such materials with any campaigns considered under recommendation 18, 31, 33, 34, 35, 36, 37, 38, 39, 46, 49 and 52. See also the Government Response to Recommendation 31.</p>

Rec Number	Summary of Recommendations	Government Response
<p>33 (page 381)</p>	<p>The Committee recommends that VicRoads and Crime Prevention Victoria extend their programmes to educate parents about the importance of appropriate role modelling regarding driving behaviour.</p>	<p>The Government notes a number of the Committee's recommendation relate to advertising/education campaigns. To the extent that the campaigns referred to in recommendations, 18, 31, 33, 34, 35, 36, 37, 38, 39, 46, 49 and 52 can be combined and or utilise existing education or advertising material (as in recommendation 32) then the government supports an advertising/education campaign. See also the Government Response to Recommendation 31.</p> <p>The Government notes that Road Safety agencies currently address driving attitudes through several existing campaigns, for example Traffic Safety Education and Starting out Safely, which teaches safe road use to children. These agencies will continue to look for opportunities within these programs to target behaviours which potentially act as triggers to road violence and to promote role modelling as a means of achieving compliant, positive and safe behaviours.</p> <p>The issue of improved positive role modelling by parents is canvassed in the Government's <i>Young Driver Safety & Graduated licensing Discussion Paper</i>. Opportunities to increase positive role modelling will be identified through a range of support programs to improve young driver safety and other programs currently addressing this issue (eg. 'ThingleToodle', 'Keys Please' parent-learner sessions).</p>

Rec Number	Summary of Recommendations	Government Response
<p>34 (page 381)</p>	<p>The Committee recommends that VicRoads conduct a general media campaign, as part of any Selfish Driving campaign, to educate parents about the importance of appropriate role modelling regarding driving behaviour.</p>	<p>The Government notes a number of the Committee's recommendation relate to advertising/education campaigns. To the extent that the campaigns referred to in recommendations, 18, 31, 33, 34, 35, 36, 37, 38, 39, 46, 49 and 52 can be combined and or utilise existing education or advertising material (as in recommendation 32) then the government supports an advertising/education campaign.</p> <p>Road Safety agencies currently address driving attitudes through several existing campaigns, for example Traffic Safety Education and Starting out Safely which teaches safe road use to children. These agencies will continue to look for opportunities within these programs to target behaviours which potentially act as triggers to road violence and to promote role modelling as a means of achieving compliant, positive and safe behaviours.</p>
<p>35 (page 392)</p>	<p>The Committee recommends that the Department of Justice and the Transport Accident Commission develop small-scale media campaigns in the first instance. They should take place during dedicated Driver Courtesy Weeks in Victoria and should be evaluated by the Department of Justice and the Transport Accident Commission.</p>	<p>The Government notes a number of the Committee's recommendation relate to advertising/education campaigns. To the extent that the campaigns referred to in recommendations, 18, 31, 33, 34, 35, 36, 37, 38, 39, 46, 49 and 52 can be combined and or utilise existing education or advertising material (as in recommendation 32) then the government supports an advertising/education campaign.</p> <p>Road Safety agencies currently address driving attitudes through several existing campaigns, for example Traffic Safety Education and Starting out Safely which teaches safe road use to children. These agencies will continue to look for opportunities within these programs to target behaviours which potentially act as triggers to road violence and to promote role modelling as a means of achieving compliant, positive and safe behaviours.</p> <p>The Committee's and other research indicate that evaluations exist demonstrating such programs have not been successful and there are no current practical ways to evaluate effectiveness in terms of their impact in improving driver courtesy.</p>

