



DRUGS AND
CRIME PREVENTION
COMMITTEE

INQUIRY INTO VIOLENCE ASSOCIATED WITH MOTOR VEHICLE USE

FINAL REPORT





PARLIAMENT OF VICTORIA
DRUGS AND CRIME PREVENTION COMMITTEE

**INQUIRY INTO VIOLENCE
ASSOCIATED WITH MOTOR VEHICLE USE**

Final Report

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Drugs and Crime Prevention Committee
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Functions of the Drugs and Crime Prevention Committee

The Victorian Drugs and Crime Prevention Committee is constituted under the *Parliamentary Committees Act 2003* (Vic)

Section 7

The functions of the Drugs and Crime Prevention Committee are, if so required or permitted under this Act, to inquire into, consider and report to the Parliament on any proposal, matter or thing concerned with:

- a. the use of drugs including the manufacture, supply or distribution of drugs;
- b. the level or causes of crime or violent behaviour.

Terms of Reference

Received from the Governor in Council on Tuesday 18 June 2003.

That under the powers found in section 4F of the *Parliamentary Committees Act 1968*, the following matters be referred to the joint investigatory committees specified:

To the Drugs and Crime Prevention Committee for inquiry, consideration and report by 20 April 2005 on:

- (a) the incidence, 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) the need for policy and legislative reform to reduce violence associated with the motor vehicle use at the state level.

Chair's Foreword

The Final Report of the Drugs and Crime Prevention Committee's *Inquiry into Violence Associated with Motor Vehicle Use* is the most extensive analysis into the subject of road violence undertaken in Australia and, on the basis of the Committee's research, anywhere in the world.

The Committee was asked to investigate the incidence, prevalence, severity, cost and impact of violence associated with motor vehicle use and to report on the effectiveness of strategies and initiatives relating to this kind of violence. At the outset, the Committee recognised the high level of community interest in the issue and had a sense of the growing concern over what has been commonly known as 'road rage'.

It was unclear as to whether 'road rage' episodes were in fact occurring more frequently and/or whether individual incidents were becoming more violent. The Committee recognised that the media plays a critical role in the formation of public perceptions and that the Inquiry would need to consider the extent to which the perception of the increasing incidence of 'road rage' was attributable to 'media-hype' as some authors have suggested.

The Inquiry identified a vast international research literature on road violence and associated behaviours that included examinations of violent and aggressive driving behaviours, human violence, driving psychology, masculinity and gender, driving culture, alcohol and drugs, behaviour modification, stress and anger management, road safety strategies and campaigns, driving laws and sentencing, the media and advertising, road infrastructure, speed, traffic management and congestion, licensing and motor vehicle design.

Public submissions and hearings are essential to the work of Parliamentary Committees and give a distinctive character to the research that they undertake in their inquiries. The process requires Committees to take account of the views of individual citizens and community organisations and to relate these to the findings that experts have derived from their research and scholarship. The process cannot work without the interest and contribution of a great many people.

The Committee received 31 written submissions from individuals, government departments, relevant authorities, researchers and academics, professional associations and community organisations. The Committee was able to hear

evidence and discuss issues with 17 witnesses from 10 organisations at public hearings in Victoria and met with 35 representatives from 16 inter-state organisations and with 35 representatives from 12 organisations overseas. As well, the Committee received 86 responses to its web-based survey. These hearings and discussions provided rich knowledge, experience and insight that powerfully inform this Inquiry.

Because of the complexity and inter-relationship of factors that affect a thorough consideration of motor vehicle violence, its impacts and remedies, the Final Report of the Inquiry is necessarily lengthy and should be read in its entirety if the phenomenon is to be properly understood.

From the beginning of the Inquiry, defining terms and concepts carefully took on critical importance, and the Committee determined to focus on acts of violence that are driving related, of an impulsive nature and that occur between strangers. The term 'road rage', while at one level useful because it appeared to be widely understood, was in the end rejected because it lacks the focus necessary for a disciplined inquiry, one of whose purposes is to make clear recommendations to government and agencies responsible for the development of public policy.

The Inquiry has enabled the Committee to devise a model to explain the interactions between a wide range of factors relevant to the occurrence of road violence. The construction of the model is premised on the distinction the Committee has made between the key concepts of Road Violence, Road Hostility and Selfish Driving.

Road violence involves spontaneous, driving related acts of violence that are specifically targeted at strangers, or where strangers reasonably feel they are being targeted. *Road hostility* involves spontaneous, driving related non-violent but hostile acts that are specifically targeted at strangers, or where strangers reasonably feel they are being targeted and *selfish driving* involves time urgent or self-oriented driving behaviour, which is committed at the expense of other drivers in general, but which is not specifically targeted at particular individuals.

The Committee came to the conclusion that road violence is not caused by any single factor. Rather, an act of road violence is the result of the complex interplay of a number of factors. In the Committee's view, road violence is no different from other forms of violence even though the involvement of motor vehicles can increase the potential for physical harm. The model shown on page 186 (Figure 10.1) of the Final Report explains the Committee's understanding of the interaction of the various factors involved. In any road violence incident there will be a chain of events starting with a triggering event. Person related and situational factors play a role in the interpretation of the triggering event that in turn play a role in how an individual will react to the trigger that may result in a road violence incident taking place. The Committee believes that this model can assist in analysing the effectiveness of strategies and initiatives relating to violence associated with motor vehicle use.

The Committee was asked to measure the incidence and prevalence of road violence and therefore examined relevant research from Victoria, other Australian states and overseas. As well, the Committee drew on official Victoria Police statistics, media reports and information provided by the public to the Committee's website survey. The range of material available to the Committee was problematic owing to definitional and methodological inconsistencies. But notwithstanding these difficulties, the Committee found that most studies from Australia, Europe, the USA and Canada showed that between 1 and 5 percent of those surveyed had been victimised by severe forms of road violence. In Victoria this amounts to between 33,000 and 165,000 individuals if one assumed that the same rate of victimisation applied across all demographic groups of drivers – which is not the case. The Committee found that even if this bias were taken into account, many thousands of individuals are victimised each year in Victoria. This is a considerable number of people and the Committee believes that effort should be made by the community to further protect individuals against this form of violence.

By contrast, the Committee found that the media's extensive coverage of 'road rage' overstates a problem that is not all that widespread. However, reporters are not solely responsible. They work in an environment in which 'road rage' is popularly discussed across western countries and this interest is to some extent necessarily fed back through the media.

The Committee concluded that public awareness of the verifiable situation with regard to road violence could be improved by journalists familiarising themselves with the terms road violence, road hostility and selfish driving as defined in this Report and using them in preference to the broadly and poorly defined expression 'road rage'.

The Committee also compared the seriousness of harm caused by road violence with the harm caused by other crimes of violence. While it is difficult to draw a clear picture owing to the conflicting nature of the data, it is evident that perpetrators of road violence share many of the characteristics of perpetrators of other crimes of violence, particularly being young and male.

The Committee was unable to assess the criminal justice outcomes of cases involving road violence owing to the limitations of the available evidence. But it did find that road violence is responsible for major harms inflicted on people and property including physical injury, property damage and psychological and health problems. Not enough is known about the judicial outcomes of cases concerning road violence, as Australian Bureau of Statistics court data do not classify information that enables clear conclusions to be drawn on the outcomes of road violence cases. The Committee supports the ABS in its effort to improve its data collection and classification.

Notwithstanding the statistical difficulties involved, the Committee is able to report that in 80% of road user violence cases recorded by Victoria Police, no financial loss was reported. For the remaining 20% of cases in which victims

did suffer financial loss through damage to their property, the range of loss varied from \$25.00 to \$28,000.00 with a mean value of \$174.24 per incident. In addition to monetary loss, the Committee found that more than half of the individuals involved in incidents of road violence suffered injuries – many requiring treatment and occasionally involving death or other serious consequences including psychological, emotional or physiological effects. The Committee also found that a road violence experience might lead an individual to stop using road vehicles. While the incidence of road violence may not loom large, nonetheless, real human beings suffer individual impacts resulting from road violence.

The Report notes that around the world, an extensive range of strategies have been proposed to minimise the incidence of road violence. These involve legislative changes, driver education and road related engineering and design. The Committee found that notwithstanding this range of strategies, few have been evaluated and therefore only limited conclusions can be drawn about the effectiveness of any of these approaches.

The Committee believes that efforts should be made to reduce the incidence and impact of road violence and that strategies aiming to bring this about should be in proportion to the magnitude of the problems being addressed. While the incidence of road violence may not in itself be great, the incidence of road hostility and selfish driving are significant and this should be taken into account in the development of strategies that will help reduce these problematic behaviours on our roads.

The Committee was impressed with the position put to it by Dr Jan Garrard of Deakin University, who drew attention to the work of Professor Geoffrey Rose whose “theory predicts that the large number of slightly-to-moderately aggressive drivers causes more harm (at the overall population level) than the very small number of very aggressive drivers, because there are many more of them”. The implications, Dr Garrard says, is that if the whole population becomes less aggressive while driving then the number of individuals at the high aggression end decreases significantly and “the overall harm is reduced because a large number of mildly or moderately aggressive people are slightly less aggressive”. Dr Garrard says ‘it is difficult to change the tail (ie very aggressive behaviour) without changing the population norms’ (p. 325 ff).

In view of this, the Committee believes that a range of appropriate and co-ordinated strategies should be adopted to reduce the incidence and severity of road violence, road hostility and selfish driving - rather than focussing too much on the most serious forms of road violence.

The Committee carefully considered the effectiveness of existing offences in deterring drivers from behaving violently and thus reducing the incidence and severity of road violence. The Committee concluded that the present range of criminal and traffic offences were capable of effectively regulating road violence, road hostility and selfish driving. The Committee concluded that there is no

need to introduce new and more specifically targeted offences. But, in keeping with its general approach of recommending the adoption of a range of co-ordinated strategies, the Committee found that some minor amendments to existing legislation should be introduced and that carefully planned and targeted law enforcement campaigns would be of benefit. The Committee also found that the present sentencing regime in which judges have at their disposal a range of options that they can use at their discretion, is sufficient to enable them to hand down appropriate sentences.

The inquiry into the nature and causes of road violence lead the Committee into a consideration of the complex and wider cultural factors that influence violent behaviour on our roads and its relationship to other types of violent behaviours. The multi-dimensional cultural factors involving motor vehicles were also taken into account. The Committee found that attitudes to speed and the premium placed on rapid and easy mobility, the sense of freedom that is invested in driving motor vehicles, the conceptualisations of youth and masculinity, the car centred perspective that accords priority to cars on our roads and the sense of competitiveness and right to control that this supports, as well as the playing out of private fantasies within the personalised space of the cabin all contribute to an inflated sense of the invulnerability of the motorist. These conditions can, in the hands of some, make the motor vehicle a weapon on our roads.

The case for a change in community attitudes to motor vehicles use is compelling and the recommendations made in this Final Report of the *Inquiry into Violence Associated with Motor Vehicle Use* can contribute to both the understanding of a very complex range of issues and to the further development of practical strategies that can make an impact on reducing the prevalence and severity of violence associated with motor vehicle use.

This work has been a collaborative effort, lead by the members of the Drugs and Crime Prevention Committee and undertaken by an expert research team lead by Ms Sandy Cook, the Executive Officer of the Committee. Sandy Cook's knowledge of the subject matter and her capacity to marshal vast quantities of disparate material into coherent discussion and argument for the Committee's deliberation is well known and highly valued, and on behalf of the members of the Committee, I thank Sandy Cook for her considerable efforts.

This Inquiry would have been impossible without the very fine work of our consultant, Dr Russell G Smith, Principal Criminologist, at the Australian Institute of Criminology. Dr Smith had been with the Inquiry since its inception in 2004, but after the unexpected departure of his colleague, Mr Jamie Walvisch, who commenced the research and analysis and drafted substantial sections of the report, Dr Smith stepped up his involvement, undertaking, in collaboration with Sandy Cook, the further analysis of the Committee's research and the preparation of the Final Report. Dr Smith's willingness to contribute well beyond the call of duty is very greatly appreciated and valued by the Committee

and I thank him for his good humour and invaluable support throughout the project.

The Committee also records its appreciation to Janet Smith and the Information Services staff at the Australian Institute of Criminology for conducting the initial literature searches, obtaining additional research material for the consultants during the Inquiry, and for locating reports and articles.

Dr Maria Borzycki, Research Analyst from the Australian Institute of Criminology helped with the analysis of Victoria Police data, and Ms Kristi Cooper, Intern at the Australian Institute of Criminology, assisted in drafting of some of chapters and the Committee extends its gratitude for this work.

The Committee also expresses its thanks to Ms Victoria Ryan, who carried out the analysis of the newspaper articles reported in *The Age* and *Herald Sun*, and to Mr Jon Breukel a Senior Reference Librarian, Parliament House, Melbourne, for making available to Ms Ryan the newspaper reports and guiding her through the holdings of the Parliamentary library.

Appreciation is due to Emma White, Sandy Jensen, Chantel Churchus and Michelle Summerhill, the Committee's Office Managers, who provided critical administrative support, and to the Committee's Senior Legal Officer, Peter Johnston, for his considered advice. Mignon Turpin's indispensable editorial skill can be seen in the clarity of the Final Report and the Committee is very aware of the wonderful work she has done. The Committee also expresses its gratitude to Chris Watson from zapwhizz.com.au who has designed and laid out the contents of the Report and Matt Clare from Mono design for the cover design.

Finally, I express my sincere thanks to my Parliamentary colleagues, the members of the Drugs and Crime Prevention Committee, whose critical insights, broad experience and understanding of the Victorian community have shaped and improved the quality of the Inquiry and the Final Report. Recognition is also due to my predecessor the former Chair of the Committee, the Hon Carolyn Hirsh, for establishing the Inquiry and seeing through the initial literature search and the preparation of the Discussion Paper. I give special thanks to the Deputy Chair, the Hon Robin Cooper, for his genuine support and clear advice to me. As the new Chair, I am indebted to him for allowing me to benefit from his considerable experience in the Parliamentary arena.

Executive Summary and Recommendations

Background to the Inquiry

Introduction

One of the features of life in a contemporary urban society is the stress that arises through a fast-paced lifestyle. Travelling to and from work in congested traffic is one of the more stressful activities which many urban dwellers are often forced to endure. Professional drivers who are on the road for lengthy periods are also subject to time pressures that require them to meet demanding schedules. Those who choose to use bicycles or motor cycles often experience an increase in levels of stress and anxiety as they negotiate dense and fast-moving traffic during their journeys.

On occasions, some individuals will respond to the stresses in their lives through the use of violence. In the present context, this violence is directed at other road users. Occasionally this may lead to crimes of violence being committed, with the victims suffering personal injury or even death.

But what are the real reasons behind violence associated with motor vehicle use? Is environmentally-induced stress to blame, or do the individual characteristics of people cause them to react violently to given situations in their lives? Furthermore, to what extent is violence associated with motor vehicle use a substantial crime problem in Victoria, when considered in comparison with other road safety issues and crime concerns generally?

In this Inquiry the Committee was required to examine the question of the incidence, prevalence, severity, cost and impact of violence associated with motor vehicle use. It undertook its investigation by reviewing Victorian, national and international research in order to ascertain the extent of the problem and to evaluate the effectiveness of various strategies and initiatives designed to reduce its harmful effects on society. The Committee was also required to consider the need for policy and legislative reform to reduce violence associated with the motor vehicle use at the state level.

Sources of information

Considerable attention has been given to the question of 'road rage' and associated behaviours across the globe over the last 20 years or so. The Committee had before it an exacting task to come to terms with the relevant prior research not only from across Australia but also from countries with comparable traffic and urban social problems. The Committee undertook a wide range of activities in carrying out its research agenda. These included posting a survey on its website for members of the public to respond with their views, to which 86 people replied, receiving written submissions from 31 people in Australia, and engaging in discussions with representatives from relevant organisations throughout Australia, as well as from other countries during its overseas information gathering trip. In Brussels, London, Paris, Lisbon, Rome, Vienna and Stockholm the Committee met with key government and non-government agencies and individuals working in the area. Public hearings were also conducted in Melbourne between June and September 2004, at which the Committee received oral evidence from 20 witnesses. An extensive review of the published literature in the area was also undertaken, with over 300 works examined.

To supplement this information, Victoria Police provided the Committee with data relating to 'road user violence', and the Committee also conducted an analysis of all newspaper articles in *The Age* and the *Herald Sun* newspapers that contained the words 'road rage' published between 1 July 1999 and 30 June 2004. In all, an extensive and rich compilation of material was gathered and studied by the Committee for this Inquiry, which, arguably, is the most comprehensive study of the topic yet undertaken anywhere in the world.

Definitional issues

In order to confine the scope of the Inquiry, the Committee focussed on acts of 'Road Violence', thus excluding other potentially relevant issues such as car-jackings, the use of cars to commit robberies, the premeditated use of cars to commit violence against particular people or properties, and acts of violence occurring between passengers of the same car – such as domestic violence that takes place in a car.

An important question that arose during the Inquiry was whether Road Violence was a road safety issue or simply a question of violent crime. This was of some importance as a number of road safety agencies took the view that Road Violence was outside the scope of their remit, and therefore they had little to contribute to the Committee's investigation of the issue.¹ The Committee formed the view, however, that although Road Violence is, indeed, a question principally to do with violent crime, it has definite connections with and relevance to road safety, particularly with respect to aggressive driving which can result both in road crashes and acts of Road Violence. It was, accordingly, not possible for the Committee simply to disregard road safety issues as having nothing to do with Road Violence.

1 In any event, various organisations including VicRoads provided useful information to the Committee.

The definition of Road Violence adopted by the Committee was restricted to incidents that met all of the following four requirements: acts of violence; driving-related acts; spontaneous acts; and acts occurring between strangers. This definition followed that generally accepted in the academic community worldwide. The definition of Road Violence adopted by the Committee was:

‘Road Violence’ involves spontaneous, driving-related acts of violence that are specifically targeted at strangers, or where strangers reasonably feel they are being targeted.

Although these acts form the central focus of the Inquiry, certain other acts were also discussed as background, including incidents of what the Committee has called Road Hostility and Selfish Driving.

Road Hostility essentially involves spontaneous, driving-related non-violent but hostile acts that are specifically targeted at an individual or the individual has reason to believe he or she is being specifically targeted. Examples of ‘Road Hostility’ include making obscene gestures at another road user or verbally abusing them. The difference between Road Violence and Road Hostility is simply one of severity. They are both actions that are intentionally targeted at another road user, but in the one case the action is violent while in the other it is simply hostile. The definition of Road Hostility adopted by the Committee was:

‘Road Hostility’ involves spontaneous, driving-related non-violent but hostile acts that are specifically targeted at strangers, or where strangers reasonably feel they are being targeted.

Selfish Driving, the third major term adopted by the Committee, is driving behaviour with the objective of gaining time, space and pleasure but without the intention of harming people. Examples of Selfish Driving include weaving in and out of traffic or overtaking in the left lane. Unlike acts of Road Violence and Road Hostility, such driving is not specifically targeted at particular road users. The aim of Selfish Driving is not to harm another person or even to express displeasure with others. Rather, the aim is generally to ‘get ahead’ or to maintain progress. The definition of Selfish Driving adopted by the Committee was:

‘Selfish Driving’ involves time urgent or self-oriented driving behaviour, which is committed at the expense of other drivers in general, but which is not specifically targeted at particular individuals.

In classifying an act as ‘Road Violence’, ‘Road Hostility’ or ‘Selfish Driving’, consideration must be given to: the **intention** and motivation of the perpetrator; the **impact** the action has on the recipient; and the **circumstances** in which the act was committed.

The other main terms used in this Report were ‘risky driving’ and ‘driver anger’. ‘Risky driving’ involves any form of dangerous driving behaviour, while ‘driver anger’ refers to the angry emotional state of a driver.

The Committee formed the view that the colloquial expression ‘road rage’ was so imprecise and subject to differing interpretation that its use should be avoided.

Instead, the Committee focussed its inquiry on acts of Road Violence – the most serious outcome of aggressive driving that can take place. Each of the other concepts may be relevant insofar as they may act as precursors to Road Violence. That is, a person who is the victim of Road Hostility or who has been subjected to Selfish Driving may retaliate with violence. In order to understand the dynamics of Road Violence, its possible causes and prevention strategies it was therefore necessary to draw on the other concepts.

Throughout this Report, unless directly referring to a source that uses the term ‘road rage’, the Committee will refrain from employing this term, and instead will use the key terms Road Violence, Road Hostility and Selfish Driving where appropriate. The Committee believes that, where possible in future public discussions, the term ‘road rage’ should be avoided.

The structure of the Report

One of the main aims of this Inquiry was to examine the available evidence to determine the extent to which Road Violence is a problem in Victoria, the nature of such violence and the impact of this violence. Information was drawn from official police statistics, a sample of media reports, submissions sent to the Committee, online responses to the Committee’s website survey and evidence given at public hearings, interstate visits and overseas meetings.

The Committee also considered the causes of Road Violence and devised a model of causation to explain the interaction between a number of relevant factors including so-called ‘triggers’ for Road Violence, person-related factors, situational factors, car-related factors and cultural factors.

The Committee examined various strategies for and approaches to preventing and responding to Road Violence. These include engineering and educational approaches and issues to do with law enforcement, criminal prosecution and punishment. Finally, the Committee considered how policy makers should best respond to the problem in the future.

It is likely that most people have experienced some level of anger or frustration while driving. In the majority of circumstances they choose not to act on their emotions. On some occasions, however, it seems that people commit acts of serious violence against other road users. The Committee hopes that its consideration of the problem of Road Violence in Victoria will provide information of use to policy makers and legislators in devising a range of specific strategies to address this difficult and harmful aspect of life in modern societies.

The Extent of Road Violence

Measuring Road Violence: Perceptions and Problems

One of the key issues the Committee addressed was the extent of the problem of violence associated with motor vehicle use, including the quantification of losses and impact suffered by victims in Victoria. The Committee approached

the task of measurement by examining four sources of information: prior published research conducted in Victoria, other Australian jurisdictions and overseas countries; official Victoria Police statistics; reports in the media, including the main Victorian newspapers; and reports made by members of the public in response to the questionnaire placed on the Committee's website.

The difficulty that emerged was that information from each of these sources concerned all aspects of 'road rage' – Road Violence, Road Hostility and Selfish Driving. Thus, to focus on research that was restricted solely to Road Violence was not really possible. Instead, the Committee determined to examine all relevant studies, even though some dealt with matters beyond the current terms of reference and its definition of Road Violence.

At the outset, the Committee found there to be a perception in the community that 'road rage' is a problem and one that is getting worse. Commentators throughout the western world have noted an increase in 'road rage', in terms of both the frequency and seriousness of occurrences, although because the concept of 'road rage' is so ill-defined such views are of little assistance in determining the true extent of the problem of Road Violence.

The Committee examined many studies that supported the view that these perceptions have been fuelled to a large extent by information disseminated principally by the media. There has, indeed, been a dramatic increase in the reporting of 'road rage' incidents and commentary on the topic in the media and it seems that this may be responsible for the perception that the problem is serious and increasing in prevalence.

The Committee found, however, a disparity between the perception of the seriousness and extent of 'road rage', and its actual level of occurrence. In part, this arose from difficulties associated with the definition of key concepts being used. Very few studies differentiated clearly between the varying types and degrees of 'road rage' behaviours.

In both Australia and overseas, there is a dearth of accurate data on 'road rage' and related behaviours. Because violence associated with motor vehicle use is not always reported to police, and even if reported may not be separately recorded and identifiable on some police databases, reliance on official statistics is problematic. Often road users who have been subjected to an incident will simply accept that it was a consequence of the driving environment and take the matter no further.

A further problem with measuring Road Violence is the difficulty in defining precisely whether the parties involved in incidents are offenders or victims. Sometimes, who the victim or perpetrator of an incident actually was is unclear, with both parties often blaming each other and each, on occasions, contributing to the final outcome of the incident.

On the basis of the information available to the Committee, it appears that serious incidents of Road Violence are, in fact, often reported to police, but that the other

categories of 'road rage' such as Road Hostility and Selfish Driving are often not reported. Improvements in reporting would assist not only in enhancing deterrent effects of the law, but also in documenting the scale of the problem.

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. (Recommendation 1, p.45)

The Incidence of Road Violence: Previous Research

Over the last 15 years, an extensive range of studies of 'road rage' has been carried out, both in Australia and overseas. The results of the research examined by the Committee indicate that although aggressive driving and less serious forms of 'road rage' are common, the most serious forms of behaviour that approximate to the Committee's definition of Road Violence are relatively infrequent.

Most studies from Australia, Europe, the United States and Canada show that between 1 and 5 per cent of those surveyed had been victimised by these severe forms of Road Violence, although definitional variations make precise quantification problematic.

In view of the large numbers of road users, however, when these small percentages are extrapolated to entire populations, very large numbers of individuals are likely to have been victimised. In Victoria, for example, there are some 3.3 million licensed drivers. Applying victimisation rates of between 1 and 5 per cent would equate to between 33,000 and 165,000 individuals being victimised by Road Violence, assuming that all demographic groups of drivers have the same risk of victimisation as others, which the Committee found not to be the case. However, even accounting for different rates of victimisation the result would still be that many thousands of individuals are victimised each year in Victoria.

The Incidence of Road Violence in Victoria: The Committee's Findings

In order to determine the incidence of Road Violence in Victoria, the Committee's primary source of data was statistics provided by Victoria Police, which has, since July 2000, gathered data on incidents of 'road user violence' reported to police. The definition of 'road user violence' generally approximated to the Committee's definition of Road Violence, and in an analysis of case narratives provided for the month of March 2004 all but one of the 62 incidents recorded by police fell within the Committee's definition of Road Violence.

On the basis of the information on 'road user violence' collected by Victoria Police, it appears that there is no evidence of an overall increase in recorded incidents in Victoria and that the incidence is very low compared with other crimes of violence. Since July 2002 the number of recorded incidents of 'road user violence' has remained relatively stable, varying from between 50 and 90 in any given month.

Any apparent increase in the number of incidents could easily be accounted for

in terms of increased road user activity, rather than due to a net increase in these particular crimes of violence. In addition, the proportion of incidents of Road Violence appears to be considerably smaller than the number of motor vehicle crashes that occur in Victoria.

Similarly, although the information provided by those who responded to the Committee's website survey indicated the serious nature of many Road Violence incidents that have taken place in Victoria in recent years, it does not support the conclusion that the problem is one of major significance in terms of its overall reported incidence.

Only 15 individuals who provided responses to the online survey (18% of the 85 who provided responses) were able to recount instances of Road Violence, with the majority of other reports involving Road Hostility or Selfish Driving.

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. (Recommendation 2, p.76)

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. (Recommendation 3, p.76)

Media Reports of Road Violence

Media reporting suggests that 'road rage' is a serious problem, and certainly media analyses that have been carried out show that media coverage of these incidents is extensive. However, such analyses also confirm that individual instances of Road Violence, although often extremely serious, are relatively rare. The Committee notes that media reporting of 'road rage' has given undue emphasis to a problem that is not all that prevalent. Media reporters are not, however, solely responsible for this phenomenon, as the term 'road rage' has entered popular discourse and is widely discussed in a range of different contexts. In this sense, the media merely reflect current usage in western countries.

The difficulty which arises, however, is that the incidence and prevalence of 'road rage' is often inaccurately captured by many newspaper reports, with much of the discussion in the press concerning the concept of 'road rage' or the use of the term itself, without identifying specific incidents.

In order to verify the extent to which incidents of Road Violence were reported in the main Victorian newspapers in recent years, the Committee undertook an analysis of articles that mentioned the words 'road rage' in *The Age* and the *Herald Sun* newspapers. In all, between 1 July 1999 and 30 June 2004, 689

separate articles were identified in which the words 'road rage' appeared. Extrapolating these data to the full six-year period (1 January 1999 to 31 December 2004), 835 articles in both newspapers would have referred to 'road rage' – an average of 139 each year (2.7 per week).

After inspecting each article to locate an identifiable incident of Road Violence (within the Committee's definition), 55 separate incidents of Road Violence were located within the specified period (some on more than one occasion and some in either or both newspapers). In all, 104 separate articles contained reference to these 55 incidents, or some 15 per cent of all the articles inspected. Extrapolating for the incomplete years of 1999 and 2004, it can be estimated that some 62 incidents would have been reported over the six years examined or approximately 10 incidents per year (less than one a month).

On the basis of the research conducted by the Committee it may be concluded that media commentary on 'road rage' has been extensive in recent years, but that the vast bulk of this does not involve the reporting of individual incidents of Road Violence, within the definition adopted by the Committee. It seems that 'road rage' has become a popular expression used in a wide range of contexts to describe highly variable behaviours. As such, the analysis of newspaper and other media reports cannot be said to offer much in terms of precise quantification of the problem of Road Violence.

Without wishing to constrain freedom of expression, the Committee believes 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. Hopefully the findings of the present Inquiry will help to inform reporters of the need to use the expression 'road rage' with restraint and the need to report incidents rather than simply to provide a commentary on various degrees of aggressive and Selfish Driving. The Committee also sees benefits in terms of the general deterrent effects of prosecution and punishment if journalists publicised the judicial outcomes of cases involving Road Violence, including details of sentences imposed for specific offences committed. This would help to educate road users of the seriousness of Road Violence and make known that it is taken seriously by the community and the courts.

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. (Recommendation 4, p.96)

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. (Recommendation 5, p.96)

The Nature and Impact of Road Violence

The Nature of Incidents of Road Violence

Prior research from around the world has provided considerable information on circumstances involved in 'road rage' incidents. Some studies have focussed on the initial triggering incident, while others have documented the final outcome of interactions between perpetrators and victims. The Committee's investigations into the nature of incidents of Road Violence in Victoria included an examination of official statistics provided by Victoria Police, responses to the Committee's survey conducted via its website, and analysis of recent media reports that included the expression 'road rage'.

The Committee found it difficult to develop a clear picture of the nature of incidents of Road Violence that have occurred in recent times in Victoria because the available data are either drawn from too narrow a sample or because it is not possible to draw reliable conclusions from the data collected.

The research undertaken by the Committee showed that actual incidents of Road Violence are rare and tend to arise following some of the more frequently reported triggering events, such as tailgating and cutting-in on other drivers. Where Road Violence takes place it is usually accompanied by hostile and aggressive words and threats, and, in rare cases, ends in assault and battery or property damage to the victim's vehicle. It also appears that drivers who are more aggressive tend to be involved in crashes more often than non-aggressive drivers.

By far the majority of incidents occur on roadways or in car parks, and most frequently in outer-suburban areas, as opposed to inner city locations and remote and rural areas. The research evidence on location is, however, rather limited and so these findings may require verification using larger samples.

In terms of time of occurrence, proportionally fewer incidents seem to take place during the winter months and on Mondays. The highest risk time period was confirmed in a number of studies to be 3pm to 6pm, which correlates generally with peak-hour traffic. Very congested traffic conditions, however, often did not lead to an increase in incidents. Instead, more incidents occurred in conditions of dense but fast-moving traffic. The limited research that dealt with weather and temperature seems to indicate that incidents generally occurred during fine as opposed to inclement weather and on hotter rather than cooler days.

Finally, with respect to weapon usage during incidents of Road Violence, the research shows that although guns are often present in incidents in the United States, in Australia it seems that perpetrators often punch or kick their victims or use their vehicles as a weapon to run over their victim. A range of other blunt instruments, often including vehicle steering locks, are also regularly used as weapons. Research in the United States shows that individuals who carried guns tended to be more likely to become involved in 'road rage' than those who did not carry guns.

Although the Committee views with concern the evidence that a high proportion of incidents of Road Violence entailed the use of weapons or other instruments of violence, it is reassured that firearms remain a rare feature of Road Violence in Victoria at present.

The Characteristics of Perpetrators and Victims

During its Inquiry the Committee gathered considerable evidence concerning the nature of both perpetrators and victims of Road Violence and other forms of 'road rage'. Unfortunately, a good deal of this was conflicting and much was not related to the specific forms of behaviour that were being investigated. It was difficult, therefore, for the Committee to draw precise conclusions concerning the general profile of perpetrators and victims of Road Violence (and even less so, those involved in 'road rage' and other less specific forms of aggressive driving).

It appears, however, that the vast majority of research confirms the view that there is a high incidence of young men committing Road Violence and also being victims of it. It is also clear that perpetrators of Road Violence share many of the characteristics of those who commit other crimes of violence, once again, being young and male.

Although the Committee found a number of studies that attempted to delineate profiles of offenders and victims of 'road rage', it seems that these were by no means definitive and of general application. In addition, the Committee notes the lack of sufficient evidence in Victoria at present to enable similar profiles to be developed for the local population. Although the profiles developed in North America could be used as the basis upon which to conduct similar research in Victoria, the Committee feels that it would be inappropriate to transplant these profiles to Victorian motorists without question.

The Outcomes and Impact of Road Violence

In assessing the criminal justice outcomes of these cases and the personal, financial and social impact they attract, the evidence upon which the Committee had to rely was somewhat limited. The Committee did, however, find support for the view that Road Violence and associated aggression on the road are responsible for major problems in Victoria. Not only do perpetrators face criminal justice consequences from their conduct, but also victims frequently suffer physical injury, property damage, psychological harm and associated health problems. The community suffers generally through the consequential costs that arise, such as increased insurance premiums and the costs of restoring property damage and ill-health.