Summary of Recommendations		Government Response
<p>Rec Number</p> <p>36 (page 392)</p>	<p>The Committee further recommends that if the small-scale media campaigns are successful, a broader multi-pronged campaign employing television and radio advertising, print, billboards, posters, stickers and other media should be developed.</p>	<p>The Government notes a number of the Committee's recommendation relate to advertising/education campaigns. To the extent that the campaigns referred to in recommendations, 18, 31, 33, 34, 35, 36, 37, 38, 39, 46, 49 and 52 can be combined and or utilise existing education or advertising material (as in recommendation 32) then the government supports an advertising/education campaign.</p> <p>Road Safety agencies currently address driving attitudes through several existing campaigns, for example Traffic Safety Education and Starting out Safely which teaches safe road use to children. These agencies will continue to look for opportunities within these programs to target behaviours which potentially act as triggers to road violence and to promote role modelling as a means of achieving compliant, positive and safe behaviours.</p>
<p>37 (page 392)</p>	<p>The Committee also recommends that any media campaigns should be multi-lingual and make use of a variety of communications media.</p>	<p>Refer to the response to Recommendation 35.</p>
<p>38 (page 394)</p>	<p>The Committee recommends that as part of the Selfish Driving campaign to be developed by Victoria Police and the Transport Accident Commission, consideration be given to conducting a safe driver reward programme, including the possibility of reduced registration costs for identified unselfish drivers.</p>	<p>The Government notes a number of the Committee's recommendation relate to advertising/education campaigns. To the extent that the campaigns referred to in recommendations, 18, 31, 33, 34, 35, 36, 37, 38, 39, 46, 49 and 52 can be combined and or utilise existing education or advertising material (as in recommendation 32) then the government supports an advertising/education campaign.</p> <p>The Government supports a reward program but does not support the registration fee rebate proposal. In 2006 the Government will implement a Driver Rewards Scheme, in which drivers with a good driving record in the previous three years will be rewarded with a 25 percent reduction in their licence renewal fee.</p>

Rec Number	Summary of Recommendations	Government Response
39 (page 396)	<p>The Committee recommends that VicRoads and the Transport Accident Commission conduct a campaign designed to encourage cooperative use of the roads.</p>	<p>The Government notes a number of the Committee's recommendations relate to advertising/education campaigns. To the extent that the campaigns referred to in recommendations, 18, 31, 33, 34, 35, 36, 37, 38, 39, 46, 49 and 52 can be combined and or utilise existing education or advertising material (as in recommendation 32) then the government supports an advertising/education campaign.</p> <p>Road Safety agencies currently address driving attitudes through several existing campaigns, for example Traffic Safety Education and Starting out Safely which teaches safe road use to children. These agencies will continue to look for opportunities within these programs to target behaviours which potentially act as triggers to road violence and to promote role modelling as a means of achieving compliant, positive and safe behaviours.</p> <p>The Government notes that any campaigns designed to encourage the cooperative use of roads needs to include cooperation with all road users such as bicycles, motorcyclists, heavy vehicles and pedestrians.</p>
40 (page 398)	<p>The Committee recommends that the Australian Journalists' Association incorporate a protocol concerning the reporting of Road Violence into the Journalists Code of Practice. Such a protocol would include guidance on appropriate use of terminology.</p>	<p>The Government does not support the Committee's recommendation.</p>
41 (page 399)	<p>The Committee recommends that the Victorian Government requests the Australian Broadcasting Authority to publicise the process to be used by members of the community to make complaints to the Authority regarding instances in the media that incite people to act violently against any road user.</p>	<p>The Government notes the Committee's recommendation but considers that the Australian Broadcasting Authority (within the control of the Commonwealth Government) complaints process is both freely available and easily accessible for members of the community to make complaints. The Government will, however, pursue the issue with the Australian Broadcasting Association.</p>

Rec Number	Summary of Recommendations	Government Response
42 (page 400)	<p>The Committee recommends that the Advertising Association of Australia and New Zealand takes steps to publicise more widely its Voluntary Code of Practice for Motor Vehicle Advertising and its complaint mechanism to increase people's awareness of the steps motor vehicle advertisers are making to advertise more responsibly and improve compliance with the Code.</p>	<p>The Government supports this recommendation and notes that this issue is currently identified in Victoria's Vehicle Safety Strategy and Associated Action Plan 2004-2007 and is listed as an action item.</p> <p>The Government also notes that Road Safety agencies, such as RoadSafe, have developed a reporting form which can be used by the public.</p>
43 (page 400)	<p>The Committee recommends that compliance with the amended Code should be monitored by the Advertising Association of Australia and New Zealand. If it is found to be ineffective by the period it is next due to be reviewed (December 2005), then strategies should be developed to ensure compliance. This may include the introduction of more restrictive or mandatory guidelines.</p>	<p>This recommendation is not supported. Australian States and Territories monitor compliance through the Australian Transport Council (ATC). The Federal Chamber of Automotive Industries in conjunction with the ATC developed the initial and the current Code of Conduct for Vehicle Advertising. An ongoing review process is in place reporting to the ATC to ensure the Code is operating effectively. The ATC will ensure appropriate measures are in place to address any concerns relating to the operation of the Code.</p>
44 (page 402)	<p>The Committee recommends that the Victorian Government request the Australian Broadcasting Authority to:</p> <ul style="list-style-type: none"> • Review the current classification for films, television and computer games to ensure that all instances of Road Violence fall within the classification of 'Violence' and receive a 'V' warning. • Review its regulations to ensure that scenes of Road Violence are not shown on advertisements for television programmes or movies. 	<p>The Government will write to the Commonwealth Government raising these issues and seek support for the review of the Australian Broadcasting Authorities regulations to ensure violence associated with motor vehicles is appropriately considered as part of a violence classification.</p>
45 (page 402)	<p>The Committee recommends that VicRoads should develop a website (with appropriate links to other agencies' websites) with accurate information about Road Violence and strategies that have been suggested for its avoidance.</p>	<p>The Government notes the Committee's recommendation and will examine the most appropriate place to provide this information.</p>

Rec Number	Summary of Recommendations	Government Response
46 (page 404)	<p>The Committee recommends that VicRoads in conjunction with Crime Prevention Victoria should develop a list of Road Violence Avoidance Tips, which should be widely disseminated throughout Victoria in various languages.</p>	<p>The Government supports this recommendation in principle and further considers that such information could be utilised in an advertising campaign conducted as per recommendations 18, 31, 33, 34, 35, 36, 37, 38, 39, 46, 49 and 52 in addition to the webpage as per recommendation 45.</p> <p>The Government notes that Road Safety agencies currently address driving attitudes through several of their campaigns, for example Traffic Safety Education and Starting out Safely which teaches safe road use to children and that VicRoads have already developed Aggressive Driver Avoidance Tips and disseminated them on their website. This initiative addresses the need, as noted in the Final Report, for educational approaches to address broader issues of hostility and aggression in the road setting.</p> <p>These agencies will continue to look for opportunities within these programs to target behaviours which potentially act as triggers to road violence and to promote role modelling as a means of achieving compliant, positive and safe behaviours.</p> <p>VicRoads will update the 'Keep your cool in the car' brochure & fact sheet (which has been available for a number of years) in consultation with Crime Prevention Victoria.</p>

Rec Number	Summary of Recommendations	Government Response
47 (page 420)	<p>The Committee recommends that the Victorian Government enact a new road rule specifying the minimum safe distance to be maintained between motor vehicles and bicycles.</p>	<p>This recommendation is not supported.</p> <p>The lateral clearance between vehicles is influenced by the lane widths. VicRoads has standards and provides widths that are consistent to the use of the road. Lane widths can be varied to suit a specific requirement without new road rules being required. Government also notes that further consideration is required as to the practicality of a proposed offence, noting in particular the difficulty in attributing responsibility for a breach of this rule and the variations in the circumstances in which it may be enforced.</p> <p>The Government has recently instituted a range of preventive and legislative measures intended to enhance the safety of cyclists on Victorian roads.</p> <p>It is noted that the existing Rule 126 (Road Rules – Victoria) requires all vehicles to keep a safe distance behind other vehicles. This applies to all drivers and riders including bicycles and motor vehicles. A minimum safe distance is dependent on vehicle speed, vehicle type, road and weather conditions.</p>
48 (page 420)	<p>The Committee recommends that Victoria Police should be given the ability to issue penalty tickets for transgressions of the minimum safe distance road rule.</p>	<p>This recommendation is not supported. See response to recommendation 47.</p>