More specifically, the Committee found that in the majority of cases the charges against offenders were processed by police (61.7%), with only one-third of matters remaining unsolved, possibly owing to the offender having left the scene following the incident. These rates are generally comparable with clearance rates for other crime types in Victoria.

Not a great deal is known about the judicial outcomes of cases of Road Violence that have been prosecuted in the courts. Unfortunately, official court statistics collected by the Australian Bureau of Statistics do not have an offence category or sub-category that approximates to crimes involving Road Violence, Road Hostility, Selfish Driving and related conduct. An ongoing review conducted by the Australian Bureau of Statistics is taking steps to improve data relating to criminal court statistics. The Committee is supportive of this undertaking and recommends that questions relating to the collection of court statistics concerning Road Violence and related offences should be considered during this review.

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. (Recommendation 6, p.157)

The financial impact of Road Violence was difficult to quantify as so few cases are reported and difficulties arise in determining which losses are the direct result of the incident. However, the statistics on 'road user violence' provided to the Committee from Victoria Police, indicated a mean value of \$174.24 in respect of the value of damaged property in respect of the 1,524 incidents recorded. The maximum value lost was \$28,000 and the minimum value was zero. In almost 80 per cent of recorded cases no financial loss in respect of property damage was recorded for incidents.

The Committee also found evidence of a range of other consequences of Road Violence including public liability costs, insurance claims, and personal injuries suffered. The Committee found that more than half of those who became involved in incidents of Road Violence suffered injuries, many requiring treatment, and occasionally involving death or serious consequences including psychological, emotional and physiological effects.

On a broader social level, the experience of Road Violence may lead some individuals to withdraw from road usage in part or in full. Road Violence may also be costly in terms of higher fuel consumption, tyre and brake wear and the repair of collision damage. Although these diverse consequences have not been adequately quantified at present, they all need to be considered in assessing the overall impact of the problem.

Causes of Road Violence

Understanding the causes of Road Violence is essential if the problem is to be properly addressed. Without such knowledge, the Committee believes that intervention strategies may prove to be ineffective, or even counterproductive.

Causal Models

The Committee began its consideration of the causes of Road Violence by acknowledging that in the vast majority of cases of Road Violence there is a specific incident that precedes the act of violence, such as one driver tooting another or changing lanes without indicating. This has led some to speculate that it is these 'triggering events' that are the 'cause' of Road Violence.

The Committee formed the view that this was an inappropriate causal model to adopt. Instead it took the view that people make a decision to act violently in response to particular triggers, rather than such triggers causing the violence to occur. This choice to act violently may be influenced by a range of factors, such as the individual's personality, the stress they are suffering from at the time of the incident, or their ability to aggress anonymously because of the nature of the car. It is still, however, a decision for which the individual is responsible, and should not be attributed to the driving behaviour of the victim.

In the Committee's opinion, Road Violence is not the result of an uncontrollable urge that sweeps over the perpetrator due to incidents of poor driving. Rather, Road Violence, like any other form of violence, is usually a deliberate act, committed for particular reasons. A wide range of considerations can influence an individual's decision to commit any act of violence, be it on or off the road and a comprehensive model of Road Violence should incorporate both the general dynamics of violence, as well as the specific circumstances in which such violence takes place.

The Committee identified four broad categories which it believes influence the decision to act violently on the road to a greater or lesser extent. These are: '**person-related factors**' (which include enduring traits, such as the perpetrator's personality, belief system, age, gender and health and various more transient states, such as the perpetrator's mood and level of stress at the time of the incident, as well as the influence of drugs or alcohol); '**situational factors**' (which include road-related matters, such as the condition of the road and whether traffic was congested at the time of the incident, as well as environmental factors such as the temperature); '**car-related factors**' (which relate to the role played by the car in the commission of acts of Road Violence); and '**cultural factors**' (including national or even international cultural values, such as the desirability of competitiveness and notions of masculinity).

It is the Committee's view that each of the factors plays a dual role. First, they can influence the way a person views or interprets specific 'triggering events' and second, they can affect the way he or she responds to those events.

This creates a chain of events starting with a 'triggering event', such as being tailgated. Person-related factors, such as personality or gender, play a role in the interpretation of that trigger, as do situational factors such as congestion, car-related factors such as anonymity, and cultural factors such as the value placed on competitiveness. For example, whether being tooted is seen to be a hostile act or an innocent attempt to communicate, and whether the driver who is tooted becomes angry or not, will depend on factors such as his or her mood, the traffic conditions at the time, and the horn-honking culture in the relevant location.

In the Committee's view, Road Violence is not the result of 'poor driving', nor is it caused by any single factor. Rather, it is the product of a complex interplay of factors, which are precipitated by a 'triggering event'.

Triggers for Road Violence

The Committee reviewed a vast amount of research that sought to determine which triggers drivers found frustrating or annoying. The Committee also considered the use of various psychological instruments that have been designed specifically to measure driver anger and violence. Of the 50 or more triggering events identified in prior research, it was found that, generally, overtaking and the related problem of cutting-in were the most frequently encountered triggers identified by victims and perpetrators of Road Violence and associated behaviours.

On the basis of prior research, the 10 most common 'triggers' of Road Violence were: cutting in closely and pulling out in front of other drivers; tailgating; failing to indicate when changing lanes or turning; blocking the progress of other drivers; using obscene gestures, verbal abuse, or even simple horn honking; preventing other road users from merging or overtaking; failing to dip their headlights; being involved in a crash or near collision; and involvement with cyclists on the road.

The Committee analysed these triggers and formed the view that most incidents of Road Violence in Australia are precipitated by triggers that fall into one (or more) of the following four categories. These are: ***Frustrating events*** (such as slow driving, hesitant driving and failing to move when traffic lights turn green); ***Endangering events*** (such as crashes, near collisions and driving at excessively high speeds); ***Discourteous and/or hostile events*** (such as failing to let a car merge or making an obscene gesture); and ***Violating events*** (such as talking on a mobile telephone while driving or cycling on a road considered to be the 'proper' domain of cars).

The Committee wishes to stress that it is the interpretation of these triggers, rather than the triggers themselves that is of importance. Acts such as 'slow driving' are not implicitly frustrating. Rather, the frustration arises because of factors such as an individual's desire to get to his or her destination quickly and a culture that prioritises speed on the roads over safety. Similarly, there is no natural response to frustrating events. It is person-related, situational, car-

related and cultural factors that influence both the interpretation of these triggers and the way in which people react to them.

Person-Related Factors

The Committee identified two main categories of person-related factors that could be involved in the commission of Road Violence: enduring traits and transient states. Enduring traits are traits that persist over time, generally changing very slowly, if at all. They include an individual's personality, as well as their beliefs, attitudes, values and goals. Also included are a person's gender and age, as well as other physiological and psychological factors, such as whether they suffer from a mental illness. Transient states are aspects of a person's character that vary more rapidly. They include an individual's mood at a particular time, their levels of stress, and whether they are under the effect of drugs or alcohol.

On the basis of the evidence reviewed by the Committee, it appears that there is a wide range of person-related factors that can influence an individual's decision to commit acts of Road Violence, to a greater or lesser extent. Some of these, such as an individual's personality, and their attitudes and belief, are likely to play a central role in many cases. Others, such as whether a person is affected by drugs or alcohol, will probably be only of importance in a select number of incidents.

The Committee believes, however, that any one of these factors is unlikely to be the sole cause of Road Violence. Most acts of Road Violence arise due to the interaction of these person-related factors with situational, car-related and cultural factors. Some of the key findings of the Committee with respect to these factors are as follows.

It appears that people with a predisposition to become easily angered in their daily lives will be similarly quick to respond with anger to triggering events on the road with anger. However, the evidence also indicates that not all people who become angry on the roads are generally angry people. In some situations these people may also commit acts of violence. In addition, not all acts of Road Violence result from feelings of anger, further limiting the influence of this personality variable.

The Committee also found research supporting the view that there is a group of people who are predisposed to becoming angry on the roads, even if they are not ordinarily angry people. These people become angry more frequently, and in more circumstances. They also appear to be more likely to engage in acts of Road Hostility or Road Violence. This will, however, depend on the circumstances, with situational factors also playing a role.

Although limited evidence was found for the relationship between Road Violence and various personality traits, it seems likely that in particular instances the elements of an individual's character may influence his or her decision to act violently. However, while an individual's personality may well

play a role in the commission of acts of Road Violence, it is not determinative. The Committee found that personality traits rarely explain more than 25 per cent of the variance in individual social behaviour. It is the combination of personality and other person-related, situational, car-related and cultural factors that leads to Road Violence.

The Committee also found research that examined the relationship between an individual's attitudes and beliefs, various physiological factors, alcohol and drug use, mental illness and the commission of Road Violence. Although each of these factors can have some influence, it appears that it is the involvement of various factors together which provides the most satisfactory explanation of a tendency to act violently on the road.

Finally, the Committee examined the role which transient states can play in causing Road Violence. On the whole, the Committee found very little evidence linking more serious acts of Road Violence to mood or stress. While external stressors may play a role in the causation of Road Violence, the Committee believes this to be an indirect role. External events do not directly *cause* individuals to commit acts of Road Violence. The importance of external stressors arises because of their potential influence on an individual's state of mind. It seems probable that the decision to act violently is influenced to a greater extent by an individual's more enduring traits, such as their personality, as well as their experiences in using violence to resolve problems. This is not to deny the influence of mood and stress in relation to acts of Road Violence. A person who is already predisposed to violence may become more likely to act violently when in a bad mood or when feeling stressed. In most cases, however, it seems unlikely that a person who is not so predisposed will choose to react to a trigger with violence simply because of their mood at the time.

Situational Factors

Throughout its research for this Inquiry, the Committee was informed that the causes of Road Violence are primarily due to person-related factors, exacerbated by certain situational factors, such as traffic congestion. Situational factors differ from the 'triggering events' previously noted in that their effect usually arises from their impact on a driver's mood or stress levels, rather than being matters which lead to a direct reaction. Individuals do not, for example, tend to react violently simply because they are hot. Instead, excessive heat may result in drivers feeling particularly irritable, and more likely to react violently to a specific event, such as being tailgated.

Numerous authors have suggested that the stress that arises from traffic congestion is a major contributing factor to violent traffic disputes. There appear to be three separate, yet related elements, to this suggestion. Firstly, it is argued that heavy traffic can increase driver stress, or have negative effects on a driver's mood, due to the delays it can cause. Secondly, it is suggested that congestion can also affect a driver's mood or levels of stress if it leads to feelings of being overcrowded. Thirdly, it is sometimes argued that increased congestion

may bring together a number of people with a predisposition to act violently, and therefore provide greater opportunities for 'triggering events' to occur.

The Committee found, however, little evidence to support the assumption that stress caused through traffic congestion leads to Road Violence. To some extent, the absence of evidence was due to the difficulty of testing the effect of congestion on road user behaviour, and of separating this effect from other influences. It has also been suggested that while moderate levels of congestion may sometimes contribute to the incidence of Road Violence, very heavy traffic may in fact lessen the number of people who act violently on the roads due to reduced expectations of being able to travel unimpeded. In the Committee's view, congestion *per se* does not cause Road Violence, although in some cases it may increase feelings of anger or stress levels.

The Committee also found that feelings of discomfort caused by a variety of factors, such as excessive heat or noise, may contribute to the incidence of Road Violence. When feeling uncomfortable, drivers are likely to become increasingly distressed, irritable or angry. This may result in them more readily interpreting triggering events as frustrating or provocative, and responding with violence.

While it is possible that heat may be a factor in some cases of Road Violence, the Committee does not consider temperature to be a major contributor to such violence. Similarly, noise only acts to enhance the intensity of aggression that has already been provoked, while cramped conditions and uncomfortable seating may lead to irritability affecting an individual's interpretation of triggering events, as well as their reaction to those triggers.

The Committee also believes that the way in which roads are designed, and the condition of the roads driven on, may also play a part in the commission of acts of Road Violence. Although there is little confirming evidence relating to these factors, it is clear to the Committee that in some cases the condition of the roads will have an effect. Road design may also be important insofar as it can create or reduce opportunities for particular 'triggering events' to arise. In particular, the Committee heard that roundabouts create particular problems for road users, especially cyclists, as motorists seem to be often unaware of cyclists' rights when using roundabouts.

On the other hand, the Committee heard arguments that some situational factors might inhibit Road Violence. People who may otherwise be willing to commit acts of Road Violence may be dissuaded from doing so due to the presence of police on the roads, witnesses who may report the matter to the police, and other passengers in a car who may dissuade the potential perpetrator from offending. The nature of the victim, such as an older victim or a female victim, may also elicit less aggression from some offenders.

While some situational factors are commonly cited as leading to violence, the Committee believes that they are subsidiary to more important person-related and cultural factors. This is not to deny that they may play a part in influencing a person's decision to act violently, but a person's personality, attitude and

values will have a greater influence on this decision. Road design, however, seems to be a significant contributor to the likelihood of violent acts being committed and should be considered when designing strategies to address the problem of Road Violence.

Car-Related Factors

The Committee examined a range of factors that relate to motor vehicles themselves that can contribute to the commission of Road Violence. One important factor is the difficulty many road users have in unambiguously communicating with each other. This can lead to misunderstandings when errors in driving are made, and the inability to express displeasure or apology in a clear manner. One writer, for example, suggested that 65 per cent of 'road ragers' would not commit such acts if an apology were forthcoming. It seems clear to the Committee that certain incidents of violence could be defused if road users were able to communicate with each other more easily.

As well as providing a barrier to communication, the structure of many vehicles also offers drivers a relative sense of anonymity and it has been argued that this contributes to the incidence of Road Violence, as drivers feel freer to engage in acts of violence than they do in other circumstances in which they may be more readily identified. There was little evidence to support this argument, although one study found that the frequency of traffic rule violations was greater for motorists whose cars had tinted windows and non-personalised numberplates. It was suggested that these results were due to aggression being less restrained because of an increased feeling of anonymity. The Committee also found some evidence to support the view that anonymity of victims may contribute to the commission of acts of Road Violence.

Another factor that may be of importance is the sense of freedom, power and mastery that can come from driving modern cars. According to this theory, the nature of the car can lead some people to feel that their journeys should be as uninhibited as possible. Any barriers to their smooth progress can therefore become potential 'triggering events'. There are two elements underlying this argument. Firstly, it is contended that those who feel a sense of power due to the nature of the car are more likely to become angered or frustrated by those who 'get in their way'. Secondly, the power of the car may contribute to the likelihood that they will react violently, due to the feelings of invincibility and protection it may offer, as well as the capacity to quickly flee the scene.

The Committee also heard the argument that some of the violence occurring on the road may be due to people defending the 'territory' of their car. This is important for those young male drivers for whom the car plays a central role in their lives as a symbol of power and prestige. The Committee found some evidence to support the view that people may act violently in defence of their car, although it is likely that although feelings of territoriality may influence a person's actions, the choice of committing or not committing violent acts will also be

determined by person-related and cultural factors, such as attitude about the appropriate use of violence, as well as by other situational and car-related factors.

Other opinions concerning car-related factors that may lead to the commission of violence include the view that the physiological arousal caused by driving can act to weaken people's usual inhibitions against violence, and that a process of 'deindividuation' or 'dehumanisation' may occur. In such cases the normal social rules governing behaviour are overridden, allowing people to behave in a manner which they would ordinarily consider to be socially inappropriate – including acting violently.

Generally, the Committee believes that the ability to act anonymously, against someone who cannot be seen and is unlikely ever again to be encountered, may increase the likelihood that a reaction will be violent. This may especially be the case when combined with the feelings of power and mastery the modern car can impart to drivers, and the central role it plays in the public psyche. When other person-related, situational or cultural factors that also influence an individual's behaviour are brought into the picture, the outcome may well be a decision to act with violence.

Cultural Factors

Throughout its Inquiry the Committee has argued that violence is generally about using power and control over another person to achieve a desired result, rather than about being 'out of control'. The decision to commit violent acts is generally influenced by the perpetrator's life experiences, observations of the behaviour of people around him or her and the consequences of that behaviour, and the values of the society in which he or she lives.

In the Committee's view, social norms and values play an important role in the causation of Road Violence. This role appears to be twofold. Firstly, the way in which triggering events are interpreted is influenced by the cultural beliefs a road user holds about appropriate driving behaviour. In particular, the emotions of anger or frustration felt when confronted by such triggers will be at least partly a product of socialisation and acculturation. Secondly, cultural values may also affect the response to such events. In particular, they may help a person to determine whether a violent response is necessary or appropriate in the circumstances.

The Committee also heard that people who act violently on the roads may, in fact, be unconsciously following a cultural 'script' that lays out the 'proper' way to behave in certain situations. For example, it is suggested that cultural understandings of masculinity often lead men to view the behaviour of others as a personal challenge, and to believe that a violent response is necessary in order to defend their honour.

Three types of cultural factors have been advanced as being relevant to the commission of Road Violence: driving culture, broader culture and individual culture.

Some of the aspects of driving culture include the proposition that current driving culture favours speed and mobility over caution, the idea that driving a motor vehicle will provide the driver with a singular pleasure and freedom, and that motor vehicles have top priority on roads and that their speed and mobility should not be curtailed. The Committee also heard arguments that our society supports beliefs that value entitlement and competition over cooperation and consideration for others and that these beliefs are reflected in the way some drivers respond to their sense of 'being wronged' by others.

Broader cultural factors not specific to driving may also play a part in the decision by some drivers to commit aggressive or violent acts. Many of these, such as competitiveness and a sense of time urgency, are influential factors in everyday life and are considered necessary for achieving goals. If as a society we emphasise values such as competitiveness and aggressiveness, individual initiative, autonomy, challenge, excitement and risk-taking, then all facets of behaviour including driving will reflect these values. Notions of vengeance and territorial defence are also indicative of cultural factors, while cultural constructions of masculinity are also a significant factor in aggressive and violent driving behaviour.

In addition to the specific driving culture prevalent in the broader society, factors pertaining to an individual, or the sub-culture he or she is part of, may also influence driving behaviour. Considerations relating to the motivations for driving, cars and youth culture, risk-taking and hoon sub-cultures, sub-cultures of violence, and questions of status and defence of reputation may also play a role in shaping violent attitudes.

The Committee also considered the influences that have a part in forming driving behaviour. These included family members, schools and other education institutions, the media, films and television, computer games, sport and other members of society. Many researchers and submissions to the Inquiry pointed to the media, and particularly advertisements, as being a crucial influence on some people's driving behaviour and perception of car ownership. Although the extent of media influence on driving behaviour is not known fully, studies point to the likelihood that such an influence is substantial. The Committee has made use of these arguments in determining the most important ways in which preventive strategies can be used.

Although acts of Road Violence may not be attributable to the influence of a single cultural factor, taken collectively these play a significant role in Road Violence.

Prevention of Road Violence

Prevention Strategies

The presence of Road Violence, Road Hostility and Selfish Driving has led to an extensive range of strategies being proposed around the world to minimise the

incidence of such forms of conduct. They can generally be divided into three inter-related categories: engineering and design; education; and the use of the law. While a number of programmes addressing Road Violence, Road Hostility and/or Selfish Driving have been implemented in various countries, few existing initiatives have been properly evaluated and therefore limited conclusions can be drawn regarding the effectiveness of such strategies.

In determining the best response to Road Violence it is also important to ensure that any recommendations requiring the expenditure of resources are commensurate with the problem, both in terms of its extent and its seriousness. As noted already, the data indicate that the incidence of Road Violence is not very large, especially when compared with other crimes of violence (such as family violence) or other road safety concerns (such as drink driving).

The Committee believes that it is important to take steps to prevent and respond to Road Violence, even if the incidence is limited when compared with other offences. Such measures may have the added benefit of addressing other social problems. For example, techniques for managing anger on the road may also help people address their off-road anger (see discussion below). Similarly, specific enforcement of Road Violence-related offences may also help prevent other dangerous or illegal driving behaviours.

In addition, while Road Violence may not be very prevalent, the data found by the Committee show that Road Hostility and Selfish Driving are much larger problems. Although Road Hostility and Selfish Driving are not the main focus of this Report, it is the Committee's view that they should be included in intervention strategies because of the prevalence of such behaviours, their potential to lead to acts of Road Violence and the harm they cause. Not only could this have the benefit of preventing some triggers for Road Violence, but could also begin the important task of developing a culture of courtesy on the roads, thus further reducing the incidence of Road Violence

In recommending appropriate policy directions for the future the Committee believes that a range of coordinated strategies should be adopted to respond to driving behaviours that result in Road Violence, Road Hostility and Selfish Driving. Such an approach is preferable to focussing solely on measures that seek to minimise the most serious forms of Road Violence, as often it is the antecedents of serious violence that provide the best target for preventive measures.

Engineering and Design

Introduction

Most strategies aimed at modifying road user behaviour have focussed on education or enforcement. Although these are the most prevalent traditional responses, engineering (which has been a neglected area to date with regard to driver aggression) may also provide beneficial results in minimising Road Violence. The main influence lies in the potential of engineering measures to

reduce the triggering behaviours that are precursors to Road Violence. If triggers can be avoided then more serious consequences may be minimised.

It is important to remember, however, that such an approach seeks to address the symptoms rather than the causes of Road Violence. A longer-term strategy would aim to address other underlying factors, such as the culture of speed and mobility in our society and motor vehicle advertising, which encourages such tendencies on our roads.

Traffic flow

While it is the Committee's view that Road Violence is simply another form of violence, and is not primarily caused by environmental factors such as congestion on the roads, it seems clear that the failure of traffic to flow smoothly may act as a trigger to Road Violence. Improving traffic flow could, therefore, prevent some incidents of Road Violence from taking place. In the opinion of the Committee, however, caution needs to be exercised when considering road building and/or widening in view of the expense and the fact that it is not yet clear whether such measures would in fact reduce congestion.

Alternatively, systemic changes could be introduced to reduce driver anger, such as using enhanced systems that provide information about the causes of delays, give details of alternative routes, provide realistic speed limits with clearly equitable enforcement, give long warning periods for merges and other manoeuvres, reduce traffic control devices in some urban areas and provide special lanes for bikes and other slow moving vehicles.

The Committee believes that although congestion of itself may not cause Road Violence, unexpected delays sometimes may. Using systems to advise people of delays and alternative routes may prevent this from occurring. The Committee is supportive of measures being used at present to provide information about freeway conditions, road works and other motoring problems and recommends their continuation. The Committee also believes that any information provided should indicate the reason for delays, which could help to minimise the dissatisfaction that some motorists feel on hearing of possible delays.

It is the Committee's view, therefore, that although the reduction of traffic congestion is a desirable goal, which could reduce the incidence of some forms of Road Violence, it is preferable to deal with the problem by focussing on drivers' attitudes to ensure that when they are faced with congested traffic and delay violence does not become the chosen response.

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. (Recommendation 7, p.332)

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). (Recommendation 8, p.332)

Congestion pricing

In recent years, some cities have introduced a so-called congestion tax in their inner-city areas, to encourage car pooling and alternative means of transportation. It was suggested to the Committee that introducing such a tax may help to reduce congestion on the roads, and thus Road Violence. In the City of London, for example, a congestion pricing system was introduced that led to decreased congestion in the proscribed area and fewer crashes.

However, the Committee received little support for the introduction of a congestion tax, given the tenuous link between congestion and Road Violence. The Committee considers that while there may be some benefits to such a scheme it would place a large financial burden on many motorists. Given that the number of Road Violence incidents is relatively small and the link between such incidents and traffic congestion is not proven, the Committee does not recommend the introduction of a congestion charge at this time. The Committee also believes that before such a charge is implemented, a serious feasibility study is needed to see if such a tax could be viable in a city the size of Melbourne.

Keep left signs

The smooth flow of traffic may not only be inhibited by issues such as road design and construction but also by the behaviour of road users (for example people driving in the right-hand lane when not overtaking). The Committee found that failure to keep to the left in multi-lane roads is one of the main causes of driver anger and can, in some cases, trigger Road Violence.

At present such behaviour is only illegal in Victoria if the speed limit is greater than 80kph or if there are signs advising of the need to keep left. While the Committee is not in favour of amending this law it does believe that it would be useful to post additional signs advising people of general laneway law and the penalties for non-compliance. To ensure the effectiveness of this measure it is also important that police have the capacity to enforce the law.

The Committee recommends that VicRoads consider increasing the number of roadside signs to advise road users of laneway keep left laws and penalties for non-compliance. (Recommendation 9, p.334)

Street signs

A person driving more slowly than is reasonable is another road user behaviour that disrupts the smooth flow of traffic and can cause frustration in other drivers. While there may be many reasons for such behaviour, a common reason in urban areas is uncertainty about where people are going. People may, therefore, drive slowly in order to be able to read street signs.

It has been suggested that one way of alleviating this problem would be to make greater use of signs advising of upcoming roads and appropriate lane usage. While the Committee believes that such measures would be advantageous, it is clearly not feasible to locate additional signs before every street corner. Strategically placed signs would, however, be beneficial.

The Committee recommends that VicRoads consider increasing the use of street signs and signs indicating approaching streets along main roads. (Recommendation 10, p.335)

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. (Recommendation 11, p.335)

Road markings

One of the main issues identified in the submissions and online surveys received by the Committee is the problem of the interaction between cars and more vulnerable road users (such as cyclists and motorcyclists). It has been suggested that one of the reasons for feelings of vulnerability of other road users (on shared roads) is a lack of knowledge on the part of some car drivers about the rights of cyclists in certain situations. The Committee believes that one of the best ways to address this problem would be to post additional signs advising of the need to share the road with other road users, as well as by using specific road markings at likely sites of conflict. On a more general level, such measures may assist in the process of modifying the car-centred nature of driving culture.

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. (Recommendation 12, p.336)

Merging

One of the other principal triggers of Road Violence identified in Chapter 11 is inappropriate merging. While this problem may arise due to the impatience of drivers (who want to merge as late as possible) there is also a lack of clarity about appropriate merging procedures in some cases (particularly where it is likely to arise accidentally due to a lack of forewarning about the need to merge). Inappropriate merging may also arise due to a lack of knowledge of road rules. Additional signs posted well in advance of the need to merge could rectify this problem.

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. (Recommendation 13, p.336)

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. (Recommendation 14, p.336)

Chevrons

Another main trigger of Road Violence, as well as a form of Road Violence itself, is tailgating. While in some cases tailgating may be a deliberate act of aggression, in others it probably arises due to thoughtlessness, or even a lack of understanding of the appropriate distance to maintain.

To address the problem of tailgating, some countries have started to mark chevrons on the road to indicate the distance cars should be from each other when travelling at the speed limit. This has been done in parts of Britain, with some success. At present chevron use is being trialed in Victoria. The Committee believes it is likely to be beneficial not only in terms of reducing Road Violence but also in terms of enhancing road safety generally.

The Committee recommends that VicRoads extend the use of chevrons in Victoria and that they be marked onto selected roads with a speed limit of 100 kph or above to indicate the distance cars should be from each other when travelling at the speed limit. The meaning of chevrons should also be advertised as part of driver education programmes in general, and in particular as part of the Selfish Driving campaign. (Recommendation 15, p.337)

The Committee further recommends that this measure be evaluated by VicRoads, using pre- and post-implementation trials and using aerial measurement techniques to gauge the distance between cars travelling on targeted sections of the network. (Recommendation 16, p.337)

Car parks

The Committee has found that car parks are major sites of Road Violence. The reasons for this include poor design requiring cars to navigate small spaces, leading to a higher possibility of incidents; a lack of parking in some areas leading to competition for resources; and people 'stealing' spaces others have been waiting for.

Steps could be taken to ensure that any new car parks that are built comply with standards that prevent (as far as practicable) the problem of over-crowded parks with inadequate room for easy traffic flow. In addition, road safety campaigns

that target Selfish Driving could specifically focus on the need to be courteous in car parks. This may help to draw attention to the unacceptable nature of, for example, 'stealing' spaces and the possibility that such behaviour may result in violence. The Committee believes that this may help avoid some incidents that lead to violence as well as create a general background of driving courtesy.

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. (Recommendation 17, p.338)

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. (Recommendation 18, p.338)

Apology mechanisms

The Committee found during its Inquiry that vehicle design can prevent people from being able to communicate clearly with each other. This can lead to driver anger and even violence when another driver fails to apologise for a driving error he or she has made.

A range of solutions to this communication problem between motorists was suggested to the Committee. Although some suggestions attracted criticism as being unworkable or counterproductive, the Committee believes it is important to reinforce the notion that drivers make errors and that such problems should be easily resolved with a simple apology rather than through resorting to violence. However, the Committee does not believe that a specific mechanism is necessary for this task.

Rather than implementing a positive system of hand signals, it is the Committee's view that the best way to address this issue is by reminding drivers that they are all fallible. The Committee believes there should be a separate section in the *Learners Handbook* dealing with the fact that drivers make errors, with a recommendation that people wave to acknowledge mistakes they have made. This could also form part of a Selfish Driving campaign in which people could be reminded that all drivers make errors and that a wave is a good means of communicating an apology.

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. (Recommendation 19, p.343)

Window tinting

Although communication with other drivers is difficult in modern vehicles by virtue of the physical separation created by vehicle design, it is generally still possible to see the other driver's face and expression through the windows (or, to a much greater extent, in convertible vehicles). However, the extent to which facial expressions can be seen may be reduced or removed entirely by dark window tinting. This may increase the likelihood of Road Violence due to reduced communication and also due to making drivers feel more anonymous.

The Committee is of the view that the current restrictions on the use of window tinting are insufficient as they do not permit motorists to see the drivers of vehicles with tinted windows clearly enough for the purpose of communication. In addition, the Committee is concerned that the level of enforcement of window tinting regulations could be strengthened.

Accordingly, the Committee has formed the view that VicRoads should 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.

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. (Recommendation 20, p.344)

Traffic calming

The Committee found during its Inquiry that one of the main factors underlying Road Violence is the culture of speed and mobility that has arisen on the roads. Some have suggested that the best way to counter this development is to implement 'traffic calming' techniques. Traffic calming involves the use of road design strategies to reduce vehicle speeds and volumes. They can range from making a few minor changes to neighbourhood streets to the rebuilding of an entire street network.

The Committee could, however, find no studies supporting the impact that traffic calming would have on Road Violence. While it may help in the development of more liveable communities, it may have little effect on the incidence of actual incidents of violence. Furthermore, it is possible that traffic calming measures could even increase violence, at least in the short term, as people become frustrated with the traffic calming measures themselves. Despite these arguments for traffic calming, the Committee does not currently support the greater use of traffic calming measures in the context of reducing Road Violence. It does, however, believe it would be useful to conduct further research into the effectiveness of specific traffic calming measures in preventing Road Violence.

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. (Recommendation 21, p.347)

The Committee recommends that further research be conducted by VicRoads into the effectiveness of specific traffic calming measures in preventing Road Violence. (Recommendation 22, p.347)

Vegetation

A further suggestion for calming motorists is for additional vegetation to be planted along roadways. There is some evidence to suggest that vegetation may have a calming effect, especially in highly urban areas. In addition, the Committee notes that the extensive use of vegetation can improve the environment and enhance community cohesion.

The Committee heard, however, that problems could arise by reason of vegetation impeding vision or creating crash obstacles. As well, extensive revegetation may be expensive. Owing to the lack of evidence supporting a significant effect, the Committee's view is that the extensive use of vegetation is not recommended at this time.

Speed governors

Another means of addressing the culture of speed and mobility which the Committee considered, as well as preventing various triggers for Road Violence such as excessive speeding, would be to require that cars are fitted with speed governors or other systems designed either to physically prevent or discourage excessive speed.

However, the widespread use of speed governors would entail a radical change involving government intervention to inhibit motorists' freedom of movement (perceived and actual) and would require national, and potentially international, harmonisation. It may also involve considerable cost for individual car owners.

The Committee believes that proposals to require vehicles to have speed governors installed or speedometers limited to specified speeds are unlikely to have a substantial impact on Road Violence and, accordingly, has determined not to recommend either of these initiatives.

Heavy vehicles

The Committee heard of a perception in the community that the drivers of heavy vehicles are frequent perpetrators of Road Violence. Although some drivers of heavy vehicles do perpetrate Road Violence, often as a result of tailgating, there is little evidence to support the proposition that these drivers are disproportionately offenders. In many cases acts may be unintentional and

may arise due to the feelings of vulnerability that many car drivers feel near heavy vehicles.

A range of measures could be taken to prevent drivers of heavy vehicles from intimidating other road users. While the Committee appreciates the concerns some people have about heavy vehicles, it does not believe that any of these steps are called for, in the absence of evidence specifically linking heavy vehicles to instances of Road Violence, other than as discussed in Recommendation 27 regarding the need for educational programmes.

May Day Warning Systems

The Committee also considered the use of May Day Warning Systems that enable the occupants of vehicles to communicate with central reporting agencies when instances of serious threats to safety occur. May Day Warning Systems could be used by motorists to seek assistance in cases of Road Violence. If responses were sufficiently quick, they could also lead to some perpetrators being apprehended. This could also act as a deterrent to potential perpetrators.

Unfortunately, the costs associated with installation of systems in every vehicle would be prohibitive at present, and the use of such systems would require an infrastructure to monitor calls made and determine appropriate responses. In view of these and other problems, the Committee believes that the compulsory installation of such systems in all vehicles is not appropriate at present. Some motorists may, however, choose to make use of systems when they become more widely available.

Encouraging alternative transportation use

Because traffic congestion is, arguably, one of the main causes of Road Violence, the Committee believes that measures which limit the number of vehicles on the road would have the additional benefit of reducing the incidence of triggering incidents and minimising the likelihood of acts of Road Violence taking place.