Rec Number	Summary of Recommendations	Government Response
49 (page 420)	<p>The Committee recommends that Information regarding the new road rule should form a part of the 'Share the Roads' campaign.</p>	<p>The Government does not support this recommendation. See the response to recommendation 47.</p> <p>The Government generally supports the communication of any new road rule to the public. The TAC campaign referred to is specifically a motorcycle safety campaign and as such will not be appropriate for advertising a new road rule. However, a communications subcommittee comprising the Road Safety Partners exists to consider appropriate communications for road rule changes and other initiatives. Whenever a new road rule is enacted, this committee will consider how to best communicate the change.</p>
50 (page 424)	<p>The Committee recommends that the Environment Protection Authority undertake research to determine if there is a relationship between loud music and Road Violence.</p>	<p>The Government queries the relevance of this recommendation on the basis that the resultant research will confront issues already raised by the Committee such that the monitoring of noise output would "require police to use expensive sound measuring equipment, limiting the ability to enforce laws on a broad scale" (Report Page 424).</p> <p>The Government also notes the difficulties of enforcing a requirement for police to determine if a person has left a venue where loud music may have influenced emotive state, to accurately determine how loud and how close to the sound a person must be to be affected, and how long a person needs to be subject to loud music before it influences their emotive state.</p> <p>Researching the relationship between loud music and road violence is beyond the role of the Environment Protection Authority's, which is to protect the environment.</p>
51 (page 425)	<p>The Committee recommends that the <i>Road Safety Act 1986</i> be amended to require vehicle registration plates to be returned to VicRoads upon deregistration of a motor vehicle. Failure to return plates within a reasonable period of time, or in the absence of a reasonable explanation, should attract a penalty.</p>	<p>The Government supports this recommendation in principle and notes that the Victorian Ombudsman has made a similar recommendation in a report issued on 15 June 2005. This matter is under review.</p>

Rec Number	Summary of Recommendations	Government Response
52 (page 440)	<p>The Committee recommends that Victoria Police, in conjunction with the Transport Accident Commission, develop, conduct and evaluate a pilot enforcement and education campaign targeting Selfish Driving and encouraging driver courtesy.</p>	<p>The Government supports this recommendation in principle and further considers that such information could be utilised in an advertising campaign conducted as per recommendations 18, 31, 33, 34, 35, 36, 37, 38, 39, 46, 49 and 52 in addition to the webpage as per recommendation 45. See also the Government Response to Recommendation 31.</p>
53 (page 451)	<p>The Committee recommends that the Department of Justice establish a 'hotline' for reporting incidents of Road Violence, Road Hostility or Selfish Driving in Victoria, similar to New Zealand's Community Roadwatch programme.</p>	<p>The Government does not support this recommendation. Such a facility could lead to and promote forms of driver distraction. Specifically, the Government notes the Committee's considerations that the hotline "may encourage the use of mobile phones while driving". Furthermore "the ease of reporting matters over the telephone may lead people to make frivolous or malicious complaints" (Report page 447).</p> <p>The Government notes that the 000 emergency number is already in place for the reporting of offences (including those relating to motor vehicle violence). Accordingly, a duplication of services would not be an effective use of resources.</p>
54 (page 451)	<p>The Committee recommends that all complaints made to this 'hotline' should be made in writing. A specific form should be developed for this purpose, and made available to fill out manually or online. Complainants should be required to identify themselves, and sign a statement indicating that they would be willing to act as witnesses in court if necessary. The complainant's personal information should be kept confidential.</p>	<p>The Government does not support this recommendation (see comments in response in relation to recommendation 53).</p>