The Committee is strongly of the view that fostering the use of alternative means of transport would have significant benefits in terms of reducing Road Violence, as well as many subsidiary benefits such as improving the environment through reducing pollution and enhancing public health through encouraging walking and/or cycling. Accordingly, the Committee strongly supports the continued development of initiatives to improve and expand public transport and alternative means of travel in Victoria.

Education

The Committee holds the view that the key to developing effective countermeasures to reduce Road Violence lies in addressing society's propensity towards aggression, which is reflected in and indicated by our aggressive driving culture. Measures designed to reduce aggression should be based mainly on driver training and attitudinal change through the use of educational

programmes. Such programmes can take a number of forms and be implemented in a variety of contexts.

Education in connection with driver licensing

One of the key intervention points regarding road user behaviour is the point at which people learn to drive. During the licensing process all drivers are compulsorily required to study particular materials provided by VicRoads. The Committee believes that this is a crucial time at which to incorporate driver education material with respect to Road Violence. In addition, the Committee found strong community and theoretical support for the concept of a graduated licensing system.

The Committee is aware that a review of the Victorian licensing process is currently being undertaken, focussing in particular on forms of graduated licensing. The Committee therefore has determined not to make any recommendations concerning the licensing process in general. The Committee does, however, support the above review of the Victorian drivers' licensing process and recommends that the issues of Road Violence, Road Hostility and Selfish Driving be taken into consideration as part of this review.

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. (Recommendation 23, p.360)

Driver screening

One contentious suggestion contained in the literature reviewed for this Report is that prior to receiving their licence drivers should be screened to prevent 'antisocial' people from becoming licensed at all. Suggestions have been made, for example, that one approach to coping with aggression in driving may be to screen drivers suspected of having problems, such as those with mental illness and emotional stress. Others have argued that physicians should be alert for signs of drivers suffering from mental breakdown and for signs of mental deterioration in elderly patients if they have any unexplained crashes.

The Committee found, however, an absence of research evidence to support the predictive ability of psychological tests in isolating individuals who may be at risk of committing Road Violence. In addition, the recently revised national medical assessment standards in Australia provide a good basis for a standard assessment by doctors of their patients' fitness to drive. VicRoads is continuing to promote the importance of these standards to the medical profession through the SafeDrive Medical Programme. It is also contrary to fundamental tenets of criminal justice to impose restrictions on individuals in respect of what they might do in the future, except in extraordinary circumstances.

Accordingly, the Committee is of the view that predictive screening of individuals in order to detect those at risk of committing acts of Road Violence should not be introduced in Victoria.

Learner's handbook

Instead of precluding people from driving it may be preferable to teach learner drivers how to avoid committing acts of Road Violence. The VicRoads book, *Road to solo driving*, contains information about road rules and driving behaviour, but contains only a very small section on Road Violence, Road Hostility or Selfish Driving when dealing with the need for cooperative driving.

While the Committee commends VicRoads for incorporating such information, it believes that there is a need for a greater focus on driver attitudes during the licensing process. The Committee believes that it would be cost-effective to target information of this nature at novice drivers in view of the fact that, as the Committee has found, it is young motorists who, disproportionately, become involved in Road Violence.

In making this suggestion the Committee is not recommending that there be an extensive focus specifically on Road Violence, Road Hostility and Selfish Driving, but rather more generally on driver attitudes and the need for cooperation and courtesy. This may not only improve the knowledge that road users have concerning their roles and responsibilities (thus preventing some triggers for Road Violence from taking place) but may also contribute to overcoming a contributory culture of speed and mobility, replacing it with a culture of cooperation and courtesy.

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. (Recommendation 24, p.367)

Road Violence programmes

As well as integrating attitudinal material more thoroughly into the novice drivers' handbook, the Committee considers that it could be useful to require learner drivers to attend a special programme about Road Violence, Road Hostility, Selfish Driving and driver attitudes in general. The Committee believes that the question of whether all applicants for licences should be required to attend anger management /behaviour change programmes should be investigated further, and that VicRoads should conduct such an investigation in conjunction with its review of driver licensing requirements.

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. (Recommendation 25, p.368)

In addition to the type of course outlined above which may help a new generation of drivers to address attitudinal problems associated with driving, the Committee feels that anger management/behaviour change programmes could also be beneficial to existing drivers who have demonstrated problematic behaviour while driving in the past. The Committee believes that drivers who have been convicted of offences involving Road Violence, should be required to attend a special programme dealing with ways to reduce Road Violence, Road Hostility and Selfish Driving and driver attitudes in general prior to having their licences renewed every 10 years.

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. (Recommendation 26, p.368)

Other drivers who have been identified in some of the literature as being more likely to perpetrate acts of Road Violence, Road Hostility or Selfish Driving are those who spend considerable amounts of time driving as part of their daily work. The Committee believes that these drivers could benefit from receiving specific training about Road Violence, or attitudinal issues generally, as part of their employment conditions and ongoing training. In view of the lack of evaluative research on the outcomes of existing courses for these drivers, the Committee does not recommend compulsory implementation of such programmes at this stage. Instead, the Committee believes 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. The Committee believes that employers should be encouraged to require their employees to attend these programmes and therefore 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.

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. (Recommendation 27, p.370)

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. (Recommendation 28, p.370)

Roundabout education

A number of studies examined by the Committee pointed out that many road users appear to have difficulty understanding the road rules applicable to drivers negotiating roundabouts, particularly multi-lane roundabouts. Lack of understanding of the correct rules could create trigger situations that result in acts of Road Violence.

The Committee notes that while there is information about roundabouts in the novice drivers' handbook, it appears to the Committee that this information is ineffective in enabling drivers to know their obligations regarding roundabout use. To address this problem the Committee suggests that it may be possible to require learner drivers to negotiate at least one roundabout during the practical component of their licensing test.

The Committee recommends that VicRoads, as part of its current review of the Victorian drivers' licensing process, investigate the feasibility of requiring all driver's licence applicants to drive around a roundabout as part of their licensing practical test. (Recommendation 29, p.371)

Post-licensing training

A suggestion made to the Committee on a number of occasions was the possibility of requiring all learner drivers to undertake a defensive and or skilled driving course. The Committee acknowledges that while it may seem clear that increased technical skills could improve driver abilities and road safety, such courses have been found to lead to over-confidence among attendees, increasing the possibility of Selfish Driving.

The Committee believes, therefore, that owing to research evidence showing that Road Violence is caused more by the attitudes, rather than the skill levels, of the perpetrator, mandatory defensive/skilled driving courses should not be instituted at present.

As an alternative to requiring drivers to attend defensive driving courses, the

Committee considered whether it may instead be possible to require newly-licensed drivers to attend courses specifically focussed on the promotion of positive attitudes towards driving. The Committee, however, could find no evidence of such courses being implemented specifically to address driver attitudes. Consequently there appears to be no evidence as to their effectiveness and accordingly, the Committee does not recommend promoting the use of such courses at present.

The Committee also examined the question of whether events triggering Road Violence arise from the actions of older drivers who are no longer fully capable of driving, or who are unfamiliar with new road rules, and whether mandatory re-testing should be required for all licence holders. The Victorian Parliament's Road Safety Committee recently examined this issue and found that there was little evidence that such a scheme would increase general road safety. In light of the expense of instituting such a programme, and the equity issues involved, the Road Safety Committee decided not to recommend mandatory retesting, which recommendation was supported by the Government of Victoria. The Committee believes that Road Violence is more about attitudes than driving skills and that if drivers are to be referred to any educational courses, these should deal with behaviour change rather than driving skills. Accordingly, the Committee recommends that mandatory re-testing should not be required for all licence holders.

Instead of requiring drivers to be re-tested in order to ensure an adequate knowledge of road rules, it may be possible for VicRoads to run *voluntary* refresher courses on a regular basis (once or twice a year) for people who are concerned about their understanding of changes to the road rules, such as the courses which are conducted in Queensland.

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. (Recommendation 30, p.374)

Education in schools

The Committee believes that while the licensing process provides a convenient point for educational intervention, it is likely that many of the attitudes underlying the decision to commit acts of Road Violence may have been formed prior to this point. In Victoria at present, issues of road safety and general health issues form part of the school curriculum in Victoria. Victorian Police also run programmes for school children based on 'road safety messages'. The extent to which school education materials on road safety are taught depends generally on the particular school concerned. It must be remembered that road safety education in the school curriculum is competing with a range of other matters, such as sex education and general health education.

However, given the wide range of issues which need to be taught in schools, and the limited time available for teaching, the Committee is not willing to recommend that legislation be passed requiring that issues of Road Violence form part of the school curriculum, especially in light of the small size of the problem when compared with other issues, such as domestic violence. In addition, the effectiveness of such programmes – especially if they are only taught on a few occasions throughout a child’s schooling – is uncertain.

Nevertheless, the Committee does believe it is important for school students to be made aware of the need for correct driving attitudes in order to help develop a culture of courtesy on the roads.

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. (Recommendation 31, p.380)

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. (Recommendation 32, p.380)

Parental education

The Committee was concerned that many of the attitudes underlying Road Violence are formed when children watch and model the driving behaviour of their parents. Ensuring appropriate parental attitudes and behaviour, and addressing the problem of role modelling is, in the view of the Committee, essential to lessening the incidence of Road Violence, Road Hostility and Selfish Driving.

Unfortunately, the Committee realises that it is quite difficult to reach this target group as well as to change its behaviour. In addition, driver behaviour is but one of a number of competing priorities for parental education. Despite these difficulties, the Committee believes that attempts should be undertaken to educate parents about the importance of appropriate role modelling of driving behaviour to their children.

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. (Recommendation 33, p.381)

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. (Recommendation 34, p.381)

Media campaigns

In Australia media campaigns have traditionally been used to deal with road safety issues such as wearing seat belts, not speeding, avoiding driving while drowsy and not driving after drinking alcohol. The Committee was able to find only one media campaign in Australia that dealt specifically with aggressive driving, conducted in the ACT in 1997. Overseas, media campaigns targeting aggressive driving and driver attitudes have been conducted for many years in Belgium and some cities in the United States.

The Committee believes that it may be possible for a media campaign to be developed to address some of the factors that underlie the incidence of Road Violence, Road Hostility and Selfish Driving along the lines of health and road safety campaigns already used. However, given the relatively small incidence of Road Violence – and the extent to which it is already discussed in the media – the Committee does not believe it would be useful to mount an extensive campaign specifically targeting Road Violence.

The Committee suggests that if media campaigns are developed in Victoria, they need to be carefully evaluated by the TAC in conjunction with Victoria Police, and that relatively small-scale campaigns should be tried in the first instance. If these are found to be successful, a broader multi-pronged campaign employing television and radio advertising, print, billboards, posters, stickers and other media could be developed.

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. (Recommendation 35, p.392)

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. (Recommendation 36, p.392)

The Committee also recommends that any media campaigns should be multi-lingual and make use of a variety of communications media. (Recommendation 37, p.392)

The Committee also learnt of the benefits that can be derived from reward-based responses as opposed to punitive responses. One idea, for example, would be to establish a 'safe driver reward programme' in conjunction with any Selfish Driving campaign that is developed. As indicated by its name, such a programme would aim to reward those drivers who are identified as having acted in a safe or courteous manner on the roads. The purpose of this type of programme would be both to encourage safe driving (with obvious safety benefits), as well as to help develop a culture of courtesy on the roads.

The Committee believes that such campaigns may be a useful method of engendering publicity for the need to be courteous when driving. The Committee suggests that launching such a programme at the same time as an Anti-Selfish Driving campaign is released – perhaps during Driving Courtesy Week – could be particularly effective. While the Committee does not want to pre-empt the best way in which such a campaign should be conducted, it suggests also that it may be useful to run it on an annual basis (perhaps developing an annual ‘Driver Courtesy Week’) involving other activities that also draw attention to the need for safe driving on the road. It may also be useful for the TAC to consider offering discounts on registration as a reward for non-Selfish Driving.

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. (Recommendation 38, p.394)

The Committee is also particularly concerned at the growing mentality among some motorists that cyclists should ‘get off the road’. Arguably, there needs to be a concerted campaign to educate drivers of the rights (and responsibilities) of cyclists on the road as legal road users. Many vulnerable road users, such as cyclists, consider that Victoria’s roads are car-centred and potentially dangerous. It has been suggested that one way in which to redress this problem would be by conducting a specific media campaign to educate people about the need to *share* the roads with other users.

The Committee recommends that VicRoads and the Transport Accident Commission conduct a campaign designed to encourage cooperative use of the roads. (Recommendation 39, p.396)

Media reporting of Road Violence

The Committee believes that the role of the media is not limited to its ability to promote anti-violence initiatives but is also a major source from which people learn about Road Violence, Road Hostility and Selfish Driving. Unfortunately, too often the reporting of ‘road rage’ appears to be out of proportion to the extent of the problem – leading people to believe that there is an ‘epidemic’ of Road Violence when there is not. In the Committee’s view, this type of media conduct is unhelpful and could be dangerous. Although the media have a legitimate interest in instances of Road Violence, the Committee believes that it is the conflation of Road Violence with instances of Road Hostility, Selfish

Driving and other aggressive driving instances that leads to confusion and over-exposure of the issue.

To help address this problem, the Committee recommends that a protocol about the reporting of Road Violence be incorporated into the Journalists Code of Practice. This protocol could contain guidance concerning appropriate use of terminology, as well as guidance about the importance of not overestimating the size and impact of the problem. It should aim to encourage responsible reporting of Road Violence, which shows that such behaviour is not overly common but is unacceptable nonetheless. In addition, the Committee believes it would be helpful if the media were to describe violent road incidents when they occur within the nature of violent crime as a whole. This would be in keeping with the general societal stigmatisation of violence that has occurred with other crime prevention campaigns.

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. (Recommendation 40, p.398)

A number of submissions received by the Committee, observed that broadcasters have used the forum of Talkback radio to incite anti-cycling and anti-motorcycling sentiment. While Commercial Radio Australia's Code of Practice does not specifically address this issue, it does prohibit commercial radio stations from inciting violence or brutality in their broadcasts. The Committee believes that people who become aware of instances of the media inciting people to act violently against any road user should be encouraged to file a complaint with the Australian Broadcasting Authority.

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. (Recommendation 41, p.399)

Motor vehicle advertising

In recent years, attempts have been made to regulate the content of motor vehicle advertisements through the use of the Federal Chamber of Automotive Industries' Voluntary Code of Practice for Motor Vehicle Advertising. This Code aims to promote responsible driving behaviour and contains a complaints mechanism which enables complaints to be lodged with the Advertising Standards Bureau. The Committee hopes that the Code will help to encourage motor vehicle manufacturers to focus their advertising campaigns on pro-social

elements such as the safety features of cars, rather than on issues such as speed and power.

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. (Recommendation 42, p.400)

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. (Recommendation 43, p.400)

Road Violence film and television warnings

Motor vehicle advertising is not the only medium through which images of irresponsible driving behaviour may be conveyed to the public. Many television programmes and movies also feature such behaviour, while computer games also often feature scenes of Road Violence, with a range of games encouraging this behaviour in the virtual world.

The Committee does not believe it is possible to prohibit movies with such scenes or to prevent computer games from showing such behaviour. However, the Committee does consider it worthwhile to draw strong critical attention to the existence of such violence in our culture. To counter this problem, the Committee suggests that the current classification for films, television and computer games be reviewed to ensure that all instances of Road Violence fall within the classification of 'Violence' and receive a 'V' warning. This may help parents prevent their children from viewing the material, as well as draw attention to the undesirability of such behaviour generally. Consideration should also be given to preventing scenes of Road Violence being shown on advertisements for television programmes or movies.

The Committee recommends that the Victorian Government request the Australian Broadcasting Authority to:

- 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. (Recommendation 44, p.402)

Road Violence website

The Committee is of the view that a Road Violence website should be developed containing accurate and informative information about Road Violence. The website should include definitions (the difference between Road Violence, Road Hostility, and Selfish Driving) and a brief summary of the incidence and causal data presented in this Report (and updated when possible). The website should also contain information about the new police reporting mechanism and victim support services, as well as practical tips about how to avoid becoming a perpetrator and/or victim of Road Violence.

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. (Recommendation 45, p.402)

Road Violence avoidance tips

The Committee believes that members of the public would benefit greatly from being provided with information and advice on how individual road users can avoid becoming the victim or perpetrator of Road Violence (and associated 'road rage' related conduct), along the lines of the suggestions reproduced in Appendix 12. Such information could be contained on a website in addition to being made available in paper form throughout Victoria.

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. (Recommendation 46, p.404)

The Committee discovered during the course of its Inquiry considerable information on ways in which education could be used to eradicate or at least reduce Road Violence, Road Hostility and Selfish Driving. In changing attitudes, the Committee takes the view that various media could be used including campaigns conducted in schools, via the Internet, on television, film and radio, and in the newspapers. The Committee believes that educational approaches are only one way of dealing with the problem, albeit an extremely important one. Educational measures must be viewed as part of an overall package to reduce Road Violence incidents, which also includes, in equal measure, law enforcement and rehabilitative approaches.

Legal Responses to Road Violence

Criminal and Traffic Offences

A Road Violence offence?

At present there are no specific offences of Road Violence, Road Hostility or Selfish Driving in Victoria. Instead, a wide variety of general criminal and traffic offences can be used to regulate such behaviour, depending on the nature of the act, the intention of the perpetrator and the harm caused. Instead of relying on this assortment of charges, it was suggested to the Committee that the government should enact one or more offences specifically targeted at Road Violence, Road Hostility or Selfish Driving, such as exist in some other jurisdictions.

Although there would be a number of benefits to the enactment of laws specifically targeting Road Violence, Road Hostility or Selfish Driving, such as making it clear that such behaviour is unacceptable, deterring people from committing such acts, and punishing those who have acted in contravention of the legislation, the Committee received little support for the creation of such laws. One of the main counter-arguments put to the Committee was that such laws are unnecessary, given current criminal and traffic offences. In addition, any proposed legislation would most likely face the same definitional difficulties experienced in both New South Wales and the United States.

The Committee believes that with some minor amendments, existing legislation is sufficient to deal with any offences that arise. New laws are likely to lead to confusion about how to proceed, and would probably be very difficult to draft. Moreover, it is the Committee's view that Road Violence is simply another form of violence, and as such should not be treated any differently. The Committee therefore does not recommend the introduction of laws specifically targeting Road Violence, Road Hostility or Selfish Driving.

Establishing a safe distance between motor vehicles and bicycles

The Committee is aware of the enduring problems that arise in the course of interactions between motor vehicles and bicycles, particularly in relation to cars passing too close to the side of bicycles. At present, the only law governing the requisite distance between motor vehicles and bicycles is Rule 140 of the *Road Rules – Victoria*. This rule provides that a road user cannot overtake another vehicle (which includes a bicycle) unless it is safe to do so. Unfortunately, the rule provides no guidance as to when it is safe to overtake a bicycle, leaving this to the driver's discretion. It was suggested to the Committee that one way to address this issue would be to enact legislation specifying the minimum safe distance that should be maintained between motor vehicles and bicycles.

The Committee believes that the current system is not operating effectively and that by passing specific laws that address the minimum safe distance between

motor vehicles and cyclists it is hoped that drivers will be made more aware of the vulnerability of bicycle riders, and the need to maintain their distance.

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. (Recommendation 47, p.420)

The Committee recommends that Victoria Police should be given the ability to issue penalty tickets for transgressions of the minimum safe distance road rule. (Recommendation 48, p.420)

The Committee recommends that Information regarding the new road rule should form a part of the 'Share the Roads' campaign. (Recommendation 49, p.420)

Keeping to the left

One of the main triggers for Road Violence is people driving too slowly for the flow of traffic. While driver anger at 'slow drivers' can arise in any conditions, it is often considered particularly frustrating if the 'slow driver' is driving in the right-hand (overtaking) lane of a multi-lane road. It has been suggested that one way to prevent some incidents of Road Violence from arising would be to pass a law requiring drivers to always remain in the left lane unless overtaking, and to strongly enforce the law.

The Committee believes, however, that such a change to the law is unlikely to be of great effect, given that there is already a requirement to keep left on roads where the speed limit is over 80 kilometres per hour. The Committee does, however, recommend that VicRoads should post additional signs advising people of the need to keep left, and the penalties for failure to do so (see Recommendation 9).

Music volume laws

It has been conjectured that noise (such as loud music) may in some cases act as a trigger for Road Violence and there is some evidence that listening to loud music, or being subjected to uncontrollable noise, may increase the possibility that a person will act violently. It is also possible that such noise can distract drivers, leading them to drive in a careless fashion and triggering acts of violence or hostility in response.

There is, however, very little research that has investigated the possibility of a link between loud music and the commission of Road Violence. In the absence of such research, the Committee is reticent to recommend the creation of an offence that would proscribe the use of excessively loud music in vehicles. The Committee believes that such an offence would unnecessarily impinge upon

people's personal freedom and create considerable difficulties of definition and enforcement.

The Committee therefore does not recommend enacting a law regulating music volume at this time. In view of the opinions of some researchers that loud music may act as a potential trigger to Road Violence, the Committee believes that the relationship between loud music and Road Violence should be further investigated and that the Environment Protection Agency would be an appropriate agency to investigate this relationship.

The Committee recommends that the Environment Protection Authority undertake research to determine if there is a relationship between loud music and Road Violence. (Recommendation 50, p.424)

Returning numberplates

During the course of this Inquiry, it came to the Committee's attention that there is currently no law in Victoria requiring owners of motor vehicles that become deregistered to return their numberplates to VicRoads unless requested to do so. This creates the possibility that some people will use old numberplates from deregistered cars to avoid detection when intending to commit acts of Road Violence, Road Hostility, Selfish Driving or other crimes.

To overcome this problem, the Committee recommends that the *Road Safety Act 1986* be amended so as to require numberplates to be returned to VicRoads upon deregistration of a motor vehicle. Failing to do so, in the absence of a legitimate excuse, should lead to the imposition of a fine or other criminal sanction.

The Committee recommends that the *Road Safety Act 1986* 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. (Recommendation 51, p.425)

Law Enforcement

Law enforcement campaigns

To date, Victoria Police has not undertaken any operations specifically targeting Road Violence, Road Hostility or Selfish Driving, other than ongoing law enforcement measures to deal with speeding and running red lights. The Committee believes that certain benefits could arise if Victoria Police implemented a campaign focussed on Road Violence, Road Hostility and/or Selfish Driving in general, or on specific aspects of these behaviours (such as tailgating), in a similar manner to the way in which it currently targets drink driving and speeding.

A law enforcement campaign targeted at Road Violence, Road Hostility or Selfish Driving could take a variety of forms. It could, for example, involve the use of marked and unmarked police cars especially instructed to watch for the relevant behaviours. Billboards and posters advising of a police 'crackdown' on such actions could also be used, as well as television and radio advertising. Technologies such as red-light cameras and speed cameras could also assist in detecting some relevant breaches of the law.

Although law enforcement campaigns have been used extensively to deal with road safety issues, there is limited material evaluating the effectiveness of law enforcement campaigns targeting Road Violence, Road Hostility or Selfish Driving. In light of the equivocal nature of the evaluations examined by the Committee, it has concerns about investing money in such programmes. Despite such concerns, it is clear that law enforcement campaigns can be effective in addressing 'deviant' road user behaviour. This has been seen in the effectiveness of Victorian drink driving campaigns, which have both acted to stigmatise the behaviour as well as decrease its incidence.

The Committee acknowledges that Road Violence is a fairly minor concern when compared with other road safety issues such as drink driving and speeding. It is therefore not in favour of a law enforcement campaign solely focussing on Road Violence, for this would most likely divert resources from areas where they are needed more urgently.

This is not, however, the case for Selfish Driving and Road Hostility, which are much more prevalent on Victorian roads. While in most cases such acts will not have the same impact as Road Violence, they can act as triggers for such violence, as well as potentially increasing the possibility of road crashes. They also contribute to a culture of incivility on our roads, which should be addressed.

The Committee has concluded that Victoria Police in conjunction with the TAC should develop, conduct and evaluate a pilot enforcement and education campaign targeting Selfish Driving and encouraging driver courtesy. If successful at reducing the incidence of the relevant behaviours, a more large-scale campaign should be conducted.

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. (Recommendation 52, p.440)

Reporting mechanism

As part of this enforcement campaign, it would be possible to establish a specific reporting mechanism or 'hotline' to enable road users to report acts of Road Violence, Road Hostility and/or Selfish Driving to the police or another

agency. A Road Violence 'hotline' may have the added benefit of preventing people from committing acts of Road Violence, Road Hostility or Selfish Driving due to a fear of being reported, without the need for a substantial increase in law enforcement resources.

In light of the many advantages of establishing a 'hotline', and in view of the evaluations which have been conducted showing that such reporting mechanisms can be effective at addressing 'aggressive driving', the Committee is in favour of developing such a system. In making this determination, the Committee is not disregarding the many legitimate concerns raised in Chapter 20 concerning the implementation of 'hotlines'. It is of the view, however, that designing the reporting mechanism appropriately, as discussed below, could alleviate each of these concerns.

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. (Recommendation 53, p.451)

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. (Recommendation 54, p.451)

The Committee recommends that the 'hotline' be run by a small unit established within Victoria Police for this purpose. This unit should also have responsibility for the Selfish Driving law enforcement campaign. The 'hotline' should form an integral part of this campaign, and should be publicised and evaluated as part of the pilot programme. Officers should undertake a preliminary assessment of all complaints received. If they involve an instance of Road Violence, an ordinary criminal investigation should be undertaken. If they involve acts of Road Hostility or Selfish Driving, a letter should be sent to the registered owner of the vehicle, outlining the behaviour that has been reported. The main purpose of the letter should be educative. (Recommendation 55, p.452)

The Committee recommends that the data contained in the complaint forms should be used by Victoria Police for intelligence and prevention purposes. (Recommendation 56, p.452)

The Committee recommends that people making complaints about incidents of Road Violence should, in addition to being able to make reports to the 'hotline', be encouraged to report serious Road Violence-related crimes using the Victoria Police 000 reporting number. (Recommendation 57, p.452)

Police guidelines

While the reporting mechanism recommended in the previous section may help increase reporting rates, people are still likely to be reluctant to report incidents if they do not believe their complaint will be taken seriously. One way of addressing this would be to develop specific guidelines for police, in which procedures for taking complaints from road users – including cyclists – are spelled out. These guidelines could cover the way reports are taken, what to tell the complainant and procedures for advising complainants of the outcome of the matter.

The Committee is of the view that the development of state-wide guidelines would act to reinforce the grave nature of Road Violence, making it clear that police take such complaints seriously. This may encourage more people to report such matters, helping to address the problem. Such guidelines would also ensure that complaints are dealt with uniformly across the state.

The Committee recommends that Victoria Police develop guidelines outlining procedures for taking complaints about acts of Road Violence, including complaints from all road users and pedestrians. These guidelines should not only include procedures for investigating such complaints, but also for advising victims of the outcome of any matters. Police should be trained in the relevant procedures. (Recommendation 58, p.454)

Sanctions

Sentencing

As there are no specific laws governing Road Violence, Road Hostility or Selfish Driving in Victoria, there is no specific sentencing regime applicable. The sentences given to people convicted of relevant offences vary according to the type and nature of the offence, as well as according to other general sentencing principles such as the offender's criminal history and whether the offender shows remorse for his or her actions.

While the current sentencing system is very flexible, it has been suggested that particular difficulties can arise in this area due to the nature of the perpetrators. Unlike most other criminal offences, it has been argued that many perpetrators of Road Violence-related offences do not have a prior criminal history. This has led some to seek a specific sentencing regime to be established for cases of Road Violence. In particular, there have been calls for harsher penalties to be given in such cases.

It is the Committee's view, however, that the present sentencing scheme – whereby judges have a range of options at their discretion – provides an appropriate balance for deterring potential perpetrators, as well as providing judges with the necessary flexibility to hand down sentences appropriate to the

circumstances. In particular, the Committee does not believe that sentences handed down under the current law are too light, when all the circumstances are taken into account. Such cases appear to be taken very seriously by the judges involved. In addition, the Committee would be concerned about establishing a separate sentencing scheme for cases of Road Violence, as this would lead to a fragmentation of the sentencing system.

The Committee does, however, acknowledge that it may be useful for courts to have some guidance on how to sentence perpetrators in cases of Road Violence. The Committee is also aware that the Sentencing Advisory Council was established in Victoria on 1 July 2004, with part of its function being to conduct research and disseminate information on sentencing matters to members of the judiciary and other interested persons.

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. (Recommendation 59, p.458)

Alternative sanctions

The Committee heard suggestions that people suspected of having committed a Road Violence-related offence should be given the option of paying an on-the-spot fine or attending an educational or anger management course, instead of facing criminal prosecution.

While the Committee can understand concern over not being able to obtain convictions due to a lack of independent witnesses, it does not believe that allowing offenders to avoid criminal charges by the use of fines or educational sessions is appropriate in relation to Road Violence. As noted throughout this report, Road Violence is simply another form of violence, and as such should not be treated differently from other violent crimes.

Accordingly, the Committee does not recommend the implementation of a scheme enabling police to issue on-the-spot fines or require attendance at an anger management course for Road Violence suspects.

Licence suspension and disqualification

At present in Victoria, if an offence is charged that is 'in connection with' the driving of a motor vehicle, courts are provided with the option of suspending the defendant's driver's licence or disqualifying the defendant from obtaining a licence during a stated period of time.

Such an option will be available in relation to most cases of Selfish Driving. Courts may also use suspension and disqualification of licences in some cases of Road Violence or Road Hostility, such as where a car is used as a weapon.

However, where an incident starts in a car, but the defendant leaves the car in order to commit the act of violence with which they are charged, the offence may no longer be considered to be 'in connection with' the driving of a motor vehicle. In such a case, licence suspension or disqualification may not be an option.

It is the Committee's view, therefore, that the current law is unacceptably narrow in that licence suspension and disqualification can be used only where the offence is one that is committed 'in connection with' the driving of a motor vehicle. The Committee is therefore of a view section 28 of the *Road Safety Act 1986* (Vic) should be amended to enable licence suspension or disqualification to be ordered in relation to any Road Violence, Road Hostility or Selfish Driving-related offence.

The Committee recommends that the Victorian Government should amend section 28 of the *Road Safety Act 1986* (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. (Recommendation 60, p.462)

The Committee recommends further that such a sanction continue to be discretionary rather than mandatory. (Recommendation 61, p.462)

Conditions for licence restoration

At present, a person who is convicted of a drink or drug driving offence, and who has his or her driver's licence suspended, can be required to attend an accredited driver education programme prior to having the licence restored. These programmes are run by an agency approved by the Secretary to the Department of Human Services with the aim of addressing the root of the driver's drug or alcohol problems.

The Committee believes that a similar scheme for people who have had their licences suspended for a Road Violence-related offence should be established. Such offenders could be required to attend some form of treatment programme, such as an anger management or behaviour change course, prior to having their licences returned. Courts should also be allowed to order these offenders to pay for this course, either in addition to or in lieu of a financial penalty. It is the Committee's view that this will be appropriate in most cases, apart from those involving impecunious defendants. Such defendants should not be denied the opportunity of attending the approved programmes due to a lack of funds.

The Committee recommends that the Victorian Government amend the *Road Safety Act 1986* so as to provide courts with a discretion to make the restoration of an offender's driver's licence, which has been suspended due to a Road Violence, Road Hostility or Selfish Driving-related offence, contingent upon attendance at an approved anger management or behaviour change programme. Courts should also have a discretion to order such offenders to pay for any courses undertaken, either in addition to or in lieu of a financial penalty. (Recommendation 62, p.463)

Vehicle confiscation and forfeiture

Another sentencing option that could be made available in relation to Road Violence-related offences would be vehicle confiscation or forfeiture. People convicted of relevant offences could have their cars taken away from them, on a temporary or permanent basis.

In Victoria at present, vehicles can only be confiscated or forfeited when they are intrinsically involved in the commission of a crime, or where their sale is required for the purposes of raising funds to pay compensation. Thus, while this penalty may be available to courts in some cases of Road Violence, Road Hostility or Selfish Driving, in most circumstances it will not.

The Committee is also aware that in recent years a number of Australian jurisdictions have passed laws enabling vehicle confiscation or forfeiture in relation to 'hooning' offences and the idea is being considered at present in Victoria. In evidence and submissions received by the Committee, some support was given to the idea of extending such laws to also cover cases of Road Violence.

There are, however, many theoretical and practical issues that need to be addressed if such a sanction were to be introduced. After reviewing these arguments, the Committee does not believe it should make a specific recommendation in this area at this time.

Instead, the Committee believes that further research is required into the many social, legal and practical issues that would arise if vehicle forfeiture and/or confiscation orders were used in connection with Road Violence-related offences, and that such research should be undertaken by the Sentencing Advisory Council.

The Committee recommends that the Victorian Government, when asking the Sentencing Advisory Council to undertake a review of sentencing that occurs in Victoria in cases involving Road Violence-related offences (see Recommendation 59), also ask the Council to investigate the question of whether the courts should be empowered to confiscate and/or forfeit vehicles used by offenders in connection with Road Violence-related offences, and also whether vehicle driving prohibition orders might be appropriate in such cases. (Recommendation 63, p.469)

Treatment Orders

The Committee was unable to locate definitive Australian research that evaluated the effectiveness of Road Violence rehabilitation and prevention programmes in changing offending behaviour. Nonetheless, it believes that there is a need for the development of a comprehensive strategy to address such offending behaviours. The Committee was told that in the absence of research confirming otherwise, anger management is regarded as appropriate and the treatment strategy of choice for Road Violence problems. The success of this strategy in reducing anger and violent outbursts is well documented and supported in the literature from overseas. Accordingly, the Committee believes that the establishment of a cognitive behaviour therapy anger-management course specifically to address Road Violence, Road Hostility and Selfish Driving would be of great benefit in Victoria. Arguably, such courses could be open to sentenced offenders as well as other members of the community on a self-referral basis. To implement this idea, the Committee suggests that a Working Group be established to review the available evidence and to consider how best to develop the idea.