Rec Number	Summary of Recommendations	Government Response
59 (page 458)	<p>The Committee recommends that the Attorney-General request the Sentencing Advisory Council to undertake a review of sentencing that occurs in Victoria in cases involving Road Violence-related offences and provide appropriate guidance to the judiciary on the imposition of sanctions in such cases.</p>	<p>The Government supports this recommendation in principle, noting that the review of sentencing would not be undertaken with the view to "establishing a separate sentencing regime for cases of Road Violence, as this would lead to a fragmentation of the sentencing system" (Report page 458).</p>
60 (page 462)	<p>The Committee recommends that the Victorian Government should amend section 28 of the <i>Road Safety Act 1986</i> (Vic) to enable licence suspension or disqualification to be ordered in relation to any Road Violence, Road Hostility or Selfish Driving-related offence, specifically by modifying section 28 to provide that licence suspension/disqualification should be available in relation to any offence 'arising out of the use of a motor vehicle.</p>	<p>The Government supports this recommendation in principle. Section 28 of the Road Safety Act currently allows the suspension, cancellation and disqualification of the licence of any driver found guilty of an offence under the Act or any other offence in connection with the driving of a motor vehicle.</p> <p>Further investigation of appropriate legal drafting is required to ensure that 'arising out of the use of a vehicle' for violence/hostility offences which are not in connection with driving, do not reduce the scope of the current provisions and consider incidents of violence associated with motor vehicles where the perpetrator of the violence may not be the vehicle driver but may sometimes be pedestrians, cyclists and vehicle passengers. Accordingly, the amendment of the Road Safety Act in line with the recommendation may not actually affect the perpetrators of violence (as they were not in charge of a motor vehicle at the time of the offence and therefore should not be subject or licence suspension or disqualification).</p> <p>It is also noted that many selfish driving actions do not constitute an offence (weaving through traffic but indicating appropriately or legally passing on the left), and most do not pose a significant road safety problem.</p>
61 (page 462)	<p>The Committee recommends further that such a sanction continue to be discretionary rather than mandatory.</p>	<p>See comments in relation to recommendation 60.</p>

Rec Number	Summary of Recommendations	Government Response
64 (page 492)	<p>The Committee recommends that the Department of Justice convene a working group of agencies including the Office of the Correctional Services Commissioner, Victoria's Public Corrections Enterprise, VicRoads, Forensicare, Community Road Safety Councils and the Road Trauma Support Team, to develop an appropriate programme aimed at changing driver attitudes.</p>	<p>The Government notes the Committee's recommendation but considers that further investigation is required to assess the sufficiency of current anger management courses and to determine the expected demand vis-à-vis the financial cost and practical effect of implementing the recommendation. See response to recommendation 60.</p> <p>The Government also notes that there is a lack of research which supports the predictive ability of psychological tests in identifying individuals who may be at risk of committing road violence. Research shows that even if attitudes change, this does not normally result in a change of behaviour.</p>
65 (page 492)	<p>The Committee recommends that the Victorian Government consult with the Australian Taxation Office to investigate ways in which to provide taxation incentives for companies that require their employees to attend accredited treatment programmes.</p>	<p>The Government does not support this recommendation but does note that employment related expenses are tax deductible for companies and individuals where such expense is incurred in deriving assessable income.</p>
66 (page 493)	<p>The Committee recommends that Forensicare establish a programme to assess the suitability of Road Violence offenders for behaviour change therapeutic interventions.</p>	<p>The Government notes the Committee's recommendation but considers that further investigation is required to determine the financial cost of implementing this recommendation and the practical effect of implementing the recommendation.</p>

Rec Number	Summary of Recommendations	Government Response
67 (page 493)	<p>The Committee recommends that the Victorian Government consider the need for legislation to require courts to send all people convicted of Road Violence-related offences to Forensicare for assessment about appropriate dispositions prior to sentencing. While courts should not be bound by the recommendations made by Forensicare, they should take such recommendations into account in determining sentences.</p>	<p>The Government notes the Committee's recommendation.</p> <p>While the Government notes the appropriateness, on a case-by-case basis, of courts referring defendants for assessment, mandatory referral for assessment is not supported. Provision is already available for the court to make, at its discretion, orders for the defendant's assessment and/or treatment.</p> <p>Further investigation is required to determine the financial cost of implementing this recommendation and the practical effect of implementing the recommendation.</p>
68 (page 498)	<p>The Committee recommends that the Department of Justice undertake further research into the incidence and causes of Road Violence using prospective, longitudinal studies that make use of observational methods as well as qualitative and quantitative data. Further research should, in the first instance, be focused on acts of Road Violence as opposed to Road Hostility, Selfish Driving or other forms of aggressive driving.</p>	<p>The Government notes the Committee's recommendation and will consider further research in the context of the outcomes achieved as a result of the Committee's report.</p>
69 (page 500)	<p>The Committee recommends that the Victim Support Agency and the Road Trauma Support Team in Victoria take further steps to publicise their ability to assist victims of Road Violence, to ensure that people are aware of their existence and the services they provide.</p>	<p>The Government supports this recommendation in principle. Discussions will occur between the Victims Support Agency and the Road Trauma Support Team to determine how this recommendation can be implemented.</p>