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. (Recommendation 64, p.492)

The Committee supports the use of treatment programmes as one of the range of dispositions available to the courts when dealing with individuals charged with Road Violence-related offences. Already in Victoria the Victorian Institute of Forensic Mental Health (known as Forensicare), assesses offenders convicted of stalking offences about appropriate court dispositions, and offers treatment programmes for sentenced offenders. Similar assessment and treatment programmes could be provided for Road Violence, Road Hostility and Selfish Driving offenders as well.

The Committee recommends that Forensicare establish a programme to assess the suitability of Road Violence offenders for behaviour change therapeutic interventions. (Recommendation 66, p.493)

The Committee acknowledges that programmes may not be appropriate in all cases and that attendance should not be mandatory for all relevant offences. Instead, the Committee believes that the use of treatment orders should be left to the court's discretion. In exercising its discretion, courts should be able to require those who attend to pay for the course where appropriate in lieu of

(or as well as) fines. Licence restoration could also be made contingent upon attendance and programmes could be made available to members of the public who wish to attend (for a fee), such as professional drivers.

The Committee is of the view that no changes need to be made to the sentencing powers of courts in Victoria with respect to their ability to require offenders to attend treatment programmes following, or as an alternative to, conviction, but that legislation may be needed to require courts to send all people convicted of Road Violence related offences to Forensicare for assessment about appropriate dispositions prior to sentencing.

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. (Recommendation 67, p.493)

The Committee also believes that any programme should be open to the general public upon payment of an appropriate fee. If widely attended, this may well help to prevent some incidents of Road Violence, as well as potentially reducing the number of road crashes. The Committee also suggests that the Department of Infrastructure 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.

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. (Recommendation 65, p.492)

Any new programmes that are established should be fully evaluated. If they are found to be successful in terms of reducing offending, it is the Committee's opinion that the Victorian Government should ascertain the viability of expanding the course to assist learner drivers and professional drivers in developing appropriate attitudes on the road.

Conclusion

Key Issues for the Future

In the opinion of the Committee, the solutions to the problem of Road Violence, although diverse, lie mainly in the use of previously identified strategies

designed to address aggression and violence in the community generally. Although the novel ideas to do with vehicle design and traffic engineering are likely to be beneficial in minimising the occurrence of some of the triggers that can lead to Road Violence, the solutions to the commission of actual violence require strategies that address each of the elements identified in the Committee's causal model which stresses the interaction between person-related, situational, car-related and cultural factors as being the causes of Road Violence.

In addition to supporting the use of generalised preventive measures, the Committee believes, therefore, that carefully designed strategies to prevent people from resorting to violence when confronted with stress and frustration in their lives, in the first place, should be used. The use of existing programmes in criminal justice settings to address anger and violence among those convicted of Road Violence-related offences should be supported and extended, without, however, detracting from the allocation of resources to more generalised educational measures.

The Committee has suggested a range of ways in which the resources of the public and private sectors can be harnessed to help in the task of changing public attitudes. Some of the key initiatives include having more restrained media reporting, accompanied by less aggressive and provocative advertising. The Committee believes that such initiatives might help to reduce the culture of speed and competition present in society, which has exacerbated the problem of Road Violence. Addressing issues associated with masculinity and power imbalance are also likely to be beneficial. Finally, law enforcement and criminal prosecution remain important means of ensuring that unacceptably violent conduct in connection with driving is identified and punished appropriately.

Improving the quality of Road Violence research

Of primary importance, in the opinion of the Committee, is the need for carefully controlled research to be undertaken to assess the true extent of the problem of Road Violence and whether the response strategies that have been proposed actually are effective in reducing its incidence. Despite the Committee's exhaustive review of the published literature, very few studies have been undertaken on both these questions, with the absence of scientific evaluative studies particularly pronounced.

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 focussed on acts of Road Violence as opposed to Road Hostility, Selfish Driving or other forms of aggressive driving. (Recommendation 68, p.498)

Supporting victims of Road Violence

The Committee considers that although incidents of Road Violence may not occur frequently, when they do they can have profound effects on those victimised and that victims of Road Violence need to be provided with appropriate support and counselling. At present in Victoria there are no real mechanisms to provide support to the victims of Road Violence, although there are a number of generic victim support services available in Victoria.

Given the small number of cases of Road Violence, and the existence of such services, the Committee does not believe it is necessary to establish a specific victim support service for victims of Road Violence. However, the Committee does recommend that the existence of the Victim Support Agency and the Road Trauma Support Team, and their ability to assist victims of Road Violence, be more widely publicised, to ensure that people are aware of their existence and the services they provide.

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. (Recommendation 69, p.500)

Engaging community support

The Committee also takes the view that in order to address Road Violence effectively, all sectors of the community need to be involved. On an individual level, the Committee also wishes to stress the need for personal responsibility among road users, particularly those at highest risk of offending such as young male drivers. There is a need for all motorists to address their personal driving behaviour to make sure they are not contributing to the problem by creating frustration and stress among other motorists. In addition, the Committee stresses the need for parents and adults to ensure that their driving behaviour provides a positive role model for children, particularly when children are accompanying their parents or other adults in vehicles.

The Committee also believes that initiatives which can enhance the protective factors in young people's lives and reduce the risk factors associated with violent behaviour are likely to be effective in minimising a range of safety and social problems. Programmes that allow young people to become involved in community activities promoting social development and connectedness, such as with peers, community and family, can all result in very beneficial outcomes.

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List of Abbreviations

AAA	American Automobile Association
AUDIT	Alcohol Use Disorders Identification Test
ARRB	Australian Road Research Board
BRSI	Belgian Road Safety Institute
CAD	Computer Aided Dispatch
CAMH	Centre for Addiction and Mental Health (Canada)
CARRS-Q	Centre for Accident Research and Road Safety–Queensland
CBT	Cognitive behavioural therapy
CIS–R	Clinical Interview Schedule-revised version
CR	Court-referred
DAS	Driver Anger Scale
DBQ	Driver Behaviour Questionnaire
DETR	Department of Environment, Transport and the Regions (UK)
DRS	Driver Reaction Scale
DVI	Driving Violence Index
DVQ	Driving Vengeance Questionnaire
EOS	European Omnibus Survey
EPA	Environmental Protection Agency
GHQ	General Health Questionnaire (Canada)
GPA	Global Positioning Systems
IAG	Insurance Australia Group
IED	Intermittent Explosive Disorder
LEAP	Law Enforcement Assistance Program
MVA	Motor vehicle accident
NAGHSA	National Association of Governors’ Highway Safety Representatives (US)
NCUTLO	National Committee on Uniform Traffic Laws and Ordinances (US)
NHTSA	National Highway Traffic Safety Authority (US)
NISU	National Injury Surveillance Unit

OIS	Offence Information System
RAC	Royal Automobile Club (UK)
SR	Self-referred
STAXI	State-Trait Anger Expression Inventory
SUV	Special use vehicle
TAC	Transport Accident Commission
VCCAV	Victorian Community Council Against Violence

Part A: Background to the Inquiry

1. Introduction

Let it therefore be widely known and clearly understood that there is no room in our society for road rage. Nor is there room for a person who, when he climbs aboard a motor car, insulates himself from the world behind a screen of metal and glass and behaves as he likes with arrogance and selfishness. The unceasing proliferation of motor vehicles in our society and on our roads demands that those using them take a correspondingly increasing degree of care in doing so ([2001] VSCA 59 (2 May 2001) *per* Tadgell JA).

At about 4.30 pm on Monday 17 January 2000, a father and his son were returning home down Gladesville Boulevard in Paterson Lakes. While waiting to turn right into their driveway they saw a car speeding down the road in the opposite direction, driving at what they estimated to be between 80 and 100 kilometres per hour in a 60 kilometre per hour zone. The son, who was driving, tooted his horn at the vehicle as it passed him, attempting to get it to slow down. The driver slammed his foot on the brakes, executed a U-turn, and drove back to where the son had now parked. He got out of his car, carrying a piece of wood, and approached the father and son, abusing them about honking their horn at him. He walked up to the father, punched him in the face and struck him on the arm with the piece of wood. A fight then developed between the three men, during the course of which the defendant threatened that he would return to their house and 'demolish' it and them as well. After an exchange of blows, the defendant returned to his car and drove off.

It was at about this time that another son arrived home. The defendant, who had only proceeded a short way down the street, executed another U-turn, returning to their house. He deliberately swerved his car into the parking lane, at approximately 50–70 kilometres per hour, hitting the second son who had his back turned at the time. The boy flew into the air, hitting the defendant's windscreen before landing in the gutter where he hit his head. The defendant made no attempt to stop and accelerated away at high speed. The boy's skull was broken in two places and he remained in a coma for two months in a

critical condition. He spent an additional eight and a half months in hospital recovering from the trauma, which has left him with permanent brain injury, affecting his short-term memory, speech and general cognition skills. It is believed that he will require daily support for the long term ((2001) VSCA 59 (2 May 2001) per Tadgell JA).¹

While this is a particularly extreme incident, reports of 'road rage' incidents such as this – where a relatively trivial act such as tooting one's horn can escalate into violence – have become a common feature of newspaper reports in Australia and around the world. Motorists are reportedly shooting (*Herald Sun* 2004a; news.com.au 2004), stabbing (Gregory 2004; *Courier-Mail* 2004), bashing (Caulfield 2004; *Herald Sun* 2004b) and even biting each other (POST Newspapers Online 2004) on a regular basis. Surveys of drivers report that they are angrier, more impatient and more likely to take risks than ever before, with Melbourne drivers reported to be the angriest of them all (AAMI 2002a).²

Not surprisingly, this has led to great public concern about the state of our roads, where incivility is seen to have become

a relatively normal aspect of driving in much the same way as [society] tolerates the occasional flare up on the football field as part and parcel of the game. The act of getting into a car seems to insulate the driver from some of the normal restraints that guide social behaviour in public settings (University of Western Australia Crime Research Centre 1997, pp.13–14).

This is seen to be particularly frightening because

you only have to be travelling in a car to be a potential victim. It doesn't matter who you are and what you've done in the past, as soon as you leave the driveway in a motor vehicle you're on common ground and your destiny suddenly becomes determined by every other driver around you (Kelly 2001, p.150).

This has led a number of commentators to see the modern road network as a battlefield (for a list of examples see Fumento 1998) or even a jungle:

It's a jungle out there. Well, not really: it's worse than a jungle...and in place of the ravenous tigers and stampeding rhinos and slithery anacondas are your friends and neighbors and co-workers... They're in a hurry. And you're in their way. So step on it! That light is not going to get any greener! Move it or park it! Tarzan had it easy. Tarzan didn't have to drive to work... It's high noon on the country's streets and highways. This is road recklessness, auto anarchy, an epidemic of wanton carmanship (Ferguson 1998, p.64).

1 The defendant was eventually sentenced to imprisonment for a maximum of six and a half years, with a non-parole period of four and a half years.

2 These results are drawn from the 2002 AAMI *Crash Index* (2002c), which found Melbourne drivers to be the angriest of all the Australian capital city drivers surveyed (Perth and Darwin were not included).

Underlying such metaphors is the common perception that violence on our roads is increasing – that ‘road rage’ incidents are not only becoming more frequent, but also the violence associated with such incidents is escalating. If true, such a trend would be of great concern. Violence in any form is unacceptable, no matter where it arises.

It has been suggested, however, that the available data do not support this perception that violence on our roads is frequent and increasing (see for example Brewer 1998; Elliott 1999; Lawton & Nutter 2002; NRMA 2002). While aggressive, inconsiderate or dangerous driving may be commonplace, as may acts of low-level hostility (such as making obscene gestures or horn honking), the commission of *violent* acts is seen to be a rare occurrence. This is not to undermine the seriousness of such acts. As stated above, *all* acts of violence are unacceptable. It is the frequency with which such acts are committed that is in question. It is argued that the view that ‘road rage’ incidents occur regularly is a misconception, attributable to ‘media hype’ (Elliott 1999), to definitional difficulties which blur the distinction between acts of violence and lower-level acts of hostility,³ or perhaps simply due to the ‘alliterative appeal’ of the term ‘road rage’ having ‘conjured a phantom reality’ (Fumento 1998, p.12).

A history of road violence

The term ‘road rage’ is a relatively recent creation. While no-one is sure of its precise origin, it appears that it was coined by the media in 1985 (Burns & Katovich 2003), either in the United States (Joint 1995; Grennan 1996) or England (Bowles & Overberg 1999; Stephen 1999). Use of the term was slow for some years until 1994 when it began to ‘catch on’ (Fumento 1998; Blomquist 2001). In a range of newspapers from across the United States, Fumento found 27 mentions of the term ‘road rage’ in 1994, almost 500 in 1995, more than 1,800 in 1996 and over 4,000 in 1997 (Fumento 1998). The first recorded use of the term in Australian newspapers was in 1995 (Victorian Community Council Against Violence 1999; Lupton 2001).

Once coined by the media, the term was not given a precise definition but was used to ‘describe a hodgepodge of intentional, vengeful, irrational, stress-induced, mean-spirited actions involving motorists and, sometimes, automobile passengers, cyclists, or pedestrians’ (Blomquist 2001, p.18). Reports of such behaviour increased to such an extent in the United States that Congressional Hearings were called in 1997 to investigate ‘road rage’ and ‘aggressive driving’, with one staff member declaring the matter to be ‘a national disaster’ (Bowles & Overberg 1999).

While the term ‘road rage’ is no more than 20 years old, the problem of violence and aggression on the road is much older. Beirness, for example,

3 Submission from Crime Prevention Victoria, Department of Justice, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 6 July 2004.

states that ‘aggressive driving is nearly as old as the automobile itself. As early as 1915, Engleman’s Autocraft noted that “some automobilists abuse their rights and needlessly run over the rights of others” (2001, p.4). Violence on the road would seem even to pre-date the car, as seen in Lord Byron’s letter to Thomas Moore in 1817, in which he discusses a ‘row on the road... with a fellow in a carriage, who was impudent to my horse. I gave him a swinging box on the ear, which sent him to the police’ (cited in Michael 2001, p.66). Even earlier still, it appears that Oedipus killed a man, who later turned out to be his father, in a ‘road rage’ incident:

As I drew near the triple-branching roads,
 A herald met me and a man who sat
 In a car drawn by colts – as in thy tale –
 The man in front and the old man himself
 Threatened to thrust me rudely from the path,
 Then jostled by the charioteer in wrath
 I struck him, and the old man, seeing this,
 Watched till I passed and from his car brought down
 Full on my head the double-pointed goad.
 Yet was I quits with him and more; one stroke
 Of my good staff sufficed to fling him clean
 Out of the chariot seat and laid him prone.
 And so I slew them every one.
 (Sophocles 1947 [429BC] *Oedipus Rex*, p.48)

Given this history, it is not surprising to find that violence on the road had already been the subject of study prior to reports of the recent ‘road rage epidemic’. A number of authors (Bennet 1965; Raphael 1967) had looked generally at the use of vehicles to express aggressive behaviour, while Parry (1968) and Whitlock (1971) had both written books specifically examining road-related aggression and violence. In *Aggression on the Road* (1968), Parry administered a 77-item questionnaire to over 380 British drivers. Many of the drivers admitted to engaging in behaviours that would now be classified as ‘road rage’, including chasing other vehicles, driving at vehicles when angered, trying to force other vehicles off the road and fighting with other drivers.

Australia has not been exempt from such early incidents of ‘road rage’. In 1985, for example, a man was stabbed in Victoria after he tooted the car in front for not proceeding through a set of traffic lights which had just turned green (*Cunningham v Motor Accidents Board* (1985) 1 VR 795).⁴

4 This case was brought to the Committee’s attention by Mr John Bolitho, Manager, Legal Policy, Transport Accident Commission, Evidence given at the Public Hearing of the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 22 June 2004.

Terms of Reference

On 18 June 2003 the Governor in Council referred the following Terms of Reference to the Drugs and Crime Prevention Committee:

That under the powers found in section 4F of the *Parliamentary Committees Act 1968*, the following matters be referred to the Drugs and Crime Prevention Committee for inquiry and consideration:

- (a) the incidence, 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) the need for policy and legislative reform to reduce violence associated with the motor vehicle use at the state level.

The Inquiry process

Following receipt of the Terms of Reference, an initial call for submissions was placed in the *Herald Sun* and *The Age* newspapers on 21 February 2004, with submissions due by 2 April 2004. Five submissions were received from individuals and organisations.⁵

On 21 May 2004 the Committee released *Inquiry into Violence Associated with Motor Vehicle Use – Discussion Paper*. This *Discussion Paper* defined the scope of the Committee's Inquiry (see below) and raised a number of issues involved in measuring the prevalence of motor vehicle violence. It also examined some of the suggested causes of 'road rage' and a range of proposed preventive strategies. Questions were posed throughout the *Discussion Paper* and the public was again invited to make written submissions, due by 18 June 2004. An additional 26 submissions were received.

In order to gain further information from victims and perpetrators of 'road rage', the Committee posted a survey on its website. Eighty-six people from around Australia responded and provided valuable insights for the Committee to consider. The Committee also travelled interstate to Brisbane and Sydney for consultations with representatives from relevant organisations.⁶ In addition, during the course of its overseas trip to gather information for the Inquiry into Strategies to Reduce Harmful Alcohol Consumption the Committee was able to arrange meetings to discuss issues and strategies pertaining to its Road Violence Inquiry. These discussions with key government and non-government agencies, and with individuals working in the area of aggressive and violent driving-related behaviours, took place in Brussels, London, Paris,

5 For a list of the submissions received by the Committee see Appendix 1.

6 For a list of interstate meetings see Appendix 2.

Lisbon, Rome, Vienna and Stockholm.⁷ Public hearings were also conducted in Melbourne on 21 and 22 June 2004, 19 August 2004 and 9 September 2004, in which the Committee received oral evidence from 20 witnesses.⁸

An extensive review of the literature in the area was also undertaken. To supplement this information, Victoria Police provided the Committee with data relating to ‘road user violence’, which are analysed in Chapter 3 of this Report. The Committee also conducted an analysis of all newspaper articles in *The Age* and the *Herald Sun* that contained the words ‘road rage’ over a five-year period, from 1 July 1999 to 30 June 2004. The results of this analysis are also provided in Chapter 3. The publication of this Report marks the conclusion of this Inquiry.

Scope of the Inquiry

The Terms of Reference of this Inquiry require the Committee to investigate ‘violence associated with motor vehicle use’. This phrase could be interpreted broadly, to include any acts of violence that are in any way related to motor vehicle use,⁹ such as:

- ◆ ‘road rage’ incidents;
- ◆ car-jackings;
- ◆ the use of cars to commit robberies (‘crash and rob’);
- ◆ the premeditated use of cars to commit violence against particular people or properties (eg. deliberately driving into a specific building); or
- ◆ acts of violence occurring between passengers of the same car (eg. domestic violence that takes place in a car).

In the *Discussion Paper*, the Committee outlined its view that the scope of the current Inquiry should be limited to the first of these categories – those spontaneous driving-related acts of violence which are commonly referred to as ‘road rage’. It is these acts of violence which motivated Parliament to refer the Inquiry to the Committee, and which appear to be of greatest public concern at this time. While other acts of violence associated with motor vehicle use, such as car-jackings, are also clearly of import, they are of a very different nature to ‘road rage’ and should, in the opinion of the Committee, be examined separately.

The Committee was also of the view that the Inquiry should focus on incidents that meet all of the following four requirements:¹⁰

1. acts of violence;
2. driving-related acts;

7 For a list of international meetings see Appendix 3.

8 For a list of witnesses who gave oral evidence to the Committee at public hearings see Appendix 4.

9 For a detailed typology of violence on the road, see Novaco 1991.

10 These requirements have been adapted from the Crime Research Centre of the University of Western Australia’s definition of ‘road rage’, proposed in its 1997 Report *Road Rage: Driving Related Violence in Western Australia*.

3. spontaneous acts; and
4. acts occurring between strangers.

The first of these requirements – that it must be an act of violence, rather than a merely aggressive or hostile act – is in line with the Terms of Reference, which require the Committee to investigate ‘*violence*’ associated with motor vehicle use.¹¹ The Committee agrees with Ms Michele Wright, Inner South Community Health Service, that violence should include psychological violence (such as threats) as well as physical violence:

We believe the key in defining violence is to consider the impact or potential impact on the people who are subjected to this behaviour. Violence is any behaviour that causes fear in another, or creates a coercive pressure or force to do what the other person wants; that is to use power or control over another. We believe it is important to hold a broad view of violence in recognising and validating all of its forms. We believe it is important both in validating and naming the experiences of people who experience this violence and in holding responsible those who use the behaviour.¹²

The second requirement – that incidents must be driving-related – is also apparent in the Terms of Reference, which specify that the Committee must examine violence ‘*associated with motor vehicle use*’. As incidents must be *driving-related*, it is not sufficient that they take place on a road. For example, a fight between two pedestrians that spills onto the road does not involve driving and so will not fall within the scope of the Inquiry. Conversely, not all incidents need take place on the road. A spontaneous act of violence occurring in a car park may still fall within the scope of the Inquiry. The key is whether the incident relates to driving or driving-related behaviour (such as parking). To fulfil this requirement, at least one of the individuals involved must have been the driver or passenger of a motor vehicle (including a motorcycle or bicycle) at the time of the incident or immediately preceding it. It is not necessary that both parties have been drivers or passengers of motor vehicles – incidents can involve a motor vehicle and a pedestrian or a motor vehicle and a push bike (University of Western Australia Crime Research Centre 1997).

The third requirement, that incidents must be spontaneous, separates those incidents commonly called ‘road rage’ from other forms of motor vehicle violence. The concept of ‘road rage’ implies an impulsive act of violence that suddenly arises due to a driving-related incident. This can be contrasted with

11 This requirement is explored in further detail below.

12 Submission from Ms Michele Wright, Family Violence Project Worker, Inner South Community Health Service, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 18 June 2004. The submission from Ms Colleen Pearce, Director, Victims Support Agency, Department of Justice, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 7 April 2004, makes a similar point, noting that the Victims Support Agency ‘responds to hundreds of calls from victims of crime each week and is in a position to state that the psychological and emotional impact suffered by victims can be just as severe and far reaching as physical injury’.

premeditated acts of violence involving motor vehicles. The latter were therefore excluded from this Inquiry.

The final requirement was that the incident must involve strangers. This requirement was aimed at restricting the scope of the Inquiry to those spontaneous acts of violence that are triggered by driving or driving-related behaviour. It is likely that violent incidents which occur between people who are known to each other, even if they occur spontaneously while driving, will be motivated by factors relevant to the pre-existing relationship rather than being driving-related.¹³ In the Committee's view, this sufficiently changes the nature of these incidents to call for their exclusion from the Inquiry.¹⁴

In the *Discussion Paper*, public hearings and meetings, the Committee inquired as to the appropriateness of this definition. Apart from a number of people who queried the use of the term 'road rage',¹⁵ most agreed that the Committee's definition was acceptable.¹⁶ The main exception came from those who suggested that the scope should not be limited to violence between strangers.¹⁷ It was argued that it is possible to have spontaneous driving-related violence between people who are known to each other, which is not motivated by that pre-existing relationship.

13 In her submission to the Committee, Ms Alison Cran noted that the *Discussion Paper* argued that violence between people known to each other should be excluded from the scope of the Committee's Inquiry because it is likely to be 'motivated by other factors' such as pre-existing animosity. She correctly noted that many incidents of 'road rage' are also motivated by other factors (such as external stress), and that this is not a legitimate reason for excluding them from the scope of the Inquiry (Ms Alison Cran, Director, Community and Cultural Services, Shire of Yarra Ranges, submission to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 22 June 2004). The Committee agrees that it is not the fact that it is likely to be motivated by 'other factors' that is of relevance but that such violence is likely to be motivated by factors *relevant to the pre-existing relationship*, rather than being triggered by a driving-related incident. It is the Committee's view that this sufficiently changes the nature of the incident to require its exclusion from the scope of the Inquiry.

14 The Victorian Community Council Against Violence (1999, p.4) also excluded incidents between people known to each other from their analysis of aggression and/or violence associated with motor vehicle use, to avoid 'spill overs of domestic disputes onto the road'.

15 The Committee has subsequently decided to abandon the use of this term: see Chapter 2.

16 See for example, submission from Ms Christine Nixon, Chief Commissioner, Victoria Police, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 30 June 2004, who noted the similarity with Victoria Police's operational definition of 'road user violence' as:

'A violent offence committed by strangers based on their behaviour as drivers, cyclists or pedestrians'.

However, a submission from Mr Russell Lindsay, Officer in Charge of the Melbourne Police Bicycle Patrol Group, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 22 June 2004, argues that the Committee should examine 'any behaviour change that comes about by an individual who is a road user'. While such an Inquiry would be of great interest, it goes beyond the Committee's Terms of Reference.

17 See for example, submission from Ms Alison Cran, Director, Community and Cultural Services, Shire of Yarra Ranges, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 22 June 2004; Dr Julie Hatfield, New South Wales Injury Risk Management Research Centre, in conversation with the Committee, Sydney, 17 June 2004; Mr Ian Faulkes, Committee Manager, Staysafe Committee, in conversation with the Committee, Sydney, 17 June 2004. See also Smart and Mann (2002b, p.183) where, in discussing Harding et al's (1998) similar restriction of 'road rage' to violence between strangers, it is claimed that 'the need for an emphasis on strangers is not clear'.

The Committee agrees that such cases are, in theory, possible. For example, a perpetrator may ram an acquaintance's car in circumstances where the perpetrator has not seen the driver and does not know the car that the acquaintance drives. If it were possible to identify such cases clearly, and state with certainty that they were not motivated by factors relevant to the pre-existing relationship, the Committee would be in favour of including such acts within its definition. In practice, however, this does not seem possible.

In the absence of such information, the Committee believes it is preferable to assume that incidents between people who are known to each other *were* motivated by the pre-existing relationship, and to exclude such cases from the scope of its Inquiry. In a United States analysis of 10,037 'aggressive driving' incidents gathered from newspapers, police reports and insurance reports between January 1990 and September 1996,¹⁸ at least 322 incidents were found to be cases of domestic violence being played out on the road (Mizell 1997). While such cases are clearly of great importance, they are of a vastly different nature to the typical 'road rage' incidents being examined by the Committee, and require different treatment.

The Committee therefore remains committed to limiting the scope of the Inquiry in the manner outlined in the *Discussion Paper*; that is, to acts of spontaneous driving-related violence between strangers. It should be emphasised that only those incidents which satisfy all four of the requirements outlined above will fall within the scope of this Inquiry. If just one is missing (for example, if it is a premeditated rather than an impulsive act of violence between strangers driving cars) the incident will not be included.

Structure of the Report

One of the main aims of this Inquiry has been to examine available data to determine the extent to which violence associated with motor vehicle use is a problem in Victoria, the nature of such violence and the impact of this violence. The results of this examination are presented in Part B. This Part also examines recent perceptions of the extent and seriousness of Road Violence, prior research across the globe on its incidence and nature, and the results of the Committee's own research into the problem in Victoria. This research included an analysis of police data, a sample of media reports and a number of submissions made in response to the Committee's request for information placed on its website.

The nature of incidents of Road Violence, the characteristics of the people who are perpetrators and victims of Road Violence incidents, and the impact and outcomes of such incidents are discussed in Part C.

The Committee considers the causes of Road Violence in Part D and devises a model of causation to explain the interaction between a number of relevant

18 For more information on this analysis, see Chapter 3.

factors including so called triggers for Road Violence, person-related factors, situational factors, car-related factors and cultural factors.

In Parts E and F the Committee examines various strategies for and approaches to preventing and responding to Road Violence. These include engineering and educational approaches and issues to do with law enforcement, criminal prosecution and punishment.

Improving the quality of Road Violence research, engaging community support for measures designed to change aggressive driving behaviour and providing support for victims of Road Violence are issues the Committee highlights in the final Part, as it considers how policy makers should best respond to the problem in future.

Before these various issues are examined, however, it is necessary to define clearly many of the terms used in this Report. Chapter 2 will address these matters.

2. Definitional Issues

'Road rage' and 'aggressive driving'

'Road rage'

The term "road rage" ... was popularized by newspaper reporters and editorial writers who felt the need to describe what they viewed as increasing incidents of aggressive and violent behavior in and around automobiles on our increasingly congested roadways... These analysts used it to explain – in a short-cut, simple phrase – multiple and complicated human frustrations, reactions, encounters, invasions, and bloodshed on America's highways, street corners, and parking lots. While legal analysts have attempted to define road rage, the meaning of the phrase remains amorphous and unbounded (Blomquist 2001, pp.62–63).

While the meaning of the term 'road rage' may seem obvious, it is actually an 'extremely ill defined concept' (Victorian Community Council Against Violence (VCCAV) 1999, p.2). Having been coined by the media, its use appears to have changed over time, to the point where it seems to have 'become a catch-all expression for virtually any calamity on concrete' (Bowles & Overberg 1999, p.2):

Initially, the term "road rage" was applied only when a motorist perpetrated an act of criminal violence. But as the issue caught fire, the definition became less clear. Many police agencies and news media began using the term to describe all aggressive driving, such as weaving or tailgating. Then some extended it to cover any misbehavior behind the wheel – from running a stop sign to drunken driving (Davis & Smith 1998, p.B1).

Appendix 5 of this Report contains a sample of over 20 ways in which 'road rage' has been defined in the literature. It can be seen from this list that the range of behaviours included in any given definition, and the focus of the definitions, vary widely. Some, such as Tasca, limit their definition to the most severe acts of intentional violence, seeing 'road rage' incidents as 'violent exchanges arising from traffic disputes where the intent is to harm another road user' (2000, p.21). Others define 'road rage' more broadly, including a number of aggressive driving behaviours as well as acts of violence. For example, James

argues that ‘road rage’ includes ‘verbal abuse; rude gestures and horn use; tailgating and selfish lane changing; and extends to dangerous manoeuvres, arguments, deliberate collisions, fights and even murder’ (1997, p.1).

While the definitions above focus on the behaviour of the participants – be it violent or aggressive – others see ‘road rage’ as being about the emotional state of the perpetrator. Wark, for example, defines ‘road rage’ as ‘an extreme state of anger brought about by events occurring on the roadway’ (2001, p.3). The NRMA requires both a particular emotional state (anger) and behaviour (violence), seeing ‘road rage’ as ‘anger that results in violence or threatened violence on the road’ (2002, p.1).

The focus of some authors, such as Shinar (1998), has been on the intention of the aggressor, with ‘road rage’ defined as hostile behaviours that are purposefully directed at other road users. For others, it is the cause of the behaviour that is more important – the Oxford English Dictionary (1997) defines ‘road rage’ as ‘a violent anger caused by the stress and frustration of traffic’. Some people have even defined ‘road rage’ as a medical condition. For example, McMurry argues that ‘road rage’ is ‘a stress disorder that suppresses sound driving judgment’ (1997, p.94). Similarly, Schmid (1997) and Nerenberg (cited in United States Subcommittee on Surface Transportation 1997) have labelled ‘road rage’ a mental disorder.

‘Aggressive driving’

The matter is further complicated by the use of the term ‘aggressive driving’. As with the term ‘road rage’, ‘aggressive driving’ appears to be readily understandable, yet has been defined in myriad ways. Appendix 6 contains a sample of 16 such definitions of ‘aggressive driving’, each varying in the behaviours described.¹⁹ Again, some simply require specific actions to have taken place, such as red-light running, failing to give way or speeding (Bowles & Overberg 1999; Galovski & Blanchard 2004; Governors Highway Safety Association 2004), while others target the emotional state of the driver (James & Nahl 2000). Many of these definitions focus on the intention of the driver (Mizell 1997; NRMA 2002; Dula & Geller 2003), although the precise nature of the intention required is in dispute. For example, Dula and Geller require an intention to ‘cause physical and/or psychological harm to any sentient being’ (2003, p.565), while the NRMA see ‘aggressive driving’ to be ‘more risk-taking behaviour than intentionally harmful’ (2002, p.1).

Distinguishing between ‘road rage and ‘aggressive driving’

A number of writers have sought to clarify the situation by drawing a distinction between ‘road rage’ and ‘aggressive driving’. Usually the distinction is based on the severity of the acts in question, with violent acts defined as ‘road rage’ and less extreme acts falling within the domain of ‘aggressive

19 For further discussion of the definition of ‘aggressive driving’, see Vaa (2000); Dula & Geller (2003).

driving' (see for example Bowles & Overberg 1999; Tasca 2000). This distinction is often described in terms of 'road rage' being a 'criminal' act, while 'aggressive driving' is a 'traffic offence' (NRMA 2002; Drews et al. 2003). Unfortunately, this distinction is rarely spelled out very clearly, with little guidance as to how to classify certain acts (that is, when does an act become severe enough that it should be classified as a criminal act rather than a traffic offence?). In addition, it is not a division that is consistently made, with many people continuing to use the terms 'road rage' and 'aggressive driving' interchangeably (see for example Pavelka 1998; AAMI 2003a).²⁰

This lack of clarity in defining 'road rage' and 'aggressive driving' has led to a great deal of confusion in the area. This becomes clear when statements such as 'ninety-one per cent of [Australian] drivers have experienced some form of road rage' (AAMI 2003a, p.2) are considered. What does this mean? Some possible interpretations would be:

- ◆ 91% of drivers have experienced physical violence while driving;
- ◆ 91% of drivers have experienced some form of hostility on the road, such as having obscene gestures made at them;
- ◆ 91% of drivers have experienced some form of aggressive driving on the road, such as people cutting in front of them; or
- ◆ 91% of drivers have experienced anger or frustration while driving.

While a particular report itself may occasionally clarify the issue (by defining the relevant terms),²¹ this will not always be the case. In addition, statements such as the above are often reported in other news reports or articles, which may not reproduce any relevant definitions, or may even rely on their own conflicting definitions.

This can lead to greatly divergent claims about the extent and impact of such behaviours. For example, in 1997 the United States National Highway Traffic Safety Authority (NHTSA) stated that two-thirds of traffic deaths in the United States are caused by 'aggressive driving'. In 1997 that would have amounted to almost 28,000 deaths. By comparison, Mizell (1997) claimed that across the United States, between 1990–1996, 218 deaths in total resulted from 'aggressive driving' – about 30 per year. There is a very large difference between 28,000 and 30 deaths per year. Novaco (1998) attributes this disparity to definitional difficulties. While the NHTSA provided no clear definition of 'aggressive driving', they did include all speeding-related deaths within its

20 Some writers have even used the same definition to define different terms. Mizell (1997, p.3), for example, defines 'aggressive driving' as 'an incident in which an angry or impatient motorist or passenger intentionally injures or kills another motorist, passenger, or pedestrian, or attempts or threatens to injure or kill another motorist, passenger or pedestrian'. Rathbone and Huckabee (1999, p.4) use exactly the same definition for 'road rage', while defining 'aggressive driving' as behaviour that includes tailgating, abrupt lane changes and speeding, alone or in combination.

21 In the case of AAMI (2003a) it would appear that the figure refers to any kind of 'anti-social driver behaviour', including rude gestures, tailgating and verbal abuse.

scope. By contrast, Mizell's definition was restricted to incidents where 'an angry or impatient motorist or passenger intentionally injures or kills another motorist, passenger, or pedestrian, or attempts or threatens to injure or kill another motorist, passenger or pedestrian, in response to a traffic dispute, altercation, or grievance' (1997, p.3).

Problems with the term 'road rage'

Definitional difficulties

These definitional difficulties are the primary reason behind the increasingly frequent calls to abandon the use of the term 'road rage' (see for example Elliott 1999; Dula & Geller 2003),²² a term which is 'becoming increasingly unpopular in the scientific community' (Lawton & Nutter 2002, p.1). There is seen to be a need for clear and consistent definition of terms if the problem of violence on the roads is to be properly understood and addressed (Lonero 2000). While it may be possible to redefine 'road rage' to achieve this purpose, the fact that it is so commonly used in so many ways makes it unlikely that such redefinition would ever be successful. It is more probable that people will continue to use 'road rage' to define a variety of behaviours, regardless of any such attempt (Dula & Geller 2003).²³ It may therefore be preferable to use alternative terms, which are capable of precise definition.

Concerns have also been raised that the term 'road rage' is often used to connote severe acts of violence, less serious acts of aggression and general feelings of anger which a motorist may have. This blurring of the distinction between violence, aggression and anger not only leads to problems interpreting the available data but may also suggest that the anger and frustration many drivers feel could easily become something more violent, when in most cases it does not (Kelley 1998; Elliott 1999; VCCAV 1999).

Anger and violence are not synonymous

Another argument in favour of abandoning use of the term 'road rage' is that the term implies that feeling angry and acting violently are the same thing, when they are not. Dr Soames Job, NSW Road Traffic Authority, made this point when he suggested that the term 'road rage' not be used:

22 See also Submission from Ms Michele Wright, Family Violence Project Worker, Inner South Community Health Service, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 18 June 2004; Dr Soames Job, General Manager, Road Safety Strategy, Road Traffic Authority of New South Wales, in conversation with the Committee, Sydney, 17 June 2004.

23 This difficulty in redefining 'road rage' has been seen in the Committee's own Inquiry process. Although the *Discussion Paper* sought to redefine 'road rage' to only include spontaneous, driving-related acts of violence, only 16 separate incidents (17%) referred to in responses to the online survey involved acts of Road Violence (within the Committee's definition). These related to 15 individuals (18% of those who provided responses). That is, 77 out of 93 incidents did not involve Road Violence (83%), but described acts of 'Road Hostility' or 'Selfish Driving'.

The word 'rage' refers to an emotional state, but we use the term to refer to a very specific behaviour of performing acts of aggression towards another person. I think that is a very uninformative way to proceed. It also engenders the view that the state of rage and the behaviour of acting on it are one and the same, when they are – very importantly – not. Part of the way we can help address this at a social level is by promoting the view that, even though you may be really annoyed, that does not mean you should go on to those aggressive behaviours. To promote the term or to describe the behaviour in terms of the emotion, as though they are one and the same, I think is unfortunate.²⁴

A similar point about the problems with the term 'rage' was made by Ms Michele Wright in her submission to the Committee:

The word "rage" is often associated with ideas about anger that believe anger is something that "builds up" inside us and has to be released, and that for some people because they have not "released this anger" they reach a "boiling point" in which they cannot control themselves and so "lose control". We do not agree with this idea... We see the problem as being about violence, not anger or rage. We believe that violence and anger are different and separate and that violence is about using power and control over another person to get what you want or to get them to do what you want... We see violence as a chosen act and not about being "out of control".²⁵

Medical attribution

Dalrymple (2002) takes this notion a step further, arguing that the labelling of acts as 'road rage' (as well as other 'rages' such as 'air rage' and 'trolley rage') has led to a medicalisation of the 'condition', creating an illegitimate justification for acts of violence. According to this argument, a pattern of conduct is noticed and given a name ('road rage'). Over time, this becomes seen as a medical diagnosis ('I suffer from road rage'), which provides an excuse for the behaviour.²⁶ Dalrymple suggests that this can even lead to additional cases of 'road rage' being committed:

A diagnosis becomes an excuse, and an excuse becomes a justification. Since all of us, when we are about to commit an act that we know in advance to be wrong, rehearse justifications for our ensuing wickedness, it is clear that by increasing the repertoire of justifications available to us for our own

24 Dr Soames Job, General Manager, Road Safety Strategy, Road Traffic Authority of New South Wales, in conversation with the Committee, Sydney, 17 June 2004.

25 Submission from Ms Michele Wright, Family Violence Project Worker, Inner South Community Health Service, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 18 June 2004.

26 The same point was made by Dr Malcolm Vick, School of Education, James Cook University, Townsville, in conversation with the Drugs and Crime Prevention Committee, 22 June 2004. Dr Vick noted that the term 'road rage' enables people to argue that 'I can't help myself, I suffer from road rage, I've got this personality tendency to slip into road rage and so I become the victim, even though I am perpetrating the road rage'. See also Hatfield & Job (1998).

misconduct, the process... leads to a general deterioration in social behavior. The more rage is a diagnosis, the more rage there will be (2002, p.1).

Limiting the causes

The term 'road *rage*' has not only been challenged due to the conflation of an emotional state ('rage') with an act ('violence'), and the connotations of uncontrollability implicit within the term, but also due to its clear links with anger. While the kinds of violent behaviour commonly associated with 'road rage' may be exhibited because of anger, they may also arise due to 'other emotions (e.g., frustration) and motives (e.g., time pressure)... By limiting the scope of behaviours to those that are based on anger alone, other forms of behaviour and remedial action are excluded' (Ward, Waterman & Joint 1998, p.163).²⁷

Justifying violent behaviour

The 'road' aspect of the term 'road rage' has also been viewed with concern by some, as it may suggest that serious violence is an understandable attribute of increasingly congested roads and incompetent drivers, rather than the result of a decision by the perpetrator to act violently.

By drawing on the experience of frustration that almost all drivers have felt on at least one occasion the media may excite the belief that such phenomena are a product of the road situation and are thus not the product (and therefore the responsibility) of the individual concerned (University of Western Australia Crime Research Centre 1997, p.28).

The term may also make acts of violence seem justifiable through a process of faulty logic. People may relate to feeling angry in the car. If such anger is considered to be 'road rage', they may form a belief that 'road rage' is justifiable. As the term 'road rage' can also refer to acts of violence, this may result in the (mistaken) view that violence on the roads is also justifiable. This view may then lead to an 'amplifying effect' (Stephen Gray, Manager, Road Safety, NRMA Ltd, cited in VCCA 1999, p.22), whereby people become more willing to commit violent acts because they consider 'road rage' to be acceptable.

Similarly, the term 'road rage' tends to support the view that people who are violent on the road are not violent in other environments, which may not be the case.²⁸

27 This point was also made by Ms Sharon O'Brien, Centre for Accident Research and Road Safety – Queensland (CARRS-Q), in conversation with the Committee, Brisbane, 15 June 2004. Ms O'Brien noted a range of emotions, such as excitement, nervousness, fear and annoyance may be involved in such incidents.

28 Mr Ken Ogden, RACV, Evidence given at the Public Hearing of the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 22 June 2004.

Trivialising violent behaviour

Underlying many of these arguments is the view that such incidents can involve serious violence, but that this is down-played by the use of the euphemistic term 'road rage'. This can suggest that 'violence and aggression on the roadway is somehow normal, less serious than other forms of violence' (University of Western Australia Crime Research Centre 1997, p.28), which can give violence a 'credence it does not deserve. If one citizen attacks another it is assault – it is a criminal action' (Elliott 1999, p.9). Two related points are being made here. Firstly, violence on the roads is no different from any other form of violence. It should therefore not be given a special label. This point was made clearly by Dr Soames Job:

It is unfortunate to distinguish between aggression which occurs on the road and other aggression as though it is something utterly distinct and something to which all of the considerable wealth of knowledge we have on aggression and hostility in social terms in general does not apply. That is a grave error. I think in general it does apply. Hostility and aggression in a road environment are not psychologically very distinct from hostility and aggression in a pub or anywhere else. We lose sight of that by making it appear to be so distinct. It is something which we need to study and understand, but which in itself we should not treat as though it is so distinct from all of the other forms of aggression we have in our society.²⁹

Secondly, by treating 'road rage' as a separate phenomenon, we run the risk of trivialising the issue, of making it seem less important and perhaps even condoning it (Wright, Gaulton & Miller 1997; Elliott 1999).³⁰ This argument has led to many calls to replace the term 'road rage' with another term that highlights its violent nature, such as 'on-road violence'³¹ or 'violence when driving'.³²

An artificial construct

Finally, it is sometimes argued that the mere act of labelling specific behaviours 'road rage' has actually created the problem, rather than simply identifying it:

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- 29 Dr Soames Job, General Manager, Road Safety Strategy, Road Traffic Authority of New South Wales, in conversation with the Committee, Sydney, 17 June 2004.
- 30 See also the submission from Mr Colin Jordan, Managing Director and CEO, RACV, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 18 June 2004; Ms Lee O'Mahoney, Motorcycle Riders Association Australia, Evidence given at the Public Hearing of the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 21 June 2004.
- 31 Submission from Ms Lee O'Mahoney, Motorcycle Riders Association Australia, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 21 June 2004.
- 32 Submission from Ms Michele Wright, Family Violence Project Worker, Inner South Community Health Service, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 18 June 2004.

Some experts suggest that the labels [road rage and air rage] reflect only a national penchant for lumping similar but isolated acts of violence into categories – and question whether media coverage is making them appear to be bona fide trends (Belluck 1999).

According to this argument, ‘road rage’ may be a spurious phenomenon, created by the media and commentators. If this is the case, then using the term may unjustifiably contribute to public fear of a non-existent ‘epidemic’ (Fumento 1998; Bowles & Overberg 1999).

Final determination

The VCCAV noted some of these arguments against the use of the term ‘road rage’ in its Report *Aggression and/or Violence Associated with Motor Vehicle Use*, but chose to continue using the term in its Report ‘as it is part of everyday parlance, partly due to the extensive media reporting of the issue’ (1999, p.iii). A similar point was made to the Committee by Mr John Bolitho, who suggested that an advantage of the term was that:

[it] is understood in a number of cultures, not just in Australia. There is a consistency of understanding about, in layman’s terms, what road rage is. Most people who are on the roads have experienced it in one form or another. It is a term that the community as a whole has come to understand quite well.³³

Such reasons informed the Committee’s decision to use the term ‘road rage’ in its *Discussion Paper*, however after considering the issue in more depth throughout the course of the Inquiry the Committee concluded that arguments against the use of the term ‘road rage’ strongly outweighed those in favour of its use.

Throughout this Report, unless directly referring to a source that uses the term ‘road rage’, the Committee will refrain from employing this term, and instead will use the key terms Road Violence, Road Hostility and Selfish Driving. Two other terms, ‘risky driving’ and ‘driver anger’, are occasionally used in secondary sources. Definitions of these five terms are given in the following section. The Committee believes that where possible in future public discussions, the term ‘road rage’ should be avoided.

33 Mr John Bolitho, Transport Accident Commission, Evidence given at the Public Hearing of the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 22 June 2004. See also submission from Crime Prevention Victoria, Department of Justice, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 6 July 2004, in which it is argued that a change in nomenclature may cause confusion.

Definition of terms used in the Report

A more coherent understanding and more fruitful policy discussion depends on a clearer definition of the continuum of aggressive actions of drivers. This is needed before we move on to production of testable hypotheses about prevalence trends, reasons and remedies for specific aggressive behaviours, as well as whatever common factors may tie them together (Lonero 2000, p.5).

The Committee has identified five different types of behaviour that are often described as ‘road rage’ and ‘aggressive driving’.³⁴ The terms used in this Report for these behaviours are defined in this section.

Major terms

Firstly, acts at the extreme end of the spectrum are termed Road Violence.³⁵ These are spontaneous, driving-related violent acts that are specifically targeted at an individual or the individual has reason to believe he or she is being specifically targeted.³⁶ Examples of Road Violence include physically assaulting another road user or intentionally ramming his or her vehicle. The Committee reiterates its view that violence should be broadly defined to include psychological violence, such as threats, as well as physical violence. Threatening a road user with violence or extreme cases of tailgating may therefore also be classifiable as Road Violence, even in the absence of physical contact, if the victims genuinely fear for their safety.

The second category identified by the Committee is Road Hostility.³⁷ This involves spontaneous, driving-related non-violent but hostile acts that are specifically targeted at an individual or the individual has reason to believe he or she is being specifically targeted. Examples of Road Hostility include making obscene gestures at other road users or verbally abusing them. The difference between Road Violence and Road Hostility is simply one of severity. They are both actions that are intentionally targeted at another road user, but in the one case the action is violent while in the other it is simply hostile and does not entail violent acts.

The third category of road user behaviour that often falls within the scope of ‘road rage’ or ‘aggressive driving’ is Selfish Driving. The Belgian Road Safety Institute calls this category ‘egocentric driving’, as the Committee learnt during a meeting held in Brussels, and defines it as follows:

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- 34 For alternative typologies, see Smart & Mann (2002b); Dula & Geller (2003).
- 35 Hennessy & Wiesenthal (2002) use the term ‘driver violence’ to describe a similar category. The Committee prefers the term ‘Road Violence’, as not all participants will necessarily be drivers. Other road users, such as pedestrians or cyclists may be involved in such incidents, as may passengers.
- 36 In accordance with the scope of this Inquiry, these acts must also be driving-related and occur between strangers (see above).
- 37 Hennessy (2002) uses the term ‘mild driver aggression’ to describe a similar category. As noted above, however, the Committee believes it is preferable to avoid using the term ‘aggression’ where possible. As with Road Violence, these acts are also directed at strangers.

Egocentric behaviour...is driving behaviour... with the objective to gain time, space and pleasure, to gain something, to be very fast, to be the first one or something like that but not with the intention to harm people.³⁸

Although the term ‘egocentric behaviour’ is accurate and clearly describes the behaviour in question, the Committee prefers the more popular, egalitarian expression Selfish Driving, which carries the same meaning. Examples of Selfish Driving include weaving in and out of traffic or overtaking in the left lane. Unlike acts of Road Violence and Road Hostility, such driving is not specifically targeted at particular road users. The aim of Selfish Driving is not necessarily to harm another person or even to express displeasure with others. Rather, the aim is generally to ‘get ahead’ or to maintain progress. While this is done at the expense of other drivers, who may well become angry or irritated by what they believe is dangerous or aggressive driving, they have not been singled out for particular treatment by the selfish driver. It is a ‘type of driving that is not directed at any one individual, but rather toward other drivers in general’ (Sarkar et al. 2000, p.6). This gives the act a different character from Road Violence or Road Hostility, although it may be just as harmful (if not more so).³⁹

Minor terms

Occasionally any forms of dangerous driving behaviour – such as drink driving or turning corners at excessive speed – are included within the scope of ‘road rage’ or ‘aggressive driving’. The Committee has decided to call this fourth category ‘**risky driving**’.⁴⁰ ‘Risky driving’ is a very broad concept and can overlap with each of the three categories described above. For example, intentionally ramming another person’s car would be classified as both Road Violence and ‘risky driving’; tailgating another driver and flashing high beams at him or her could be both Road Hostility and ‘risky driving’; and overtaking on the left could be both Selfish Driving and ‘risky driving’. Dangerous driving behaviours which do not necessarily involve other parties (such as driving while fatigued) would also be classified as ‘risky driving’, but do not fall within the scope of the other three categories.

As noted above, some people also use the term ‘road rage’ to refer to the angry feelings suffered by some drivers. Throughout this Report this fifth category will be termed ‘**driver anger**’. Unlike the categories discussed above, ‘driver anger’ does not involve particular behaviours but instead refers to the emotional state

38 Mr Ludo Kluppels, Policy Coordinator, Belgian Road Safety Institute, in conversation with the Committee, Brussels, 7 July 2004. Hennessy (2002, p.707) uses a similar concept which he labels ‘assertive driving’. It involves ‘time urgent and self-oriented actions that can be dangerous or illegal, and in some cases may lead to unintended harm of others, but lack the harmful intent characteristic of aggression’.

39 The Committee notes that the idea of differentiating acts based on the severity of the behaviour, and whether or not the acts are specifically targeted at individuals, has previously been suggested by Sarkar et al. (2000), Hennessy & Wiesenthal (2002) and Miles & Johnson (2003). The typology outlined above, however, has been developed by the Committee.

40 The Committee has chosen to use the term ‘risky driving’ rather than ‘dangerous driving’ to avoid confusion with the traffic offence of dangerous driving.

of the driver. This anger may have been triggered by a particular traffic event or may be the result of other events occurring in the driver's life. Perhaps more importantly, it may or may not be acted on by the driver. Some drivers may choose to ignore their feelings of anger, while others will express them in a variety of ways. If expressed violently, an incident of Road Violence may arise. A less violent act, which is specifically targeted at an individual, will be classified as Road Hostility. In both of these cases, however, it is important to draw a distinction between the feelings that led to the act, which may well be a normal response to a situation, and the subsequent behaviour.

The need for clear definitions

The Committee believes it is essential to keep each of these categories separate for at least three reasons. Firstly, the different categories of behaviour are likely to be committed by different types of people. For example, people who are in a hurry and overtake on the left may be quite distinct from people who physically assault slow drivers. This point was emphasised by Hennessy and Wiesenthal (2002),⁴¹ who argued that the 'assertive' aspects of 'aggressive driving' should be separated from the 'destructive' aspects, because:

accidental harm as a consequence of selfish actions is qualitatively different than purposeful harm. In this respect, research evidence suggests that drivers that intentionally cause other motorists harm may be different in important ways than those that drive in a selfish and risky manner (Hennessy & Wiesenthal 2002, pp.707–708).

Similarly, while some people who engage in acts of Road Hostility may also commit acts of Road Violence others may not. Many people may constrain their behaviour to lower-level, non-violent acts. This makes it vital to distinguish between the different categories of behaviour, if the nature of such acts and their causes are to be properly understood.

Secondly, intervention strategies may differ depending on the type of behaviour that is being targeted. A strategy aimed at preventing Selfish Driving may be very different from a strategy aimed at preventing Road Violence. While it is possible that a particular campaign could seek to address all of these behaviours at the same time, strategies targeted at specific types of action, based on a proper understanding of the nature of such acts and their causes, are more likely to be successful.

Thirdly, responses to such behaviour may also differ depending on the nature of the acts committed. For example, while imprisonment may be a legitimate response to Road Violence, due to its severity and being specifically targeted at a particular individual, it may not be suitable for cases of Selfish Driving, which

41 Mooren (1997), Helmick (1998) and Tasca (2000) also urged that behaviour such as that defined by the Committee as Selfish Driving be kept separate from more hostile and violent behaviours.

may be dangerous but without specific intent to harm. This point was made in Mr Russell Stevens' submission to the Committee, in which he argued that:

There is a big difference between a driving error, through say tiredness or distractedness and intentional dangerous driving, eg. intentionally cutting off, pushing in, overtaking on double lines, exceeding the speed limit excessively, dangerous driving. Real road rage, resulting in bashings and violent attacks ... should attract massive sentences and loss of licence.⁴²

Focus of the Report

As this is an Inquiry into '*violence* associated with motor vehicle use', it is the first category – Road Violence – that provides the focus of this Report. Each of the other concepts may be relevant insofar as they may act as precursors or triggers to Road Violence. That is, a person who is the victim of Road Hostility or who has been subjected to Selfish Driving may retaliate with violence. In order to understand the dynamics of Road Violence, its possible causes and prevention strategies, it will therefore be necessary to include the other categories in the discussion.

This is not to underestimate the importance of each of the other categories. Selfish Driving, for example, may be responsible for a significant proportion of road crashes, as may other forms of 'risky driving'. Road Hostility may also contribute to road crashes, if it is sufficiently distracting of drivers' attention. It may also be contributing to an unwanted culture of incivility on our roads. 'Driver anger', even if not acted upon, may also have negative effects. For example, there is evidence that suggests that people who become angry on a regular basis are more likely to suffer heart problems (Larson 1996). In addition, 'all such emotions, when felt profoundly, are likely to have deleterious effects on the attention level of a driver' (Dula & Geller 2003, p.564). While each of these behaviours therefore clearly present issues that may merit further investigation, they do not form the focus of this Inquiry.

Categorising road behaviours

Unfortunately, determining whether a specific act is one of Road Violence, Road Hostility or Selfish Driving is not straightforward. While a few acts will always, by their nature, fall into one category or another (for example, assaulting another person or intentionally ramming his or her car will always connect to Road Violence) these acts are in the minority. Most actions will be capable of falling into more than one category, depending on the circumstances.

Tailgating exemplifies this, being a behaviour that can be committed in a range of ways and for a variety of reasons. For example, a person driving along a two-

42 Submission from Mr Russell Stevens to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 5 August 2004.

lane highway, who comes across an individual who is driving slowly in the right lane while the left lane is vacant, may temporarily tailgate the other party in an attempt to get them to move over so they can be passed. This type of tailgating would be classified as Selfish Driving – the intention of the driver is simply to ‘get ahead’, albeit in a forceful, discourteous and dangerous manner.

Tailgating may also be committed in order to express displeasure at another party’s actions. For example, if one driver cuts dangerously in front of a second driver, the second driver may temporarily tailgate the first driver while flashing his or her lights to indicate displeasure. If this is only done for a few seconds, it would probably be classified as Road Hostility – the first driver has been specifically targeted by behaviour that is hostile but not violent.

This is not to suggest that tailgating cannot constitute Road Violence. If the tailgating continues for an extended period of time, even after there have been opportunities to pass the tailgated vehicle, and if it is accompanied by violent gestures, horn honking and/or light flashing, it may be sufficient to create fear in the mind of the tailgated party. If this is the case, it should be classified as Road Violence.

It should be noted that actions motivated solely by the desire to ‘get ahead’ will not always be considered to be Selfish Driving. For example, if the parties in the first scenario outlined above were driving on a one-lane road instead of a two-lane highway, with no opportunity to move over, it is more likely that the tailgating would be considered Road Hostility or even Road Violence, despite the intention of the perpetrator. Similarly, if the vehicle being tailgated is a bicycle or motorcycle, it may also be considered Road Violence due to the likelihood that the tailgated party will feel fear.

This complexity in determining which category an act properly falls into makes it impossible to simply provide a list labelling specified behaviours with an appropriate term. Rather, each behaviour needs to be considered in context. In particular, the Committee has identified three factors that need to be considered when classifying a particular action as Road Violence, Road Hostility or Selfish Driving.

Firstly, the likely *intention and motivation* of the perpetrator should be taken into account (Lajunen, Parker & Stradling 1998; Sarkar et al. 2000).⁴³ If the perpetrator’s aim was simply to overcome a traffic obstacle, the act is likely to be one of Selfish Driving. If, however, the aim was to show displeasure with the other driver’s behaviour, it will perhaps be Road Hostility. If the intention of the perpetrator was to harm or scare the other party, the act will likely be one of Road Violence. In all cases, however, it will also depend on the impact the action has and the circumstances in which it was conducted (see below). Thus, as noted above, even if a person’s intention is simply to overcome an

43 Professor Ann Brewer, Professor of Organisation Logistics, University of Sydney, in conversation with the Committee, Sydney, 17 June 2004, also made a distinction between acts based on the intention of the perpetrator.

obstacle, if the other party is in a particularly vulnerable position, such as riding a bicycle, it may nonetheless constitute Road Violence.

Secondly, it is necessary to consider the *impact* the action has on the recipient (University of Western Australia Crime Research Centre 1997; Vaa 2000). If an act reasonably makes its victim fearful for his or her safety or the car's safety, it may be considered Road Violence, even if the intention of the perpetrator was not to scare or harm them. For example, while a group of young men may believe that their repeated horn honking at an elderly woman simply shows their displeasure with her driving, such an act should be classified as Road Violence rather than Road Hostility if she reasonably feared for her safety. Similarly, in certain circumstances, an act which may otherwise be called Selfish Driving may be considered to be Road Hostility or Road Violence if the other party reasonably believes he or she has been specifically targeted by the driver, even if this is not the case (for example, if the driver has unintentionally cut closely in front of the car on several occasions).

Thirdly, it is necessary to consider the *circumstances* in which the act was committed.⁴⁴ Of particular importance is the nature of the parties involved – what vehicle they are using, their age, gender, driving experience, etc. This is because an act committed against a vulnerable road user may be classified differently than the same act committed against a party of equivalent (or greater) power. For instance, a truck tailgating a car is more likely to be categorised as Road Violence than when one car tailgates another, due to the added element of danger, as well as the likely impact on the car driver. Similarly, while abuse directed by a 20-year-old male towards another 20-year-old male is likely to be considered Road Hostility, similar abuse directed at a 13-year-old child may be considered Road Violence.

Table 2.1 below contains a list of sample behaviours, with a guide as to how they might be classified.

44 See, for example, submission from Dr Jan Garrard, Senior Lecturer in Health Promotion, School of Health and Social Development, Deakin University, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 21 June 2004.

Table 2.1: Road behaviour classification

Behaviour	Classification
Assaulting or attempting to assault a person	road violence
Ramming a vehicle	road violence
Intentionally running a vehicle off the road or attempting to run a vehicle off the road	road violence
Intentionally damaging or attempting to damage a vehicle	road violence
Throwing objects at a person or vehicle	Likely to be road violence, depending on the nature of the object thrown and the parties involved (eg. cyclists)
Getting out of the car to approach the other party but where there is no physical contact with the other person or their vehicle	May be road violence or road hostility, depending on the parties involved and the nature of the interaction
Tailgating	May be road violence, road hostility or selfish driving, depending on the intention of the perpetrator (eg. to overtake, show displeasure or scare), the impact on the victim (eg. did they feel scared) and the circumstances of the incident (eg. was it a truck tailgating a car or a car tailgating a bicycle)
Deliberate sudden braking	May be road violence or road hostility, depending on the intention of the perpetrator (to show displeasure, scare, or cause the other driver to stop for the purposes of an altercation), the impact on the victim and the circumstances
Following a vehicle	May be road violence or road hostility, depending on the nature of the act (eg. how long they were followed for, where they were followed), the impact on the victim and the circumstances (eg. was it a group of men following a single woman)
Cutting in	Likely to be road hostility or selfish driving, depending on whether the other party was specifically targeted or whether the perpetrator was simply weaving through traffic. Could also be accidental, if the perpetrator did not see the other car.
Shouting abuse	Likely to be road hostility, although it could be road violence depending on the nature of the abuse
Making obscene gestures	Likely to be road hostility
Light flashing	Likely to be road hostility or a genuine attempt to communicate, depending on the nature of the flashing (eg. short or prolonged) and the circumstances (eg. is there a police car in the vicinity). Could be road violence in some circumstances (eg. if deliberately use high beams to blind another driver in an attempt to force them off the road)
Horn honking	Likely to be road hostility or a genuine attempt to communicate, depending on the nature of the honking (eg. short or continuous) and the circumstances (eg. has the traffic light just changed to green). Could be road violence in some circumstances, although will be rare
Deliberately obstructing traffic/ Failing to yield	Likely to be road hostility or selfish driving, depending on whether the perpetrator is specifically targeting an individual or is refusing to yield to all vehicles.
Overtaking on the left	selfish driving
Weaving through traffic	selfish driving
Speeding	selfish driving
Running red lights	selfish driving

Summary of terms used in this Report

From the preceding discussion it should be clear that the main focus of this Report is what the Committee is calling **Road Violence**. This can be defined as follows:

Road Violence involves spontaneous, driving-related acts of violence that are specifically targeted at strangers, or where strangers reasonably feel they are being targeted.

This is to be contrasted with **Road Hostility**, defined as:

Road Hostility involves spontaneous, driving-related non-violent but hostile acts that are specifically targeted at strangers, or where strangers reasonably feel they are being targeted.

Of a somewhat different nature is **Selfish Driving**:

Selfish Driving involves time urgent or self-oriented driving behaviour, which is committed at the expense of other drivers in general, but which is not specifically targeted at particular individuals.

In classifying an act as Road Violence, Road Hostility or Selfish Driving, consideration must be given to:

- ◆ the **intention** and motivation of the perpetrator;
- ◆ the **impact** the action has on the recipient; and
- ◆ the **circumstances** in which the act was committed.

The other main terms used in this Report are 'risky driving' and 'driver anger':

'Risky driving' involves any form of dangerous driving behaviour.

'Driver anger' refers to the angry emotional state of a driver.

Road violence: A criminal justice or road safety issue?

In general, the consensus view from amongst road safety experts around the world is that the term 'road rage' ought to be limited to intentional acts of violence and assault, and that the issue is a criminal matter, not a road safety concern (Elliott 1999, pp.1–2).

As seen above, a number of authors have differentiated 'road rage' from 'aggressive driving' on the grounds that 'road rage' is a criminal act, while acts of 'aggressive driving' constitute traffic offences (NRMA 2002; Drews et al. 2003). Using the Committee's terminology, this could be expressed by saying that Road Violence is a criminal matter, while Selfish Driving is a road safety issue. Distinguishing between Road Violence and Selfish Driving in this way can lead to the view that while road safety and motoring organisations may have a part to play in addressing Selfish Driving, that is where their role ends. It is criminal justice agencies, such as the police, who should be responsible for tackling the problem of Road Violence (Tasca 2000).

This concern was made clear to the Committee by a number of organisations throughout this Inquiry. For example, when first contacted by the Committee for their views about this Inquiry, the Monash University Accident Research Centre, the Australian Road Research Board (ARRB) Transport Research and

VicRoads each advised the Committee that as violence associated with motor vehicle use was a criminal matter, it fell outside their purview (which was limited to road-related matters), and therefore they had no information to offer.

A similar point was made in the RACV's submission to the Committee. Mr Colin Jordan noted that the National Highway Traffic Safety Authority (NHTSA) in the United States makes the 'important distinction' that:

'aggressive driving' is a traffic related matter and is controlled by a range of traffic laws and enforcement. When aggressive driving escalates to a form of violence, it is considered to be road rage, which is potentially a criminal behaviour.⁴⁵

The submission continued:

RACV agrees with this distinction and believes that it is the responsibility of road authorities to take measures to reduce instances of aggressive driving, and that crime prevention authorities are best placed to address road related assaults.⁴⁶

While the Committee agrees that violence is clearly a criminal issue, and should be addressed by criminal justice agencies, it does not agree with the view that road safety and motoring organisations have no role to play. The Committee believes that there are at least three ways in which the expertise of such agencies could be of great assistance.

Firstly, as acts of Road Violence and Road Hostility occur in the road context, it is possible that they may have road safety implications that extend beyond the criminal acts being committed. For example, it is possible that people may be sufficiently distracted by such incidents that crashes occur. Road safety matters such as this clearly fall within the domain of road safety organisations, and should not be disregarded simply because the acts may also involve a criminal aspect.

Secondly, as will be seen in Chapter 5, many incidents of Road Violence are precipitated by acts of selfish or risky driving.⁴⁷ It is possible that road safety organisations could play a role in addressing these driving behaviours, thereby potentially reducing the incidence of Road Violence. While road safety organisations may already address these driving behaviours due to their safety implications, the Committee does not believe their focus should be limited to crash risks. Such agencies can have a legitimate role to play in preventing criminal behaviour as well.

45 Cited in the submission from Mr Colin Jordan, Managing Director and CEO, RACV, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 18 June 2004.

46 Submission from Mr Colin Jordan, Managing Director and CEO, RACV, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 18 June 2004. The same point was also made by Ms Anne Morphett, NRMA Motoring and Services, in conversation with the Committee, Sydney, 17 June 2004.

47 The Committee is not suggesting here that these driving behaviours *cause* Road Violence – such behaviours may simply *trigger* such violence. On the distinction between causing and triggering violence, see Chapter 10.

Thirdly, many road safety organisations have extensive experience in conducting campaigns designed to modify road user behaviour. While these campaigns may not have been specifically designed to address incidents of Road Violence, it is possible that the insights gained from such campaigns could assist in developing strategies to prevent it.

The Committee is therefore firmly in agreement with Mr Rob Hansen of the Queensland Parliamentary Travelsafe Committee that a holistic approach between road safety and criminal justice agencies is required.⁴⁸ In the absence of such an approach, it is unlikely that the most efficient or effective strategies will be implemented.

Vulnerable road users

A great level of concern about violence associated with motor vehicle use is held by certain groups of road users. These include cyclists, motorcyclists and pedestrians, defined in this Report as 'vulnerable road users'. This concern was clearly reflected in the number of submissions made to the Committee and responses made to the Committee's online survey: 11 of the 31 submissions received (35%) were written by cyclists or motorcyclists, while 33 of the 85 individuals (38%) who responded to the Committee's online survey were cyclists or motorcyclists. To ensure the views of vulnerable road users were adequately addressed, the Committee met with members of Bicycle Queensland in Brisbane on 15 June 2004 and with the Pedestrian Council of Australia in Sydney on 17 June 2004. The Committee also heard evidence from members of Bicycle Victoria and the Motorcycle Riders Association of Australia at the public hearings conducted in Melbourne.

Wide-ranging issues were raised by the relevant individuals and organisations. Firstly, a number of submissions urged the Committee to ensure that vulnerable road users were included in the scope of the Inquiry.⁴⁹ Concern was raised about the car-centred nature of the Committee's *Discussion Paper*:

Cogsgirls notes the scope of the review tends to focus on car, and other motor vehicle, scenarios. Cyclists are vulnerable road users, and in comparison to motor vehicles, are less powerful in situations that are essentially about exerting force and power. There is potential for significant harm, including death or serious injury, in a 'road rage' altercation between a cyclist and a motorist. Cogsgirls asks that in considering road rage issues, the situations of

48 Mr Rob Hansen, Queensland Parliamentary Travelsafe Committee, in conversation with the Committee, Brisbane, 15 June 2004.

49 See for example, submission from Cogsgirls, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 18 June 2004; Submission from Mr Damon Rao, urbanbicyclist.org to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 18 June 2004; Submission from Mr Mathew Strain to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 6 July 2004.

vulnerable road users like cyclists and pedestrians are given full treatment and are not overshadowed by motorist vs. motorist issues.⁵⁰

The Committee agrees that the scope of this Inquiry does encompass incidents involving vulnerable road users, as long as at least one motor vehicle is involved (as is required by the Terms of Reference). In addition, the Committee has endeavoured to ensure that, where relevant, vulnerable road users are considered throughout this Report.

Other surveys and submissions sought to make clear the common extent of Road Violence, Road Hostility and 'risky driving' acts committed against or in the presence of vulnerable road users.⁵¹ A high level of anti-cycling sentiment was also noted.⁵² It has been suggested that this sentiment, along with a range of other factors, is responsible for what is perceived to be an increase of violence against cyclists. This increase was highlighted in Mr Bart Sbeghen's submission:

Bicycle Victoria receives an increasing number of reports on road rage against cyclists each year... People on bicycles are too often the victims of aggression by other road users who take advantage of being inside a larger and faster vehicle to intimidate. Examples include being yelled at, harassed and abused, cut off by motor vehicles, to more serious incidents of being physically assaulted with the vehicle itself.⁵³

Most of these reports involve what the Committee would ordinarily classify as Road Hostility or 'risky driving' – acts such as hurling verbal abuse, horn honking or inadvertent close passing. However, as noted above, and reiterated in a number of submissions to the Committee,⁵⁴ such acts can have a far

50 Submission from Cogsgirls, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 18 June 2004.

51 See for example, submission from Mr Bart Sbeghen, Campaigns Manager, Bicycle Victoria, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 15 June 2004; Submission from Mr Paul Baxter to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 16 June 2004; Submission from Cogsgirls to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 18 June 2004.

52 See for example, submission from Dr Jan Garrard, Senior Lecturer in Health Promotion, School of Health and Social Development, Deakin University, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 21 June 2004; Submission from Mr Russell Lindsay, Officer in Charge of the Melbourne Police Bicycle Patrol Group, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 22 June 2004; Submission from Mr Damon Rao, urbanbicyclist.org to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 18 June 2004.

53 Submission from Mr Bart Sbeghen, Campaigns Manager, Bicycle Victoria, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 15 June 2004.

54 See for example, submission from Mr David Levin Q.C., Convenor, Wigs on Wheels, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 5 August 2004; Submission from Mr Russell Lindsay, Officer in Charge of the Melbourne Police Bicycle Patrol Group, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 22 June 2004; Submission from Ms Fiona Campbell to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 21 June 2004; Submission from Ms Lee O'Mahoney, Motorcycle Riders Association Australia, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 21 June 2004.

greater impact on vulnerable road users, who 'do not have the protection of a steel cage around them'.⁵⁵ As Ms Lee O'Mahoney of the Motorcycle Riders Association Australia stated:

For [motorcycle riders] acts of aggression, like swerving at us or tailgating or braking suddenly in front of us can be potentially lethal, so we would like the inquiry to consider those and not just physical acts of actually contacting us and hitting us, because if we are tailgated and we are forced to stop, the car or truck, or whatever is going to run over us and probably kill us.⁵⁶

This added vulnerability of particular road users confirms to the Committee the importance of taking the circumstances into account when categorising an incident of road behaviour.

Finally, some people expressed concern about the impact acts of violence, hostility and danger on the roads are having. One witness suggested that 'aggressive and violent driver behaviour is probably contributing to Australia's low rates of cycling for transport and recreation compared to a lot of international countries'.⁵⁷ If this is the case, it is clearly an issue of great concern. Cycling is not only advantageous to the health of those concerned, but by reducing the number of cars on the road also benefits the environment and can help ease traffic congestion. Unfortunately, it is beyond the scope of this Inquiry to ascertain the extent to which this is occurring. Given the high level of concern about violence on the roads that has been expressed by cyclists, however, it may be an issue that merits further examination.

Conclusion

It is likely that most people have experienced some level of anger or frustration while driving. In the majority of circumstances they choose not to act on their emotions. On some occasions, however, it seems that people commit acts of serious violence against other road users. The Committee is aware, however, of the difficulties associated with defining terms and concepts in this area and how, on occasions, researchers, the media and commentators have been unclear in using some of the key terms such as 'road rage'. This has been due partly to a failure to understand precisely what behaviours are being discussed and measured. The Committee hopes that its consideration of the definitional questions discussed in this chapter may help to improve the standard of discussion and debate, making it easier for policy makers to know what kinds

55 Submission from Mr Bart Sbeghen, Campaigns Manager, Bicycle Victoria, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 15 June 2004.

56 Ms Lee O'Mahoney, Motorcycle Riders Association Australia, Evidence given at the Public Hearing of the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 21 June 2004.

57 Dr Jan Garrard, Senior Lecturer, School of Health and Social Development, Deakin University, Evidence given at the Public Hearing of the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 22 June 2004.

of conduct need to be addressed when suggesting preventive and legislative responses. The remainder of this Report examines how frequently this happens, why it happens, and what steps can be taken to reduce the likelihood of it happening.

Part B: The Extent of Road Violence

3. Measuring Road Violence: Perceptions and Problems

Introduction

One of the key issues that the Committee has been asked to address in this Inquiry is the extent of the problem of violence associated with motor vehicle use, including the quantification of losses and impact suffered by victims in Victoria. Any assessment of a crime problem requires careful definition of what is being measured; in the area of 'road rage' this raises considerable problems. As mentioned in the previous chapters, the use of terms and concepts in this area is unclear and inconsistent, making the gathering of empirical evidence and comparisons between quantitative studies problematic.

Unfortunately, the Committee lacked the resources to undertake extensive new empirical research, such as victimisation surveys, although it was able to conduct a review of recent media reports and sought submissions from members of the public via its website. In the absence of new controlled data collection, it has been necessary to examine data on the extent of the problem that have been collected previously by official criminal justice agencies, as well as surveys that have been conducted in the past, each of which has used a range of different definitions.

Because of the loose use of concepts in this area, the Committee cautions readers against making comparisons between the data collected in various studies without taking due notice of the definitions and concepts being used in each study. For example, one poll claimed that one in two people were victims of 'road rage' (Fumento 1998), but this included verbal abuse, hand gestures and other minor irritants within the scope of 'road rage' which would, using the Committee's definitions, fall outside the scope of Road Violence. The study reported almost no reports of physical assaults, which would constitute acts of Road Violence within the Committee's definition.

The phenomenon of ‘road rage’ is also one in which the ‘dark figure’ of unreported incidents is high, as we shall see.⁵⁸ This limits greatly the value of official police statistics. Alternatively, reliance on victimisation surveys is difficult because of the imprecise use of terms. Media analyses tend to be of little help, as the vast majority of reports do not deal with actual incidents of serious Road Violence, tending instead to focus on popular accounts of Road Hostility and Selfish Driving (as defined earlier in this Report).

The Committee approached the task of measurement by examining four sources of information: prior published research conducted in Victoria, other Australian jurisdictions and overseas countries; official Victoria Police statistics; reports in the media, including the main Victorian newspapers; and reports made by members of the public in response to the questionnaire placed on the Committee’s website. The difficulty that emerged was that information from each of these sources concerned all undifferentiated aspects of ‘road rage’ – Road Violence, Road Hostility and Selfish Driving. Thus, to focus on research that was restricted solely to Road Violence was not really possible. Instead, the Committee determined to examine all relevant studies, even though some dealt with matters beyond the current terms of reference and its definition of Road Violence. The conclusions, however, will focus primarily on the incidence, nature and impact of Road Violence.

In view of the extent of the material covered, the Committee presents the results of its inquiry into the extent of the problem in four chapters, which comprise Part B. This chapter examines prior research on community perceptions of the problem of ‘road rage’ and discussion of some of the problems associated with quantification, including the problem of under-reporting to police. Chapter 4 reviews previous research conducted in Victoria, other Australian states and territories and in a number of overseas countries and Chapter 5 presents the results of the Committee’s own investigations conducted using Victoria Police statistics and the Committee’s online survey of the public. Chapter 6 comprises the Committee’s study of newspaper reports, along with previous research analysing media reporting of ‘road rage’.

Before turning to the evidence, however, it is appropriate to begin by examining some qualitative information dealing with public perceptions concerning the extent of the problem, and then to consider the question of the extent to which incidents of ‘road rage’ are reported officially.

Perceptions of the extent of the problem

‘Road rage’ – the Problem

The Committee found there to be a perception in the community that ‘road rage’ is a problem and one that is getting worse. In the colourful language of Martin:

58 Submission from Crime Prevention Victoria, Department of Justice, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 6 July 2004.

We know it. You know it. And now we have some proof that road rage is getting out of control on Australian roads. Not so long ago, a toot up the clacker for hogging the right-hand lane – or doing something else that was dumb – was fair enough. People moved over. Life went on. Now it's a reason for us to tailgate the bastard, hurl abuse and sometimes if there was a serious enough threat to manhood, even kill him. Stab, shoot, strangle, run straight over the arsehole. Force him off the road (Martin 2002, p.13).

The 'proof' referred to by Martin (2002) came from the 2002 AAMI *Crash Index* (2002c), an increase in reported menacing driving offences in New South Wales, and 700 road user violence incidents recorded by Victoria Police in the first 11 months of recording such information. As will be discussed in detail, these sources dealt with many forms of 'road rage', not merely Road Violence, although there is evidence that a small percentage of individuals have been physically assaulted by other drivers.⁵⁹

Although there are definitional limitations, commentators throughout the western world have noted an increase in 'road rage', in terms of both the frequency and seriousness of occurrences (Fumento 1998; Grennan 1996; Pavelka 1998; James 1997; Fong, Frost & Stansfeld 2001; Dukes 2001; Altman 1997; Joint 1995; Vest, Cohen & Tharp 1997; Mizell 1997; Martinez 1997 in United States Subcommittee on Surface Transportation; DePasquale et al. 2001; Lex Motoring Report 1996). Some have likened the phenomenon to an epidemic, similar to that of drunken driving (McMurry 1997). These comments are of limited value, given the variations in the concept of 'road rage' used in these studies.

Evidence of the community perception in Victoria that 'road rage' is a serious problem comes from research carried out by the Victorian Community Council Against Violence (VCCAV) (1999). Between 25 November 1997 and 2 December 1997, the VCCAV conducted a survey of 801 Victorian drivers about aggression and/or violence associated with motor vehicle use.⁶⁰

This research found that in 1997 most Victorians (89%) had heard of 'road rage', either on television, radio, newspapers or magazines, and over half the population had discussed the issue with their friends or associates.

Some of the specific findings of the VCCAV (1999) included:

- ◆ 52 per cent of Victorian drivers who were surveyed in 1997 believed that the level of 'road rage' had increased over the preceding 12 months;
- ◆ 27 per cent felt that there had been no change;
- ◆ 3 per cent considered that there had been a decline; and
- ◆ 18 per cent either did not know or offered no opinion.

59 The latest AAMI survey of 1,880 licensed drivers found that 5 per cent of drivers said they had been physically assaulted by other drivers (over 90 individuals) (AAMI 2004). This was the same percentage as in the 2003 *Crash Index* (AAMI 2003a).

60 Further information about this study is presented in Chapter 4, below.

Females were significantly more likely to believe that 'road rage' had increased (59%) than males (44%). Young people aged 18–24 were also significantly more likely to believe that 'road rage' had increased (66%), particularly young females.

In addition, once a person had suffered an incident of 'road rage' the perception of the severity of the problem increased:

- ◆ 58 per cent of those subjected to 'mild road rage' believed it had increased in the last 12 months;
- ◆ 52 per cent of those subjected to 'severe road rage' believed it had increased in the last 12 months; and
- ◆ 34 per cent of those who had not experienced 'road rage' believed it had increased in the last 12 months (VCCAV 1999).

The Committee heard from the Director of the Victims Support Agency, Department of Justice, that there is a significant level of public concern about 'road rage'.⁶¹ A Roy Morgan Research Centre poll conducted in May 1998, and published in *The Bulletin* on 9 June 1998, was cited as evidence of 84 per cent of Australians believing that they had experienced aggressive 'road rage' behaviour. From a list of six types of road rage, 'rude gestures' (75%) and 'verbal abuse' (62%) were the most mentioned types of 'road rage' Australians had experienced from another road user.⁶²

The AAMI *Crash Index*, which uses insurance claims data as well as a national survey of 1,880 licensed drivers around Australia, excluding Western Australia and the Northern Territory, found that feelings about 'road rage' have been very consistent across the 10 years of the survey, and across the states and territories examined. Approximately the same number of people each year consider 'road rage' to be a problem, and consider it to be increasing. The concept, 'road rage', however, is not defined by AAMI, but considered synonymous with aggressive driving (AAMI 2004).

'Road rage' has also been viewed as problematic in overseas countries. In Canada, for example, the Steel Alliance-Canada Safety Council survey found that 73 per cent of Ontario respondents believed that aggressive driving was increasing, while only 22 per cent believed that the amount of aggressive driving was unchanged (Steel Alliance-Canada Safety Council 2000, cited in Tasca 2000). The survey was conducted on a nationally proportionate random sample of 1,008 Canadian residents (Tasca 2000).

Thirty-three per cent of the respondents in the National Highway Traffic Safety Authority (United States) (NHTSA) survey reported they felt driving was more

61 Submission from Ms Colleen Pearce, Director, Victims Support Agency, Department of Justice, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 7 April 2004.

62 *ibid.*

dangerous than it was in the year preceding the survey (NHTSA 1998b). Only 6 per cent felt it was safer, while 54 per cent reported there was little change. Most drivers (65 per cent) reported no differences in the aggressiveness of drivers in their area. Thirty per cent reported aggressive driving was increasing. This stands in marked contrast to the Steel Alliance–Canada Safety Council survey noted above. Similarly, in a 1995 British survey, 62 per cent of the respondent drivers agreed that the behaviour of motorists changed for the worse in recent years (Joint 1995).

In the United States in 1998, Rathbone and Huckabee (1999) administered a survey to 504 organisations, mostly police, and received 139 responses. In response to the question ‘Do you think road rage is a problem in your area?’, some 39 per cent said it was definitely a problem; 15 per cent said it was a problem; and 32 per cent said they didn’t know or were neutral. Some 14 per cent said it was not a problem.

Aggressive driving was also found to be a concern to Canadians in the Traffic Injury Research Foundation survey. When asked to rate the seriousness of aggressive driving on a scale from 1 (not a problem at all) to 6 (an extremely serious problem), 65 per cent of Canadians thought that aggressive driving was a serious or extremely serious problem (Beirness et al. 2001).

‘Road rage’ – the beat-up

These perceptions appear to have been fuelled to a large extent by information disseminated principally by the media.⁶³ The VCCAV (1999) found that in 1997 the public were exposed, on average, to three articles per week about ‘road rage’. The VCCAV concluded that this amount of media coverage, as well as the nature of the reporting, was highly likely to contribute to community concern about the issue. This prevalence of media reporting continues today, as the Committee has found (see below).

Commentators have suggested that the subject of ‘road rage’ seems to be pervasive in the media, and this may be feeding the idea that the actual situation on the roads is deteriorating rapidly. In the United States, for example, news magazines have featured cover stories about ‘road rage’ (see for example, Vest, Cohen & Tharp 1997), while a recent Canadian Broadcasting Corporation story on freeway driving was introduced with a wholly unsupported statement that ‘road rage’ was rapidly increasing on Canadian roads. Media interest in ‘road rage’ seems also to have evolved into a form of dark humour. For instance, a Canadian national newspaper, *The Globe and Mail*

63 A view expressed in the submission from Crime Prevention Victoria, Department of Justice, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 6 July 2004 and by Professor Ann Brewer, Professor of Organisation Logistics, University of Sydney, in conversation with the Committee, Sydney, 17 June 2004; and in the evidence of Superintendent Peter Keogh, Traffic Support Division, Victoria Police, given at the Public Hearing of the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 19 August 2004.

(15 June 1999) reported a bumper sticker reading ‘Honk if you’ve never seen an Uzi fired from a car window’ (Lonerio 2000, pp.4–5).

The ‘road rage’ phenomenon appears to have captured the public’s imagination, and there has been a dramatic increase in the reporting of ‘road rage’ incidents and comment in the media. Some people have argued that ‘road rage’ is simply a manifestation of a general increase in the levels of violence in society, although perceptions of the levels of violence can sometimes be misleading. According to a report published by the Australian Institute of Criminology in 1996, many forms of violence, including those occurring within the family, probably went unreported in earlier times. Since such violence is seen increasingly as a crime, it is possible that the frequency of reporting is increasing, creating the perception of an increasing level of violence (Anonymous 2003a).

Chris Ford, Director, Road Safety and Traffic Management, Roads and Traffic Authority of New South Wales, agreed with this sentiment stating:

In Sydney ... while we have an emerging or increasing incidence of reported concerns about aggressive driving ... I don’t think necessarily it’s out of proportion compared to the more general concerns that people have about security. I’m talking about home invasions here, motor vehicle theft etc ... so it’s those concerns [that] are generally increasing in society, [and] so are concerns about the parallel behaviour on the road (VCCA 1999, p.22).

Survey findings

In the surveys of motoring attitudes conducted every three years by the Australian Automobile Association, the issue of ‘road rage’ has never featured in the top 10 responses to the question, ‘what concerns you about the road?’⁶⁴ Similarly, aggressive driving and ‘road rage’ are issues not often raised by NRMA members in the *Open Road* magazine compared with issues like petrol prices, 4WDs, speeding and speed cameras, licensing and driver training.⁶⁵

The Committee also heard that the NRMA is often asked to provide comments to the media on ‘road rage’ but that it does not seek to draw undue attention to the issue. The position of NRMA is that ‘road rage’ is no different to any other act of violence, except that it is committed on the road. Accordingly, ‘road rage’ was not seen as a key road safety issue. This is reflected by there being no allocation to a specific ‘road rage’ project in the NRMA’s public policy budget. Indeed, the NRMA did not see ‘road rage’ as being as big an issue as other behavioural problems on the road and considered its occurrence to be over-stated by the media. Moreover, NRMA was unable to find any evidence

64 Mr Ken Ogden, RACV, Evidence given at the Public Hearing of the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 22 June 2004.

65 Mr Alan Finlay, NRMA Motoring and Services, in conversation with the Committee, Sydney, 17 June 2004.

that the phenomenon referred to as 'road rage' was increasing over time.⁶⁶ In the NRMA's view, the same sort of people who would be violent in other situations in society were likely to be violent on the road.

Ms Alison Cran, Shire of Yarra Ranges, argued that 'before any assumptions can be made about the prevalence of 'road rage' more information and data need to be collected. She added that media reporting does not accurately reflect the prevalence of 'road rage' and that the lack of accurate measures for 'road rage' may be due to the inability to define this behaviour.⁶⁷

In the United States, Commissioner Dwight O Helmick of the California Highway Patrol stated that:

The nation's motoring public most recently has been confronted by the spectre of "road rage." The encounter occurs largely on television screens and newspaper pages, where descriptions of road rage imply an epidemic. The actual eruption of road rage in highway situations has been, in California Highway Patrol experience, numerically low – apparently no more frequent in 1997... than it was in the year before that and 10 years before that (Helmick 1998, p.12).

Some surveys have found that 'road rage' has, in fact, not increased in incidence or severity over time.

In Parry's 1968 survey of 382 British drivers, 9 per cent of the men and 1 per cent of women reported that they had been in a fight with another driver. Seven per cent of the men and 2 per cent of the women reported that they had deliberately driven at another vehicle. In relatively recent British studies, 0.3 per cent (Sample Surveys 1996), 0.2 per cent (Joint, 1995) and 3.6 per cent (Lajunen, Mesken, Parker & Summala, 1999) of drivers reported that they had physically attacked another road-user at least once, and 0.2 per cent admitted ramming a vehicle (Sample Surveys 1996).

Although these studies cannot be directly compared to each other, and the data from self-reports could be challenged methodologically, it can be claimed that at least the most severe forms of driver aggression have not become more common in the last 30 years, during which time the number of cars on the British roads has risen dramatically. Since proper follow-up studies of aggressive driving are not yet available, suggestions of a drastic increase in driver aggression should be regarded with reservations (Lajunen, Parker & Summala 1999).

In interviews conducted by Lupton (2002), most people thought 'road rage' was becoming more of a problem on Sydney's roads than in the past. Lupton found it notable, however, that 'while nearly all the interviewees in the study

66 *ibid.*

67 Submission from Ms Alison Cran, Director, Community and Cultural Services, Shire of Yarra Ranges, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 22 June 2004.

confessed to experiencing feelings of anger and aggression while driving, very few admitted to actually behaving aggressively while driving, beyond the common and relatively benign actions of tooting horns or flashing headlights' (Lupton 2002, p.287).

Similarly, Davis and Smith (1998) do not believe that a 'road rage' epidemic exists, stating that although police are willing to write more traffic tickets, there is no empirical evidence to support the public perception that aggressive driving is increasing or making roads more dangerous (Burns & Katovich 2003). It was argued that:

Many analysts believe the perception of rising danger on the highway – as measured in public opinion polls – ballooned out of proportion because of a combination of factors: a barrage of media reports stemming from a few bad incidents, an enthusiastic response from police officials and the invention of a catchy label: road rage. The most frightening examples of road rage remain exceedingly rare (Davis & Smith 1998, quoted in Burns & Katovich 2003, p.626).

There is, arguably, a disparity between the perception of the seriousness and extent of 'road rage', and its actual occurrence (Marshall & Thomas 2000). Any conclusions to be drawn from prior research can be challenged however, on the grounds that what is being measured is imprecise, with few studies differentiating between the varying types and degrees of 'road rage' behaviours. Elliott (1999), for example, explained that if we define 'road rage' broadly, to include all aggressive driving actions, then it is widespread – all surveys conducted in the United Kingdom, the United States and Australia indicate that a majority of motorists will experience one or more of such actions over a normal year or two. However, if 'road rage' is defined as an assault (or Road Violence, to use the Committee's term), it is a rare phenomenon.

It has been the Committee's task to inquire into the actual extent of 'road rage' in Victoria to determine whether some of the perceived concerns about the problem can be supported by the available evidence.

The difficulties of measurement

In 1999 the VCCAV referred to an abundance of anecdotal information about aggression and/or violence associated with motor vehicle use on Victorian roads, but pointed out that there was limited research and statistics on the nature of the problem or the extent to which it occurs (VCCAV 1999). In both Australia and overseas, the problem of the lack of accurate data on 'road rage' has been noted in a variety of reports (eg. Joint 1995; Novaco 1998; King & King 1995; Marshall & Thomas 2000; Green 2002; Burns & Katovich 2003; Precker 1998; Tasca 2000).

In the words of Smart and Mann:

Scientific research on road rage is almost nonexistent. In an extensive review of road rage literature involving Medline, Psychological and Sociological Abstracts, only three papers with empirical data were found in scientific journals. There are eight technical reports on road rage as well as several other reports on the Internet giving some scientific analysis or empirical data. However, many of those are focused on aggressive driving and mention road rage only as an aside. In addition, there are several papers in scientific journals which deal with driver anger, but these papers rarely show how driver anger results in road rage. The low volume of scientific literature contrasts strikingly with several media surveys. We surveyed eight major Canadian newspapers for the years 1995–99, with partial data for 2000... We found 123 media reports on road rage in that interval... In the United States, Fumento (1998) found more than 4,000 media reports on road rage for the year 1997 alone (Smart & Mann 2002b, p.184).

Because violence associated with motor vehicle use is not always reported to police, and even if reported may not be separately recorded and identifiable on some police databases, reliance on official statistics is problematic – hence the need for using victimisation surveys.

The evidence received by the Committee also confirmed this view. The Victorian Victims Support Agency, for example, stated that while evidence suggests that aggressive driving is common in Victoria, ‘the extent of the problem is obscured by the lack of agreed definitions and comprehensive data collection processes.’⁶⁸ Similarly, the submission from Urbancyclist noted that while reports of ‘road rage’ towards cyclists and pedestrians are commonly reported, there are few data about the actual occurrence, impact and effects of this violence.⁶⁹ In Sydney, the Committee heard from the NRMA that much of the data in the area blurs aggressive driving and road rage – making it difficult to know how prevalent the more serious behaviours are.⁷⁰

Defining ‘victim’ and ‘offender’

A further problem with measuring ‘road rage’ is the difficulty of defining precisely whether the parties involved in incidents are offenders or victims. Sometimes it is unclear who the victim or perpetrator of a ‘road rage’ incident actually was, with both parties often blaming each other and each, on occasions, contributing to the final outcome of the incident. This may arise due to a misunderstanding, misinterpreted gesture, or lack of awareness that one’s own driving is aggressive. The VCCAV Report (1999) pointed out that 11 per cent of victims perceived the cause of severe ‘road rage’ to be that they

68 Submission from Ms Colleen Pearce, Director, Victims Support Agency, Department of Justice, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 7 April 2004.

69 Submission from Mr Damon Rao, urbanbicyclist.org to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 18 June 2004.

70 Ms Anne Morphet, NRMA Motoring and Services, in conversation with the Committee, Sydney, 17 June 2004.

tooted their horn at the other driver, creating the possibility that the final victim may have contributed to the occurrence. Similarly, in the online submissions received by the Committee, in three of the 16 incidents of Road Violence reported, the eventual final act of violence was committed by the person who was originally the victim of the other party's conduct. In most situations of Road Hostility, it was also the case that both victim and offender engaged in verbal abuse and gestures (see discussion in Chapter 4).

Similarly, a University of Western Australia study found a number of cases in which the police had difficulty identifying a clear victim and offender. In such cases it was suggested that complainants should pursue civil remedies where contributory negligence could be raised to reduce an award of damages (University of Western Australia Crime Research Centre 1997).

Also in 1997, the New Zealand Police study of 16 incidents in New Zealand in which car drivers had exhibited aggression – verbally, or coming to blows following a driving incident – found that in three cases charges for retaliation by way of fighting or assault or driving dangerously were laid against victims (Wright, Gaulton & Miller 1997). The New Zealand Police subsequently increased their sample to 26 cases, of which four victims were charged (one with two offences), including charges of fighting in a public place, assault, dangerous driving, careless driving, and disqualified driving (Gaulton 1997).

Being unable to distinguish between victim and offender makes the task of data collection and analysis all the more difficult, particularly when official statistics record different data fields for victims and offenders.

The problem of under-reporting

One of the main difficulties associated with measuring 'road rage' is the fact that it tends to be an under-reported phenomenon. Often road users who have been subjected to an incident will simply accept that it was a consequence of the driving environment and take the matter no further. This view was expressed in 1997 by Mr Bob Kumar, Senior Magistrate for the Western Region, who observed that 'many drivers just accept that "this is what happens"' (VCCAV 1999, p.18).

There is also the problem that victims may believe it is pointless to report an incident to the police, as it is not perceived to be a criminal offence. This is usually the case in relation to incidents other than Road Violence, as most victims of assault would know that a crime has been committed. On the other hand, some victims may feel that they share some responsibility along with the offender for the incident and could themselves even be charged with an offence if the matter is drawn to the attention of the police (University of Western Australia Crime Research Centre 1997).

A further cause of non-reporting is that often the perpetrator will leave the scene and be unable to be identified by the victim and located by the police. Some offenders could also display false numberplates on their vehicles, which

would impede the process of detection and arrest. Victims of 'road rage' may also not report the incident to the police because of lack of damage to the car, concern about reprisals, a fear of appearing foolish, or through concern at the effect the report may have on their insurance premiums.⁷¹

Obtaining evidence of lack of reporting is difficult in view of the definitional problems involved with police recording of crime, the lack of carefully-controlled victimisation surveys, and the fact that victim support agencies often do not collect data on road rage reporting specifically.⁷² The submission to the Committee from Victoria Police made it clear that the matters identified by police as 'road user violence', for the purposes of the LEAP database, lie at the extreme boundary of 'road rage' in terms of seriousness. It was also pointed out that these serious crimes, often involving assaults, are often reported to police and prosecuted. The less serious matters, defined by the Committee as Road Hostility and Selfish Driving, are much less likely to be reported and unlikely to result in a prosecution.⁷³

It seems, however, that the rates of reporting incidents depend on the seriousness of the crime, whether any injuries were suffered, and the relationship between the perpetrator and the victim. The University of Western Australia Crime Research Centre (1997), for example, argued that incidents involving strangers were more likely to result in a report to the police than incidents involving parties known to each other. Using the Committee's definition of Road Violence, it is to be expected, therefore, that serious incidents of Road Violence would tend to be reported to police.

The Australian Bureau of Statistics *National Crime and Safety Survey* (1993) reported that only one-third of all assaults were reported to police. The *Victorian Crime Victimisation Survey* in 1996 found that of the victims of assault in a private motor car where the victim did not know the offender only 22 per cent reported the crime to the police (cited in VCCAV 1999).

In the VCCAV 1999 study, only 9 per cent of victims of *severe* road rage reported the incident to the police (11 per cent of males and 6 per cent of females). Some 20 per cent of older male victims aged 55–64 reported incidents to the police.

Of the 68 self-reported 'road rage' incidents studied by Fong, Frost and Stansfeld (2001), only 7 per cent were reported to police, although most of the incidents examined were not severe. David Willis, President of the AAA Foundation, observed that 'for every aggressive driving incident serious enough to result in a police report or newspaper article, there are hundreds or thousands more which never got reported to the authorities' (quoted in

71 See www.reportroadrage.co.uk

72 Submission from Crime Prevention Victoria, Department of Justice, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 6 July 2004.

73 Submission from Ms Christine Nixon, Chief Commissioner, Victoria Police, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 30 June 2004.

McMurry 1997, p.94). This view was also expressed in the responses the Committee received to its online survey, particularly from cyclists.

In 1997 Mr Michael Kay, AAMI Executive Chairman, told the VCCAV that evidence of 'road rage' is found in insurance claim forms, but is largely not reported to the police. He therefore believed that the 'road rage' problem had been underestimated (VCCAV 1999).

Impediments to reporting exist at each stage of the criminal justice process. The University of Western Australia Crime Research Centre (1997) saw barriers to reporting occurring because the victim might not regard the incident as involving a criminal offence, the victim might not be willing to involve the police, and even if the matter is reported, the police might decide not to proceed with an investigation.

A submission to the Committee from Bicycle Victoria drew attention to the high rate of under-reporting to police, as well as the refusal of many police officers to proceed with matters not involving serious injuries.⁷⁴ It was submitted that the following factors contributed to under-reporting by cyclists. First, a widely held perception that bicycles have reduced rights on the road, which is apparent from the content of the abuse they receive ('get off the road', 'pay rego', etc.). Second, there is a belief that police are less sympathetic to victims of 'road rage' who are bicyclists and less keen to take up their cases. It was felt that this may be due to police regarding traffic matters as being less important than other serious crime. This view is of less relevance to incidents of Road Violence, as they are serious crimes.

One important consideration identified by Ms Fiona Campbell in her submission to the Committee was that 'road rage' and other traffic incidents very often come down to one person's word against another. Because of the conflicting evidence and lack of corroboration, prosecution may often be impossible. It was further submitted that even if police can gather sufficient evidence to enable the matter to go to court, magistrates and judges are notoriously 'soft on drivers' and that those convicted receive low penalties.⁷⁵

Ms Fiona Campbell, a cyclist, provided the Committee with a list of matters she had reported to the police, and the follow-up and outcomes for each. On one occasion when she arrived at a police station in tears, asking if she could take out an AVO against a driver who had driven at her on a number of different days recently, the officer's response was said to be 'Well, you were

74 Submission from Mr Bart Sbeghen, Campaigns Manager, Bicycle Victoria, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 15 June 2004.

75 Submission from Ms Fiona Campbell to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 21 June 2004. See also discussion on sentencing in Chapter 21.

riding on the road, what do you expect'?'⁷⁶ When giving evidence to the Committee, Mr Bart Sbeghen, Campaigns Manager of Bicycle Victoria, expressed the view that while Bicycle Victoria encouraged cyclists to report 'road rage' to the police, police did not seem to have the capacity or systems to follow up all reports.⁷⁷

Superintendent Peter Keogh, of the Traffic Support Division, Victoria Police, agreed that sometimes people have made contact with the police only to be told, 'there is nothing we can do', without the incident being investigated properly. He thought this could occur sometimes through a police officer's inexperience or a lack of training. Ultimately, however, he observed that at some time police had to make the important decision about whether or not criminal charges should be laid against a person.⁷⁸

On the basis of this information available to the Committee, it appears that serious incidents of Road Violence are, in fact, often reported to police, but that the other categories of 'road rage' such as Road Hostility and Selfish Driving are often not reported. Improvements in reporting would assist not only in enhancing deterrent effects of the law, but also in documenting the scale of the problem.

Recommendation

- 1 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.

76 *ibid.*

77 Mr Bart Sbeghen, Campaigns Manager, Bicycle Victoria, Evidence given at the Public Hearing of the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 21 June 2004.

78 Superintendent Peter Keogh, Traffic Support Division, Victoria Police, Evidence given at the Public Hearing of the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 19 August 2004.

4. The Incidence of Road Violence: Previous Research

Introduction

Over the last 15 years, an extensive range of studies of 'road rage' has been carried out, both in Australia and overseas. Although many of these studies deal with incidents and behaviours outside the Committee's definition of Road Violence, the Committee determined to include the following summary of the principal findings of these studies as background to the present Inquiry. The following discussion deals with the question of the *incidence* of 'road rage' (as variously defined in each study), while information on the *nature* of incidents, *characteristics* of those involved and their *impact* will be presented in Chapters 7, 8 and 9 respectively. Once again, the Committee cautions that the results of each study need to be considered in light of the specific definitions adopted and methodologies employed (some of which, unfortunately, are inadequately reported in publications), and that, as a result, it is unwise to attempt to make direct comparisons between studies.

Rather than present the following information thematically, which would of necessity entail repetition of prior research methodologies, the Committee has decided to present the results grouped according to location in which the research was undertaken, beginning with Victoria, then moving to other Australian research, followed by overseas studies in the European Union, the United States and Canada. Specific thematic discussion will be presented in subsequent chapters when dealing with prevention and reform issues.

Victorian research

Department of Justice, Crime Victimisation Survey 1996

The Victorian Department of Justice's Crime Victimisation Survey asks people in Victorian households about their experiences of crime victimisation during the preceding 12 months ending in November. It asks about offences, including assault, and gathers information such as location, gender and use of weapons.

The results of the 1999 survey did not have any specific information of relevance to the Committee's current Inquiry, although the 1996 survey results,

as reported by the Victorian Community Council Against Violence (VCCAV) (1999), did disclose some pertinent information. The 1996 survey revealed that the second most likely place (after the location 'outside') for an assault by a stranger to occur in was a 'private car'. The survey estimated that 33,767 people in Victoria were assaulted in a private vehicle by a stranger during the 12 months in question.

Unfortunately, no data on the specific circumstances of these incidents were reported and so it cannot be concluded that all of these would have involved Road Violence within the definition adopted by the Committee. However, these data do provide a guide to the relative frequency of assault in a motor vehicle by a person not known to the victim (VCCAV 1999).

Victorian Community Council Against Violence Study

Between 25 November 1997 and 2 December 1997, the VCCAV conducted a survey of 801 Victorian drivers about aggression and/or violence associated with motor vehicle use. The survey was designed to capture people's experiences of aggression and/or violence on the roads in an attempt to measure the incidence of 'road rage' and to become better informed of its nature (VCCAV 1999). The study also aimed to assess people's motivations at different points along the continuum, from relatively minor behaviours, such as shouting and gesturing, to more serious behaviours, such as assault.

The study examined two categories of 'road rage'. These were:

- Mild 'road rage' which comprises the less serious behaviours that fall under the umbrella of 'road rage'. These include: shouting abuse, making obscene gestures, flicking lights on and off, giving a prolonged blast of the horn, deliberately driving too close behind (tailgating) and braking or slowing suddenly; and
- Severe 'road rage' which comprises the more serious behaviours that fall under the umbrella term 'road rage'. These include: following another vehicle, swerving in front of a vehicle, trying to run a vehicle off the road, attempting to stop a vehicle, approaching a vehicle, damaging a vehicle and assaulting or trying to assault a driver or passenger of a vehicle (VCCAV 1999, p.39).

Not every instance of 'severe road rage' would fall within the Committee's current definition of Road Violence, although most would probably do so. Most cases of 'mild road rage' would fall within the Committee's definition of 'Road Hostility'.

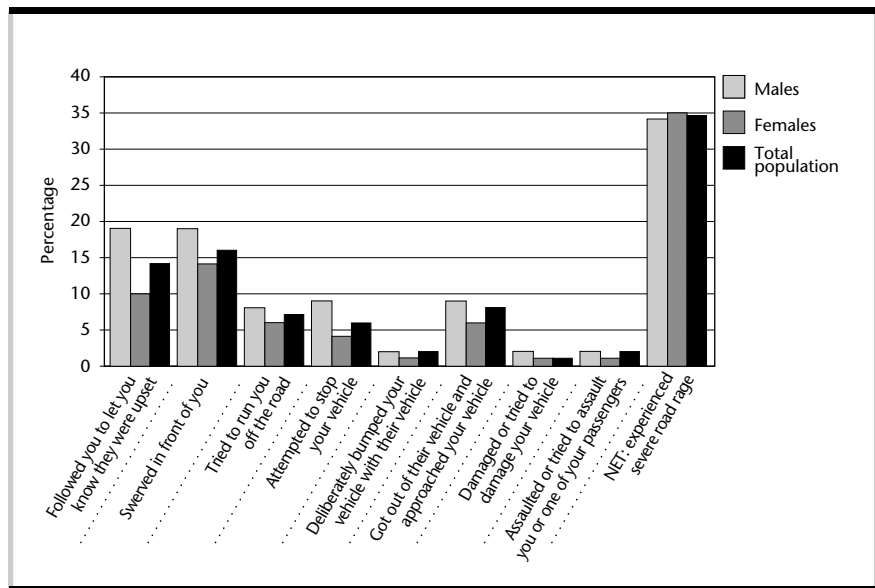
While the various behaviours that comprise 'mild road rage' were relatively frequent, 'serious road rage' behaviours were found to be less common.

Some 58 per cent of Victorian drivers aged 18 or over recalled being a victim of 'mild road rage' as either a driver or passenger within the last 12 months, with 73 per cent recalling having been victims in the last two years. Most people who were victims of 'mild road rage' in the past 12 months reported it happening relatively infrequently. The largest proportion (40%) reported it

only once or twice in the preceding year, with a further 27 per cent reporting it happening once every three to four months.

Some 14 per cent of Victorian drivers aged 18 or over recalled being a victim of 'severe road rage' as either a driver or passenger within the last 12 months, with 18 per cent recalling having been victims in the last two years, and 35 per cent having ever been a victim. Victims of 'mild road rage' were more likely to have also been victims of 'severe road rage' (43%) than the general population (35%) while victims of 'severe road rage' were significantly more likely (91%) to be a victim of 'mild road rage', compared with the general population (73%). These results from the victims' points of view are shown in Figure 4.1.

Figure 4.1: Incidence of 'severe road rage' according to victim



Source: Victorian Community Council Against Violence 1999, p. xiv.

Overall, some 37 per cent of drivers admitted to committing 'mild road rage' in the past 12 months, with 41 per cent having committed it within the last two years. Only 7 per cent admitted to having committed 'severe road rage'.

People who admitted committing 'severe road rage' were more likely (88%) to have been a victim of 'road rage' in the preceding two years than people who have never committed 'road rage' (56%), while perpetrators felt that they suffered 'road rage' more frequently (7% said that they had experienced it every day, compared with 3% of the general population). People who admitted committing 'severe road rage' had over three times the chance of also being a victim of 'severe road rage' (68%) than people who had never committed 'severe road rage' (19%).

In addition to its survey of the public, the VCCAV (1999) compiled a register of Victorian newspaper articles published between 1995 and 1997 that mentioned 'road rage'. The total number of published articles was 169, containing details of 68 separate 'road rage' incidents on Victorian roads, or

over three articles a week. Most articles did not refer to specific instances but merely mentioned the term. Of the 68 Victorian incidents, five were in 1995, 24 in 1996, 36 in 1997 and in four cases dates were not specified. Further information on media reporting is presented in Chapter 6.

Other Victorian evidence

During its Inquiry, the Committee also received evidence of ‘road rage’ and associated behaviours in Victoria. Dr Andrew Carroll, Assistant Clinical Director of the Victorian Institute of Forensic Mental Health (‘Forensicare’), reported that Forensicare prepared approximately 300 pre-sentence reports a year for Magistrates’ Courts in Victoria and that of those, approximately 10 to 20 a year have involved ‘road rage’ type incidents. Precise information concerning conduct within the Committee’s definitions was not, however, recorded.⁷⁹

In 1997 the VCCA had discussions with Mr Bob Kumar, Senior Magistrate for the Western Region of Melbourne, in which it learnt that Broadmeadows Magistrates’ Court, a busy court in the western suburbs of Melbourne, saw criminal cases originating from minor traffic indiscretions on a daily basis. It was also told that ‘road rage’ cases had increased over the previous two to three years, although they had always existed to some extent. It was further observed that women were rarely in court over ‘road rage’ incidents and that people of all ages committed these types of offences. ‘Road rage’ perpetrated by younger people tended to be more violent, while older men were usually involved with less serious charges, such as property damage.

In giving evidence to the Committee during its current Inquiry, Mr Paul Coghlan, Director of Public Prosecutions for Victoria, indicated that although the Office of Public Prosecutions does not maintain any data about ‘road rage’ cases, he believed there were no such incidents dealt with by the Office 10–15 years ago. His view was that they began to become prevalent about five years ago, and that they have continued to be dealt with by the Office at a relatively constant level since then. He estimated that the Office deals with approximately 10 ‘road rage’ cases a year. These are relatively serious assault cases that would fall within the Committee’s definition of Road Violence.⁸⁰

The Committee also received a submission from Mr Russell Lindsay, Officer in Charge of the Victoria Police, Melbourne Bicycle Patrol Group, which noted that his Office received at least one ‘road rage’ incident per month – solely from cyclists.⁸¹

79 Dr Andrew Carroll, Assistant Clinical Director, Victorian Institute of Forensic Mental Health (‘Forensicare’), Evidence given at the Public Hearing of the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 22 June 2004.

80 Mr Paul Coghlan, Director of Public Prosecutions, Evidence given at the Public Hearing of the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 19 August 2004.

81 Submission from Mr Russell Lindsay, Officer in Charge of the Melbourne Police Bicycle Patrol Group, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 22 June 2004.

National Australian research

AAMI Crash Index

The *AAMI Crash Index* is a Report that has been undertaken for the last 10 years with the objective of raising public awareness of road safety issues, and informing and educating drivers about unsafe driver behaviours and accident trends.⁸² The index has been developed using claims data, as well as a national survey of 1,880 licensed drivers around Australia, excluding Western Australia and the Northern Territory. Questions about 'road rage' (which is not defined by AAMI, but considered synonymous with aggressive driving) have been included in the survey since 1996. The tenth *Crash Index* was released in October 2004 (AAMI 2004).

On the basis of the survey findings, it is apparent that feelings about 'road rage' have been very consistent across the 10 years of the survey, and across the states and territories examined. Approximately the same number of people each year consider 'road rage' to be a problem, and consider it to be increasing.⁸³

The principal finding of relevance to the current Inquiry was that 5 per cent of drivers said that they had been physically assaulted by another driver (over 90 individuals). This was the same percentage as in the 2003 *Crash Index*. Some 93 per cent of respondents indicated that they had been subjected to some form of 'road rage' or antisocial driving behaviour at some time. In the 2003 Survey, this was 91 per cent. Three-quarters (77 per cent) had received rude gestures, a large proportion said they had been tailgated (68 per cent) and almost as many (60 per cent) said they had been verbally abused.

With virtually all drivers having experienced antisocial driving behaviour at some point, it is not surprising that three-quarters of drivers (73 per cent) felt that other drivers had become more aggressive over the last year. However, there was significant variation between the states. Queenslanders (76 per cent) were the most likely to agree that drivers had become more aggressive in the past 12 months and drivers in the ACT were least likely to agree (53 per cent). Three-quarters of motorists (72 per cent) said they felt that drivers had become less courteous in the past five years.

It was concluded that those who admit to making rude gestures, tailgating or flashing their lights etc are also more likely to speed. They are also more likely to have poor driving practices and to be involved in a violent confrontation. They are also more likely to be the ones who are involved in an altercation of some sort⁸⁴ and twice as likely as the rest of the sample to have experienced physical assault.

82 Mr Ron Arnold, General Manager, Corporate Affairs and Executive Office, AAMI, Evidence given at the Public Hearing of the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 21 June 2004

83 Mr Frank Peppard, Manager, Corporate Affairs, AAMI, Evidence given at the Public Hearing of the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 21 June 2004.

84 *ibid.*

Bulletin survey

In May 1998, a Morgan Poll was conducted for the *Bulletin* magazine of 641 Australians aged 14 and over to determine their experience of ‘road rage’ (Dean 1998). It was found that 84 per cent of respondents had been victims of some type of aggressive ‘road rage’ behaviour, generally of the less serious types that would fall within the Committee’s definition of Road Hostility or Selfish Driving. Some 4 per cent, however, had been physically attacked, and another 4 per cent reported that someone they were with had been physically attacked. The prevalence of reported incidents differed marginally between the various states, with South Australia having the highest percentage (88% of respondents were victims), followed by Western Australia (87%), Queensland (86%), Victoria (85%), New South Wales (81%) and Tasmania (59%).

New South Wales research

During the Committee’s visit to Sydney, research was obtained from the New South Wales Police of the number of charges laid in that state in respect of alleged infringements of the New South Wales legislation enacted by the *Traffic and Crimes Amendment (Menacing and Predatory Driving) Act 1997* (NSW). Table 4.1 sets out the number of charges and convictions obtained for the two offences of menacing driving (both a possibility of menace and an intention to menace) and predatory driving.

Table 4.1: Menacing and predatory driving charges and convictions in New South Wales

Year	Menacing Driving		Predatory Driving		Total	
	Charges	Proved	Charges	Proved	Charges	Proved
1999	3	-	12	-	15	-
2000	176	59	1	-	177	-
2001	169	66	16	-	185	-
2002	172	91	13	-	185	-
2003	173	-	12	-	185	-
2004	82	-	6	-	88	-
Total	775	-	61	6*	836	-

Note: - indicates information unavailable.

* only total charges proved is available.

Source: NSW Police Service, unpublished data.

In addition, the New South Wales Road Traffic Authority established a ‘Sharing the Roads Hotline’ in November–December 1996, which took calls from the general public about complaints or comments they had about using the roads. Participants were asked what their complaint related to, such as speed, distance between vehicle, cyclists, aggression, inattention, driving technique, or other. Reark Research was engaged to analyse the calls to the Hotline and although the respondents were self-selected rather than random, the findings are of some interest.

The findings showed that 29 per cent of the 1,070 individuals who called the Hotline made complaints relating to aggression/attitude of drivers or pedestrians, with the most frequently mentioned problems relating to aggressive driving (9%) and verbal abuse (7%) (VCCAV 1999). Other callers complained of incompetent, dangerous, careless or illegal road use practices (Mooren 1997).

Western Australian research

The University of Western Australia's Crime Research Centre undertook a study into driving-related violence for the Western Australian Royal Automobile Club. Data used for the study came from incidents of driving-related violence present on the Used Offence Information System (OIS) of the Western Australia Police Service from 1991 to 1995 (University of Western Australia Crime Research Centre 1997; Harding et al. 1998).

This study was limited to violent rather than aggressive road incidents, which approximated the Committee's category of Road Violence. As a result, various acts that might have involved Road Hostility and Selfish Driving were excluded, including tailgating, gesturing, verbal abuse. Also excluded were acts involving property damage which could, potentially, involve incidents of driving-related violence where directed at an individual's vehicle. The research also was confined to driving-related violence that had come to the attention of the police, thus excluding unreported matters. The study examined offences involving physical assault, threats, driving causing death or bodily harm and damage to motor vehicles and other property. Only offences involving strangers were classified as 'road rage' and incidents in which the offence location was listed as 'vehicle', 'street/road', and 'car park', were also included.

Rather than relying solely on offence descriptions, the researchers examined the narratives written by police to determine which cases were to be included. Some 7,326 offence narratives were examined and, on average, approximately 10 per cent involved incidents of driving-related violence – a total of 797 incidents (10.9%).

A sample of 200 other narratives attached to cases involving property damage was also considered and 17 of these (8.5%) would have fallen within the definition of driving-related violence. Accordingly, if property damage cases had been included the total sample of driving-related violence cases would have been considerably larger.

The study showed that the number of incidents of driving-related violence increased between 1991 and 1995, but remained relatively stable as a proportion of all street assaults by strangers during the same period.

Table 4.2 shows the number of incidents of driving-related violence reported to police per year and the proportion of annual street assaults by strangers.

Table 4.2: Western Australian driving-related violence incidents, 1991–1995

Year	Number of incidents	Incidents as a % of all street assaults by strangers
1991	119	9.8
1992	135	10.8
1993	143	10.3
1994	202	12.6
1995	198	10.5
Total	797	10.9

Source: University of Western Australia Crime Research Centre 1997, p.36.

Table 4.3 below shows the rate of driving-related violence incidents as a proportion of the population and of the number of registered vehicles in both Western Australia and the Perth metropolitan area. The rate of such cases was also estimated as a proportion of Perth traffic volume, using Causeway and Narrows Bridge data as crude measures of traffic flow in the metropolitan area. Rates show a slight increase from 1991 to 1995 with a peak in 1994.

Table 4.3: Driving-related violence incidents as a proportion of population, number of registered vehicles and metropolitan traffic volume in Western Australia

Year	1991	1992	1993	1994	1995
Incidents	119	135	143	202	198
Incidents/100,000 WA residents	7.3	8.1	8.5	11.9	11.4
Incidents/100,000 registered vehicles in WA	11.2	12.5	12.9	17.7	16.8
<i>Perth metropolitan area only:</i>					
Incidents	114	129	133	187	178
Incidents/100,000 metro residents	9.6	10.7	10.9	15.1	13.9
Incidents/100,000 metro reg vehicles	14.7	16.3	16.4	22.4	20.7
Incidents/annual metro traffic flow*	1.4	1.6	1.6	2.2	2.0

Source: University of Western Australia Crime Research Centre 1997, p.36.

Following the completion of this research, additional research was undertaken of incidents reported to police in the years 1996–2000. The preliminary results of this analysis were reported to the Committee during its current Inquiry.⁸⁵

Generally, the results for the subsequent five-year period were very much the same as over the first five-year period, with the trends being largely confirmed. Between 1991 and 1995, 797 incidents were reported to the police, while between 1996 and 2000 1,404 incidents were reported. Overall, there had been an increase in the number of incidents over the 10-year period and as a proportion of the population there had also been an increase. In terms of street assaults, however, there has been no increase at all, with driving-related

85 Dr David Indermaur, Senior Research Fellow, Crime Research Centre, University of Western Australia, in conversation with the Drugs and Crime Prevention Committee, 21 June 2004.

violence incidents remaining constant as a proportion of street assaults by strangers (between 10 and 11 per cent).⁸⁶

The researchers then examined a number of other characteristics of incidents and participants that will be discussed in Part C of this Report.

European Union research

EOS Gallup Europe

One of the most important overseas studies of relevance to the current Inquiry was that undertaken by European Omnibus Survey (EOS) Gallup Europe (2003) on behalf of the Responsible Young Drivers' Foundation, Belgium. Between November 2002 and January 2003 a telephone and face-to-face poll was conducted with a representative national sample of driving-licence holders who had driven a car in the preceding 12 months. Some 13,673 citizens from 23 countries across the globe were interviewed. The countries included 15 from the Member States of the European Union; three of the candidate countries – the Czech Republic, Cyprus and Slovenia; and representatives from Argentina, Russia, Japan, Australia and the United States. In Australia, 507 interviews were conducted by Roy Morgan research.

The survey examined aggressive behaviour that fell within the definition devised by Tasca (2000), defined as follows: 'a driving behaviour is aggressive if it is deliberate, likely to increase the risk of collision and is motivated by impatience, annoyance, hostility and/or an attempt to save time' (EOS Gallup Europe 2004, p.3).

In terms of incidence of conduct approximating Road Violence within the Committee's definition, responses to the survey by drivers who had experienced 'attacks or attempted physical attacks' are shown in Table 4.4.

86 Dr Lynne Roberts, Research Fellow, Crime Research Centre, University of Western Australia, in conversation with the Drugs and Crime Prevention Committee, 21 June 2004.

Table 4.4: Percentage of drivers who had experienced 'attacks or attempted physical attacks' in the last 12 months

Country	Percentage
USA	3
Argentina	7
Russia	2
Japan	2
Australia	10
European Union Countries	
Belgique	5
Danmark	4
Deutschland	2
Ellas	6
Espana	5
France	4
Ireland	3
Italia	2
Luxembourg	4
Nederlands	2
Osterreich	6
Portugal	8
Finland	1
Sweden	3
United Kingdom	4
Czech Republic	3
Cyprus	5
Slovenia	5
Overall Mean	4

Source: EOS Gallup Europe 2004, p.26.

It appears from this Table that Australia had the highest percentage of drivers who had experienced actual attacks or attempted attacks (10%), with the mean for all countries surveyed being considerably lower at 4 per cent.

In terms of 'aggressive driving behaviours' generally, the study found that in many countries high proportions of drivers had been victims of aggressive behaviour (66% in the United States, 48% in the European Union), with considerable proportions of respondents reporting that they had been subject to aggressive driving behaviour. Some 51 per cent of respondents in the European Union and 68 per cent of respondents in the United States admitted to displaying aggressive behaviour themselves. There was a strong relation between showing aggressive behaviour and being a victim of this: 70 per cent of drivers in the European Union who admitted to showing aggressive behaviour on several occasions claimed to have been subject to this from other drivers (EOS Gallup Europe 2004).

The research also found that the types of aggressive driving behaviour varied across continents and countries. This was partly explained by differences in culture and perceptions of acceptable driving behaviour. For example, aggressive or obscene gestures ranged from 77 per cent of very irritated drivers in Australia to 9 per cent in Japan. Looking at the evolution in results since

1999 for potentially 'irritating behaviours', it was apparent that for some countries the level of acceptability increased over the period as the proportion of 'very irritated' drivers decreased, while there was a parallel increase in the proportion of 'mildly irritated' drivers (EOS Gallup Europe 2004, p.99).

Lease Plan

In 1999, Lease Plan, a company which organises and finances company cars for larger companies in the United Kingdom, Spain, France, the Netherlands and Norway, conducted a survey of company car drivers in each of the five countries. There were 1,750 respondents (350 from each country) with approximately 10 per cent of the sample being female drivers. Table 4.5 sets out the results of this survey.

Table 4.5: Percentage of drivers who acted aggressively towards other drivers in Europe

Question/Country	Great Britain	Spain	France	Netherlands	Norway	Average
Acted aggressively against other drivers?*	55	54	57	35	68	54
Obscene gestures?***	66	42	56	51	59	55
Verbal abuse?***	50	60	57	30	29	46
Dangerous driving?***	10	9	7	19	20	13
Chasing car in front?***	7	6	9	11	7	8
Physical assault?***	1	0	2	0	0	1
Seriously threatened by other drivers?*	41	16	46	33	15	30

* All drivers (N=1,750)

** Subsample: Responded 'Yes' to acting aggressively against other drivers (N=942)

Source: Vaa 2000, p.190.

On average, 54 per cent of all drivers admitted to having acted aggressively against other drivers. Great Britain, Spain and France were all found to be average, with the Dutch far below and the Norwegians more aggressive. There was some inconsistency between acting aggressively and being seriously threatened by others for Spanish and Norwegian drivers, but not for others. Vaa (2000) explains this as possibly due to different interpretations of 'serious threats' by different countries' respondents. Only very small percentages of French and British drivers admitted physical assaults.

Belgium – Antwerp Police Study

In Belgium a study was undertaken of 'road rage' cases reported to the Traffic Police Department of Antwerp Police between 1996 and 1999. The results are shown in Table 4.6.

Table 4.6: Number of road rage and general violent crimes reported to Antwerp Police 1996–1999

Category	1996	1997	1998	1999
Assault & battery – general crime	3,560	4,062	3,862	3,824
Road rage (injury)	229	349	345	209
% Road Rage (injury) out of Assault & Battery	6.4	8.5	8.9	5.4
Road rage (only damage)	88	104	100	64

Source: Kluppels 2004.⁸⁷

Individual administrative files were examined for 299 cases that took place between July 1997 and June 1998.⁸⁸ A slight increase was found over time, which was attributed mainly to newspaper reports of the problem of ‘road rage’ following a call by police for people to make complaints, thus leading to an overall increase in cases reported. Further information about the characteristics of those involved and the incidents concerned is presented in Part C of this Report.

United Kingdom research

In the United Kingdom considerable research was undertaken into the problem of aggressive driving in the late 1990s. Vaa (2000) produced the following table summarising some of this work in the United Kingdom (see Table 4.7 below).

Table 4.7: Summary of British research on aggressive driving 1996–1998

Study and country	Sample	Prevalence of aggressive behaviour types
Sample Surveys Ltd, 1996	Car drivers, lifetime prevalence experience	‘Bullied when driving’: 49% Verbally abused: 40% Physically assaulted: 2%
Lex Report of Motoring Joint 1995	Drivers, preceding 12 months Members of UK Automobile Association, last 12 months (n = 526)	Gestural or verbal abuse: 44% ‘Road rage experiences’: 90% Close following/tailgating: 62% Drivers admitting ‘losing their temper’: 60% Headlight flashing: 59% Obscene gestures: 48% Physically assaulted: 1%
Parker et al 1998	Self selection sample/Advertising (n = 270)	Chasing others, showing hostility towards others, annoying others by using the horn: 89%

Source: Vaa 2000, p.189.

87 Evidence given to the Committee by Mr Ludo Kluppels, Policy Coordinator, Belgian Road Safety Institute, during discussion of *Road Rage in Belgium: An Overview of Facts and Actions*, Brussels, 7 July 2004.

88 Ruypers (2001), ‘Expertmeeting verkeersagressie’ lecture on the ‘Staten-Generaal voor de verkeersveiligheid van de provincie Antwerpen’, January (cited in *Road Rage in Belgium: An Overview of Facts and Actions*, given to the Committee by Mr Ludo Kluppels, Policy Coordinator, Belgian Road Safety Institute, Brussels, 7 July 2004).

Of interest to the Committee are the results showing that 1–2 per cent of drivers had suffered assaults in connection with aggressive driving-related incidents.

The results of these research studies differ considerably from each other, probably due to differences in definitions of the key terms and concepts being used in the various surveys. For example, a survey of 526 motorists conducted by the Automobile Association (Joint 1995) revealed that within the previous 12 months almost 90 per cent of those surveyed stated that they had experienced behaviour that could be classified as 'road rage'. This was supported by Sample Surveys (1996) which found that 92 per cent of motorists had experienced some form of 'road rage'. However, a more recent study (RAC 2000) reported that 50 per cent of a sample of drivers had been victims of 'road rage' in the last 12 months (Marshall & Thomas 2000).

The Automobile Association study also found that 62 per cent of those surveyed believed motorists' behaviour had become worse in recent years, with 34 per cent feeling there had been no real change, 2 per cent believing it was better, and 1 per cent not knowing. Motorists aged 35–54 years were most likely to feel that motorists' behaviour was worse (73%). However, Smart and Mann (2002b) note that the report gave no indication of how the survey sample was selected and interviewed, nor was any indication given of how representative it was.

British Crime Survey 1998

Three questions concerning aggressive driving behaviour were included in one of the follow-up sections of the 1998 British Crime Survey. After an initial filter question to ensure respondents had driven within the preceding 12 months, questions were asked to gauge victims' experience of the following behaviours: verbal abuse or gestures; being forced to pull over or forced completely off the road; and other drivers getting out of their cars and threatening violence. The analysis was based on the responses of 4,565 individuals (Marshall & Thomas 2000).

Over half (54%) of all respondents who had driven a car or a van in the past 12 months reported being a victim of some form of 'road rage', as defined by the British Crime Survey. This was somewhat lower than that reported in other surveys. However, in line with previous studies, most people claimed to have experienced the less serious forms of road rage. Fifty-two per cent said they had experienced verbal abuse or gestures from another driver and 9 per cent said they had been forced to pull over or forced completely off the road. Only 3 per cent said that another driver had got out of the car and threatened violence. Although these results provide useful information on the proportion of victims experiencing different types of 'road rage', it does not provide details on what proportion experienced more than one form of behaviour within a single incident. This means that the extent to which more minor incidents of road rage precipitate those that are more serious is unclear from this data (Marshall & Thomas 2000).

United States research

Aggressive driving research

The issue of driver aggression and road rage has been examined to a great extent in the United States. Much of the research has, however, examined behaviour that would fall within the Committee's definition of Road Hostility or Selfish Driving, as opposed to Road Violence.

An early study of Salt Lake City drivers in 1975, for example, reported that 15 per cent of males and 11 per cent of females made rude signs at other motorists when provoked (Turner, Layton & Simons 1975). Hemenway and Solnick (1993) also found that 46 per cent of men and 31 per cent of women admitted to ever having made an indecent gesture toward another driver.

A later study by Mizell (1997) found that an average of *at least* 1,500 men, women, and children were injured or killed each year in the United States as a result of 'aggressive driving', while a study by Parker, Lajunen and Stradling (1998) found that 89 per cent of 270 drivers admitted sometimes committing aggressive violations such as chasing other drivers, indicating hostility to other drivers, or sounding the horn to indicate annoyance with other drivers (cited in Underwood et al. 1999).

Rathbone and Huckabee (1999) conducted a number of surveys of Police Departments in the United States, but all had low return rates, thus making the results not representative. The first of these surveys was of 504 police jurisdictions in large cities in 1998. Only 28 per cent replied. Of the respondents, 54 per cent indicated that 'road rage' was a problem, and over half of these (29%) had implemented programmes to deal with it – mostly concerning increased police activity or education.

A study by Underwood et al. (1999) found that 85 per cent of participants reported experiencing anger while driving on at least one occasion during the two-week period of the study. Underwood et al. concluded that driving anger was a real phenomenon worthy of further consideration, with 37 per cent of incidents occurring after a near accident, and 65 per cent being unrelated to near accidents.

In a national survey on driving behaviour in the United States, a Michigan firm, EPIC-MRA, found that 80 per cent of drivers reported being angry most or all of the time while driving. Simple traffic congestion was said to be one cause of irritation, although many other behaviours were found to increase anger. More than one-third of respondents to the Michigan survey said that they became impatient at stoplights or when waiting for a parking space, with an additional 25 per cent becoming impatient waiting for passengers to get into cars. A further 22 per cent said they get angry when a multi-lane highway narrows (Ferguson 1998).

Crimmins and Callahan (2003) conducted a general telephone survey about lifestyle, which included questions about how often the 13,300 respondents 'gave the finger' to someone while 'driving my car'. Only 28 per cent of adults surveyed admitted to giving the finger while driving in the past year. There were no differences in giving the finger in rural areas, suburbs, small cities or big cities. Men were significantly more likely to give the finger than women (35% of men gave the finger in the past year, compared with 21% of women; with a mean frequency 3.0 for men and 1.4 for women. Among those who had given the finger while driving, women had acted in this way 6.9 times in the past year, whereas men had given the finger 8.8 times in the past year).

The impact of age was even greater than for gender. The average frequency of giving the finger was approximately five times higher among men aged 18–24 than among men aged 60–64. The average frequency among women aged 18–24 was 10 times higher than among women aged 60–64. Generally, the frequency declined rapidly in one's 20s and 30s and more slowly thereafter. At every age, however, men were more likely to exhibit this behaviour than were women. Controlling for other factors, the frequency of someone giving the finger while driving was found to be 45 per cent higher among those without a college degree than among those with a college degree, but level of income had no effect on the frequency of giving the finger (Crimmins & Callahan 2003).

Road violence research

Other research in the United States has examined behaviours that would equate to Road Violence within the meaning of the Committee's definition.

In California since 1989, the California Highway Patrol has maintained a record of offences related to 'road rage' (Helmick 1998). In 1989, for example, there were 216 reports of use of a vehicle to assault another party (the highest on record), while in 1997 there were 207 such reports (second highest). In 1993, there were 18 reports of shooting at an occupied vehicle and 10 such reports in 1997. Reports of reckless driving peaked in 1988 at 3,133 reports, and have declined since to 1,117 in 1997. There were 160 reports of throwing an object at a vehicle in 1988, which have gradually increased to a high of 272 in 1997. It appears that the numbers describe no particular pattern. 'Even lacking figures from municipal jurisdictions, it appears that occurrences of serious road rage are neither frequent nor increasing' (Helmick 1998, p.12).

Psychologist Arnold Nerenberg claimed in 1997 that some 53 per cent of the United States population had a 'road rage' disorder, with 1.788 billion episodes occurring each year. Nerenberg defined 'road rage' as going beyond mere aggressive driving and entailing serious conduct. This estimate was calculated from the results of interviews conducted by a sample of 585 self-selected subjects in which questions were asked about their driving behaviour. Some 53 per cent of those surveyed had evidence of a 'road rage' disorder, with subjects on average indicating they engaged in 'road rage' behaviours 27 times a year. With a minimum of 125 million drivers on the road, there would be 1.788

billion instances of ‘road rage’ occurring per year, with approximately equal numbers for men and women (Evidence cited in United States Subcommittee on Surface Transportation 1997).

One study comparing samples of 173 American drivers with 111 Canadian drivers in 1998, found that Canadian drivers tended to have more aggressive behaviours than American on a number of dimensions:

- People who have made insulting gestures – Canadians (27%); Americans (18%)
- People who have deliberately cut off another driver – Canadians (21%); Americans (15%)
- People who have chased another car – Canadians (22%); Americans (8%)
- People who have used car as a weapon to attack – Canadians (7%); Americans (3%)
- People who have gotten into a physical fight over driving – Canadians (5%); Americans (2%) (Sheremata 1998, p.32).

One study in California analysed calls made by drivers within San Diego County to the California Highway Patrol Hotline on their cellular phones over three months in 1998 (April, June and September, less five days in April for which data was unavailable). Callers reported driving behaviors that they felt were dangerous. The reported incidents were assigned a CAD (Computer Aided Dispatch) number and other information was recorded including date, time, location, type of offence, and sometimes a description. The information provided in the CAD records was then classified for analyses under six categories: speeding, tailgating, running vehicles off the road, weaving, cutting vehicles off, and other (Sarkar et al. 2000).

The researchers made a distinction between ‘road rage’ and ‘aggressive driving’ based on whether there was specific intent to harm a person or whether it was intentional but not specifically-targeted driving behaviour. This meant that some acts could not be easily classified given the amount of information they were relying upon.

The calls were classified into five categories:

- ◆ Aggressive Driving 1 (AAG.1)– Speeding with any other type of transgression (eg. unsafe lane changes, unsafe passing): 489 incidents (24.6%).
- ◆ Aggressive Driving 2 (AAG.2)– Weaving, cutting in or both, with no mention of speeding: 537 calls (27%) This was seen as a different pattern of aggressive driving – a type more likely to occur during congestion, and so less likely to involve speeding.
- ◆ Aggressive Driving 3 (AAG.3)– Incidents that involved tailgating: 248 incidents (12.5%), which was seen as a more severe form of aggressive

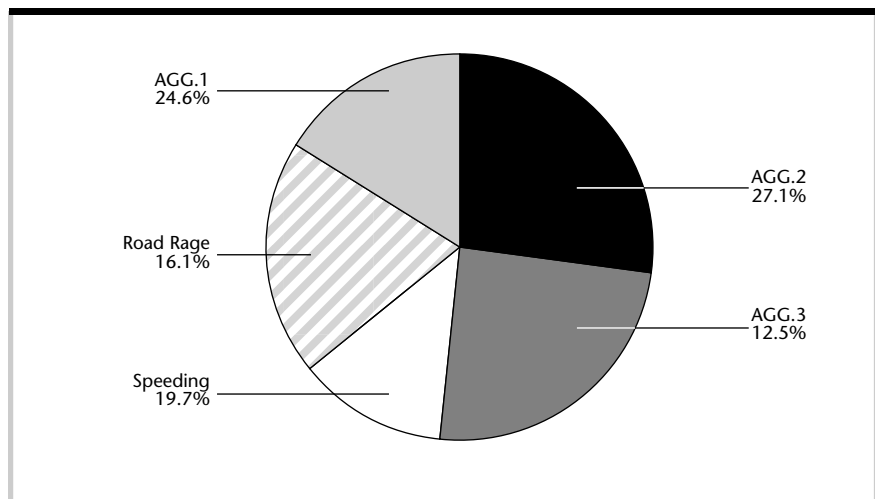
driving, with some incidents probably referring to 'road rage', but not able to be determined from available information.

- ◆ 'Road Rage' – Incidents that did not fall in other categories (eg. running vehicles off the road): 320 incidents (16.0%). Some of the descriptions include: 'harassing or threatening others verbally', 'using rude language or gestures', 'flashing high beams or headlights', 'honking', 'slamming on brakes in front', 'preventing others from passing', 'threatening others with a weapon' (eg. knife, gun, throwing objects, etc), 'firing shots', 'hitting vehicles with objects', 'hitting other vehicles with vehicle', 'chasing another vehicle', 'trying to run someone down', and 'trying to run someone off the road' (Sarkar et al 2000, p.10).

In addition, a further category, Speeding Alone, had 393 calls (19.7%). This was considered separately, as it might not have amounted to aggressive driving depending on the number of other people present at the time it took place, and other accompanying circumstances.

The findings of the study are shown in Figure 4.2.

Figure 4.2: Categories of calls made to the California hotline in 1998



Source: Sarkar et al. 2000 p.10.

In 2001, another survey was undertaken of 209 current drivers who were patients attending a general practitioner's surgery. Of these, 131 agreed to complete the survey, with 53 per cent reported being victims or perpetrators of a 'road rage' incident in the previous five years – 38 victims, 16 perpetrators and 14 victims and perpetrators. The majority of incidents were not severe. Twelve per cent of the sample reported an accident occurring immediately prior to the incident, 15 per cent reported damage to person or property during the incident, 32 per cent reported either party getting out of the car and 7 per cent reported police involvement. In all, some 83 per cent reported some form of verbal abuse and 47 per cent reported being involved in a heated argument.

Even though this was a small sample of drivers, there was one serious physical assault reported by the victim (Fong, Frost & Stansfeld 2001).

A larger survey was undertaken by Wells-Parker et al. (2002) in which 1,382 people in the United States were surveyed by telephone about their experience of ‘road rage’ and related behaviours. The results are shown in Table 4.8.

Table 4.8: Unweighted responses of ‘road rage’ telephone survey

Behaviour	Frequency			
	Never	Rare	Sometimes	Often
Say bad things to yourself about another driver	15	23	40	22
Complain/yell about another driver to your passenger	26	22	39	13
Give other drivers dirty looks	42	17	32	8
Honk/yell at someone through window	62	18	17	3
Obscene gestures at other driver	84	9	6	1
Think about physically hurting other driver	89	5	4	1
Follow/chase other driver in anger	97	3	<0.05	0
Make sudden or threatening driving moves	95	4	1	≤0.01
Tailgate others to force move	87	7	6	≤0.1
Speed past other car/rev engine to show displeasure	87	8	6	<0.05
Keep someone from entering lane from anger	81	12	6	1
Deliberately prevent other driver from passing	91	5	3	≤0.05
Try to cut another car off road	98	1	<0.05	≤0.01
Get out of car to argue with another driver	98	2	<0.05	≤0.01
Deliberately hit another car	99	<0.05	<0.01	0
Get out of the car to hurt other driver	99	<0.05	<0.01	0
Carry weapon if needed for driving incident	96	1	2	1

Source: Wells-Parker et al. 2002, p.273.

Generally, Wells-Parker et al. (2002) found that relatively innocuous verbal expressions of anger and aggression were common, with most respondents indicating they had said bad things to themselves or complained to passengers. Most drivers had sometimes given other drivers a dirty look and approximately 40 per cent indicated they had honked or yelled through a window in annoyance. Only 16 per cent admitted to expressing anger more provocatively by making obscene gestures, with less than 1 per cent doing this often. Only 10 per cent admitted to actually thinking about hurting another driver.

Few admitted to ever engaging in each of the potentially hazardous driving behaviours, such as speeding past other cars, tailgating or preventing lane entry/passing. Blatant and threatening expressions of anger were rarely reported – with less than 5 per cent reporting ever having chased other drivers in anger, making threatening driving moves, or trying to cut drivers off the road. Actual confrontations were rare – less than 2 per cent had ever left the car to argue with or injure another driver, or deliberately hit another car. Only 37 of the 1,382 respondents (2.7%) reported ever having a confrontational incident.

In 2002 a survey was carried out of 790 licensed drivers in Arizona (Miller et al. 2002). The survey found that:

- ◆ 34 per cent of respondents reported having made obscene gestures or cursing at other drivers over the 12 months prior to the survey;
- ◆ 28 per cent reported driving aggressively by following or blocking other drivers; and
- ◆ 7 per cent reported engaging in at least three of the above four behaviours (obscene gestures, cursing, following, blocking).

Rude and hostile behaviour while driving was significantly more common among men, young adults and people who carried firearms in their cars.

Men and people with guns in their cars were about three times as likely to engage in three of the four behaviours than women or people without guns. Younger drivers were more likely than older drivers to commit each of the behaviours, even after controlling for driving frequency.

It was argued that the high correlation between carrying guns and aggression could be due to those carrying guns being predisposed to hostile behaviour; having a gun emboldening them to act aggressively; and/or higher rates of hostility in the area, requiring them to carry a gun as protection and increasing the likelihood of an aggressive response resulting.

Driving frequency, race, education, marital status and income were not associated with rude or aggressive driving behaviour. There was a correlation between being a victim of such behaviour and committing it. Of the 413 respondents who reported cursing/making obscene gestures, 70 per cent reported being on the receiving end of such behaviour, as opposed to 42 per cent of respondents who reported refraining from such behaviour. Similarly, of the 211 respondents who reported aggressively following/blocking other drivers, 96 per cent reported being on the receiving end, as opposed to 81 per cent who refrained (Miller et al 2002).

Canadian research

In Canada, the Steel Alliance-Canada Safety Council conducted a survey employing a nationally-proportionate random sample of 1,008 Canadian residents, (see Tasca 2000). Acts of aggressive driving that occurred within the previous year were reported by the Ontario sub-sample as shown in Table 4.9.

Table 4.9: Aggressive driving reported in the Steel Alliance-Canada Safety Council survey

Behaviour	Per cent answering yes
Driven through yellow lights that are turning red	69
Driven 20kms or more over the speed limit	60
Changing lanes without signalling	30
Tailgated or driven too close behind another car in front of you	21
Flashed high beams at car in front of you	16
Made rude gestures	15
Waited until last second to merge with traffic on highway	14
Pulled into parking space someone else is waiting for	9
Passed on the shoulder of the road	7

Source: Tasca 2000, p.11.

Another survey conducted by the National Highway Traffic Safety Authority (NHTSA), found that the most frequently cited threatening behaviours were as shown in Table 4.10.

Table 4.10: Threatening driving behaviours found in the NHTSA survey

Behaviour reported by respondent	Per cent
Another driver had cut very closely in front of me	36
Another driver drove very closely behind me	19
Another driver passed me in a dangerous manner	15
Another driver cut me off at an intersection or exit	13
Another driver made an obscene or threatening gesture	5
Another driver wove in and out of traffic	4

Source: Tasca 2000, p.12.

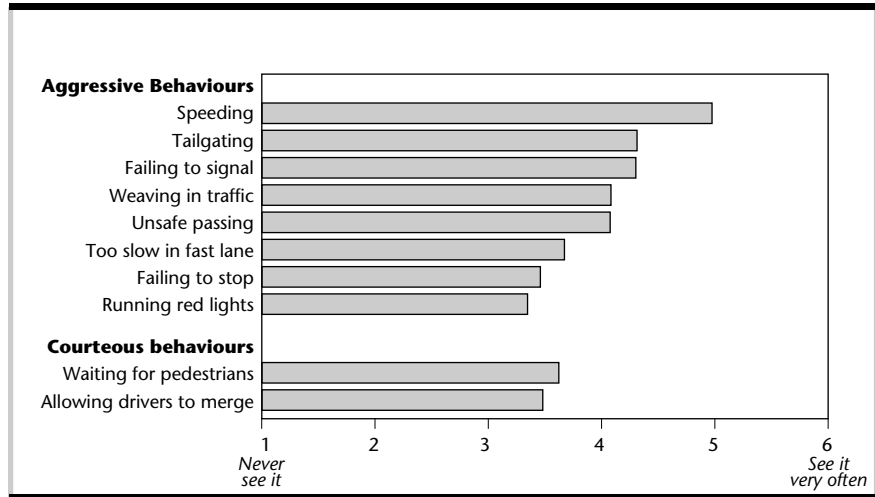
Interestingly, one in five respondents reported an incident of tailgating within the past year while only one in 20 reported being the target of an obscene or threatening gesture. The incidence of obscene or threatening gestures again seems lower than one might expect based on anecdotal and media accounts. Of course, if the question had asked whether a respondent had ever been the target of an obscene or threatening gesture, the reported incidence would have most likely been higher. Hemenway and Skolnick (1993), for example, reported that 46 per cent of male drivers and 31 per cent of female drivers admitted to ever having made an indecent gesture at another driver (Tasca 2000).

The Traffic Injury Research Foundation, as part of its 'Road Safety Monitor Attitude Survey', included a number of questions relating to aggressive driving in its survey conducted between late March and early April in 2001. The final sample of 1,207 was weighted to make the responses representative of the Canadian national population (Beirness et al. 2001).

In response to this survey, Canadians reported many types of aggressive driving behaviours quite often. Figure 4.3 shows how often Canadians, on average, saw each of eight aggressive driving behaviours and, by way of comparison,

two courteous driving behaviours. 'Among the aggressive driving behaviours, speeding was seen most frequently, followed by tailgating, and failure to signal lane changes. Failing to stop at a stop sign and running a red light were the least frequently observed aggressive driving behaviours' (Beirness et al. 2001, p.11).

Figure 4.3: Perceived frequency of 10 driving behaviours



Source: Beirness et al. 2001, p. 11.

The survey found that Canadians saw courteous behaviours infrequently. Respondents were asked how often they had seen drivers waiting for pedestrians to cross, and how often they were let into a line of traffic. As shown in Figure 4.3, above, these courteous behaviours were not witnessed very often. Indeed, only two aggressive driving behaviours – failure to stop at a stop sign and running a red light – were seen less frequently than the two courteous driving behaviours (Beirness et al. 2001).

In Ontario, Mann, Smart and their colleagues carried out research known as the CAMH (Centre for Addiction and Mental Health) Monitor, a repeated cross-sectional telephone survey of 2,610 adults conducted in two phases – between July and December 2001, and January and June 2002. Questions about experiencing 'road rage' behaviour as perpetrator and victim during the preceding 12 months were included. The primary results concerning incidence are shown in Table 4.11.

Table 4.11: Prevalence of road rage victimisation and perpetration: 2001–2002 Ontario CAMH Monitor Data

Behaviours	Percentage N = 2,610
<i>Road Rage Victimisation</i>	
Someone shouted, cursed or made rude gestures at you	44.0
Someone threatened to hurt you or damage your vehicle	6.0
Someone did / attempted to hurt you or damage your vehicle	5.2
<i>Road Rage Perpetration</i>	
You shouted, cursed or made rude gestures at someone	32.0
You threatened to hurt someone or damage his/her vehicle	1.7
You did / attempted to hurt someone or damage his/her vehicle	1.0

Source: Mann et al. 2004, p.164.

With respect to the most serious behaviours (that would approximate to the Committee’s definition of Road Violence), only 5.2 per cent of respondents had been threatened with damage to their vehicle or personal injury, while only 1 per cent of those surveyed admitted to hurting or attempting to hurt someone or damage his or her vehicle (Mann et al. 2004, p.164).

The researchers examined a range of demographic and other causal antecedents of the incidents, including presence of alcohol, which are reported in Chapters 7 and 8 of this Report. In terms of incidence, the researchers developed a scale of incidents of victimisation from 0 to 3 (where 0=never, 1=once, 2=2 to 9 times, and 3=10 or more times). The mean incidence of behaviours is shown in Table 4.12.

Table 4.12: Mean incidence of reported ‘road rage’ behaviours in Canada

Road rage victimisation	Mean Incidence
Shouted at you	0.774
Threaten to hurt you	0.075
Attempted to damage car	0.035
Attempted to hurt you	0.038
Shouted at other	0.593
Threaten to hurt other	0.023
Attempted to damage car	0.009
Attempted to hurt other	0.006

Source: Smart, Asbridge et al. 2003, p.683.

Overall, it was found that three-quarters of ‘road rage’ victims admitted to involvement in offending in the past year, while more than one-half of ‘road rage’ offenders had experienced victimisation in the past year. In both instances, a substantial and significant overlap was found.

The researchers carried out a cluster analysis of the data to create five groups: those with little or no involvement, verbal-threat offenders, verbal victims, verbal victim–offenders, and hard core ‘road rage’ perpetrators. The number of

people in the 'hard core road rage perpetrator' group (who would probably be most likely to fall within the Committee's definition of Road Violence perpetrators) was small – just 69 out of the sample of 2,440 (2.8%). While these individuals may or may not have been regular drivers, they had experienced 'road rage' as a victim or offender. When extrapolated to the current population of Ontario residents ($11,895,000 \times 0.028 = 333,060$), it is apparent that the potential number of hard core 'road rage' perpetrators in Ontario is quite large (Smart, Asbridge et al. 2003, p.687).

Conclusion

The results of the research reported in this chapter indicate that although aggressive driving and less serious forms of 'road rage' are common, the most serious forms of behaviour that approximate to the Committee's definition of Road Violence are relatively infrequent. Most studies from Australia, Europe, the United States and Canada show that between 1 and 5 per cent of those surveyed had been victimised by these severe forms of Road Violence, although definitional variations make precise quantification problematic. In view of the large numbers of road users, however, when these small percentages are extrapolated to entire populations, very large numbers of individuals are likely to have been victimised. In Victoria, for example, there are some 3.3 million licensed drivers. Applying victimisation rates of between 1 and 5 per cent would equate to between 33,000 and 165,000 individuals being victimised by Road Violence. This assumes that all demographic groups of drivers have the same risk of victimisation as others, which, as is discussed in Chapter 8, is not the case. However, accounting for different rates of victimisation the result would still be that many thousands of individuals are victimised each year in Victoria.

5. The Incidence of Road Violence in Victoria: The Committee's Findings

In this chapter the Committee presents the results of its own investigations carried out into the incidence of Road Violence and associated behaviours. In addition to published surveys, data came from statistics maintained by Victoria Police, which has gathered data since July 2000 on incidents of road user violence reported to police. A sample of instances reported during March 2004 was tested for accuracy in a small verification exercise and the data were found to be largely accurate. In order to place the reported incidence of Road Violence in context, the incidence of Road Violence was compared with violent crime statistics in Victoria, road usage data and crash data. Finally, this chapter reports the results of an online survey carried out by the Committee, which sought the public's response to a questionnaire placed on the Committee's website between 1 June 2004 and 7 July 2004. In all, some 86 responses were received. The results of a further study examining a sample of newspaper reports dealing with 'road rage' are presented in Chapter 6, along with the findings of certain other analyses of media reports of 'road rage' undertaken in Australia and overseas.

Victoria Police statistics

Over the last three years, Victoria Police has sought to improve official data holdings with respect to instances of serious Road Violence. This followed increased public and media concern about 'road rage' in Victoria in the late 1990s, which led to the development by Victoria Police of an operational definition of 'road user violence'. This statistical category is now defined as:

Road user violence: A violent offence committed by strangers based on their behaviour as drivers, cyclists or pedestrians.⁸⁹

Prior to July 2001, it was practically impossible to identify 'road rage' incidents from official police statistics, as relevant incidents could be included in a wide range of criminal offence types. Following an examination of police briefs and

89 Superintendent Peter Keogh, Traffic Support Division, Victoria Police, Evidence given at the Public Hearing of the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 19 August 2004.

newspaper reports relating to incidents of ‘road rage’ in 1997, the Victorian Community Council Against Violence (VCCAV) found that the following possible offences could be relevant:

Criminal offences: intentionally causing injury; recklessly causing injury; unlawful assault; assault with a weapon; indecent language; making a threat to kill; possession of an unlicensed weapon; criminal damage; wilful damage; behaving in an offensive manner in a public place; assault by kicking; and conduct endangering life.

Road traffic offences: driving in a manner dangerous; failing to stop after an accident; driving while disqualified; and following too close (VCCAV 1999, p.10).

Unless the narrative attached to these offences referred to the matter as involving an incident of ‘road rage’, official police statistics could not be relied on for assessing the extent of the problem.

From 1 July 2001, police officers in Victoria have been required to add to crime reports an indication of whether or not the incident involved ‘road user violence’ within the terms of the Victoria Police definition above. This definition follows generally the Road Violence definition employed by the Committee in its current Inquiry. The differences in these two definitions are that Victoria Police record only suspected criminal offences, rather than all acts of violence (some of which might not involve crimes at all), and that the Committee’s definition of Road Violence requires that the act be spontaneous.

Road user violence recorded by Victoria Police 1 July 2000–30 June 2004

Table 5.1 shows the number of separate ‘road user violence’ incidents recorded by Victoria Police from 1 July 2000 to 30 June 2004.

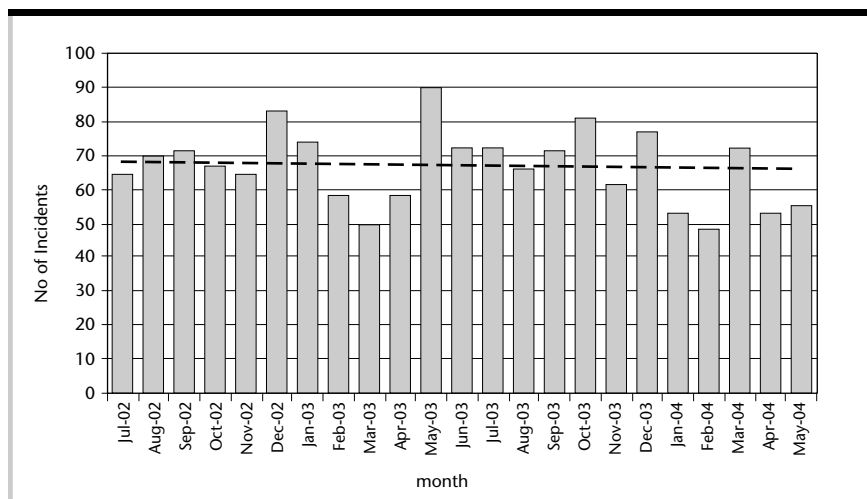
Table 5.1: Road User Violence incidents recorded on the Victoria Police Law Enforcement Assistance Program (LEAP) 1 July 2000–30 June 2004

Period	Frequency	Percentage
1 July 2000 to 30 June 2001	3	0.2
1 July 2001 to 30 June 2002	84	5.5
1 July 2002 to 30 June 2003	798	52.4
1 July 2003 to 30 June 2004	639	41.9
Total	1,524	100.0

Source: Victoria Police, Statistical Services Division. Data extracted from LEAP, 10 June 2004.

These data for the period 1 July 2002 to 31 May 2004 are presented graphically by calendar month in Figure 5.1.

Figure 5.1: Incidents reported to Victoria Police involving Road User Violence, 1 July 2002–31 May 2004



Source: Victoria Police, Statistical Services Division. Data extracted from LEAP, 10 June 2004

It is apparent that the number of recorded incidents has remained relatively stable over this period varying from between 50 and 90 in any given month. Crime Prevention Victoria in its submission to the Committee interprets these data as indicating a slight decline over the period in question,⁹⁰ while Victoria Police suggests that the data show no discernible trends.⁹¹

The incidents recorded by police involved a range of criminal offences, the principal categories of which are shown in Table 5.2.

Table 5.2: Types of offences involved in Road User Violence incidents reported to Victoria Police from 1 July 2002–31 May 2004

Offence type	Frequency*	Percentage
Assault	1,249	82
Property Damage	243	16
Other	38	2
TOTAL	1,530	100

* Number of incidents. Some incidents had more than one offence recorded

Source: Submission from Crime Prevention Victoria, Department of Justice, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 6 July 2004.

The category of 'other offences' includes homicide, sex offences (non-rape), robbery, abduction/kidnap, weapons/explosives offences, harassment, and offensive behaviour in public. In giving evidence to the Committee, Superintendent Peter Keogh, Traffic Support Division, Victoria Police, noted

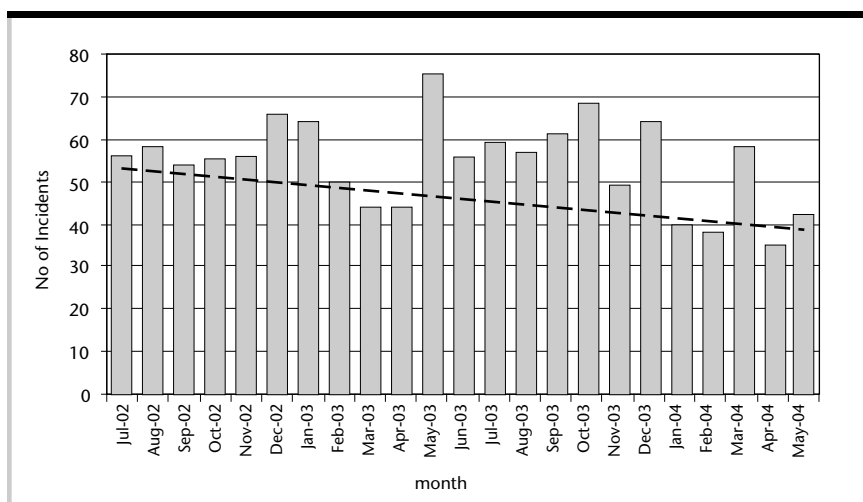
90 Submission from Crime Prevention Victoria, Department of Justice, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 6 July 2004.

91 Mr Conor Flanagan, Senior Legal Policy Adviser, Organisational Development Department, Victoria Police, Evidence given at the Public Hearing of the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 19 August 2004.

that a more detailed examination had been undertaken of the 38 offences identified in the category ‘other offences’ and it was found there was only one that met the definition of ‘road user violence’, the other 37 having been recorded incorrectly.⁹²

In its submission to the Committee, Crime Prevention Victoria provided a break-down of the Victoria Police data into assault and property damage incidents, showing a slight decrease in assaults incidents (Figure 5.2), and a slight increase in property damage incidents (Figure 5.3) between July 2002 and May 2004. It noted, however, that the figures for property damage were relatively low.⁹³

Figure 5.2: Reported Victoria Police assault offences associated with Road User Violence July 2002–May 2004



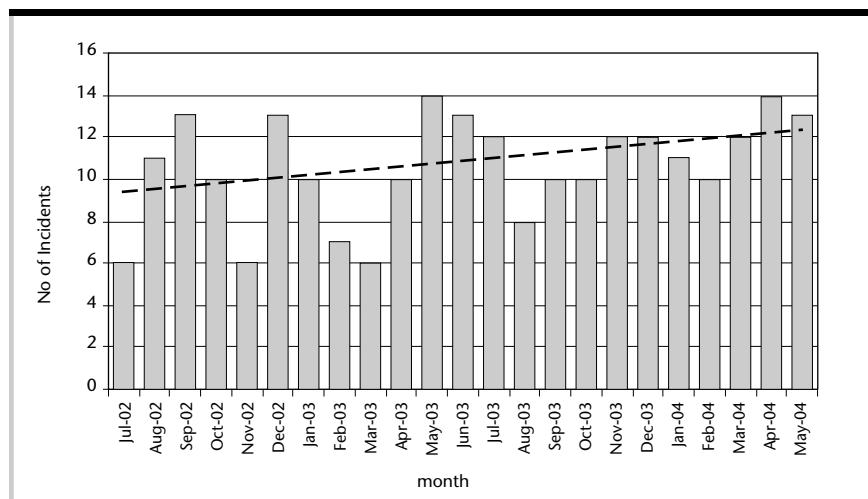
Note: Most serious single offence per incident.

Source: Victoria Police, Statistical Services Division. Data extracted from LEAP, 10 June 2004.

92 Superintendent Peter Keogh, Traffic Support Division, Victoria Police, Evidence given at the Public Hearing of the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 19 August 2004.

93 Submission from Crime Prevention Victoria, Department of Justice, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 6 July 2004.

Figure 5.3: Reported Victoria Police property damage offences associated with Road User Violence July 2002–May 2004



Note: Most serious single offence per incident.

Source: Victoria Police, Statistical Services Division. Data extracted from LEAP, 10 June 2004.

Verification of Victoria Police data

Victoria Police indicated in its submission to the Committee that the road user violence data recorded on LEAP may not accurately reflect the true extent of 'road user violence' incidents reported to police.⁹⁴ The following are sources that could possibly give rise to errors:

- ◆ incidents being incorrectly identified as falling within the definition of 'road user violence' by officers;
- ◆ instances in which multiple offences within an incident are each recorded separately; and
- ◆ a number of incidents recorded as involving 'road user violence' that involved persons known to each other.

These sources of error could, arguably, all tend to over-represent the number of instances of 'road user violence' that should have been recorded on LEAP. It was submitted, however, that these imperfections in the data were likely to account for a very small percentage of the total number of incidents recorded in the period 1 July 2002 to 31 May 2004. However, there may well have been errors in the period prior to this when the category of 'road user violence' was first being used.⁹⁵

Because of the importance being placed on Victoria Police data in documenting the scale of the problem of Road Violence in Victoria, the

⁹⁴ Submission from Ms Christine Nixon, Chief Commissioner, Victoria Police, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 30 June 2004.

⁹⁵ *ibid.*

Committee determined to verify the accuracy of incidents recorded by police on the LEAP Database. Victoria Police was asked to provide the Committee with de-identified copies of LEAP records for all ‘road user violence’ incidents occurring within the dates 1 March 2004 to 31 March 2004. This month was chosen as it was within the more recent period when the earlier anomalies should have been eradicated and also represented a month with more than the mean number of incidents.

After reading the narratives attached to each of the 62 LEAP reports, it was found that all but one of the incidents involved Road Violence within the definition adopted by the Committee.⁹⁶ The one exception concerned an incident that fell within the Committee’s definition of Road Hostility. It involved a 19-year-old female victim and a 23-year-old male defendant and took place in country Victoria at approximately 6.45pm on a Monday. The young woman victim had been tailgating the male defendant’s vehicle. When the vehicles stopped, it was alleged that the defendant got out of his vehicle and went over to the victim’s vehicle where he ‘told her off’. Conflicting accounts of events were given to police and no physical contact occurred.

The remaining 61 incidents involving Road Violence all arose out of the driving environment, with the defendant physically assaulting the victim or damaging the victim’s vehicle in some way, often using a steering lock or other weapon. A brief categorisation of the initial trigger incidents which led to the acts of Road Violence is presented in Chapter 11 which shows that ‘cutting-in’ and ‘overtaking’ were the most frequently identified triggering incidents.

On the basis of this review it can be concluded that LEAP did, in the month of March 2004, accurately record instances of Road Violence taking place in Victoria. Without conducting a similar review of the narratives for every other incident recorded in LEAP, it cannot be said whether this degree of accuracy is reflected in other months’ data, although it is likely that the more recent months are largely accurate records.

Recommendations

- 2 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.
- 3 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.

96 Note that some of the reports involved more than one incident.

Interpreting Victoria Police data

In order to understand the implications of the trends evident in these data, it is important to compare the incidence of Road Violence with other crimes of violence, as well as consider changes in reported crimes of violence and changes in patterns of motor vehicle usage, and motor vehicle crashes generally.

Violent crime data

Table 5.3 shows the number of victims, alleged offenders and offences of assault, robbery and burglary recorded by police in Victoria in 2002–2003.

Table 5.3: Number of violent crimes recorded by Police in Victoria 2002–2003

	Assault	Robbery	Burglary
Victims	23,194	2,862	42,082
Alleged Offenders	20,483	2,469	14,636
Offences	25,104	3,214	66,150

Source: Victoria Police 2003, *Victoria Police Crime Statistics 2002/03*.

When the number of incidents of 'road user violence', as recorded by police in Victoria using their definition given above, is compared with crimes involving assault, robbery or burglary it appears that the incidence of recorded 'road user violence' in 2002–2003 is considerably lower. This applies even when taking into consideration the fact that 'road user violence' data relate to incidents, while the other violent crime data relate to recorded offences. One incident of 'road user violence' may entail the commission of a number of offences. Nevertheless, even if each incident of 'road user violence' involved the commission of perhaps three recorded offences, the overall incidence of 'road user violence' would still be very small in comparison with other crimes of violence.

An indication of recorded 'road user violence' as a percentage of selected other crimes recorded by police in 2002–2003 is presented in Table 5.4. This table shows, for example, that the number of offences of Road User Violence recorded by police in 2002-03 (793 offences) were only 3.2 per cent of the number of assault offences recorded by police in the same year (25,104 offences).

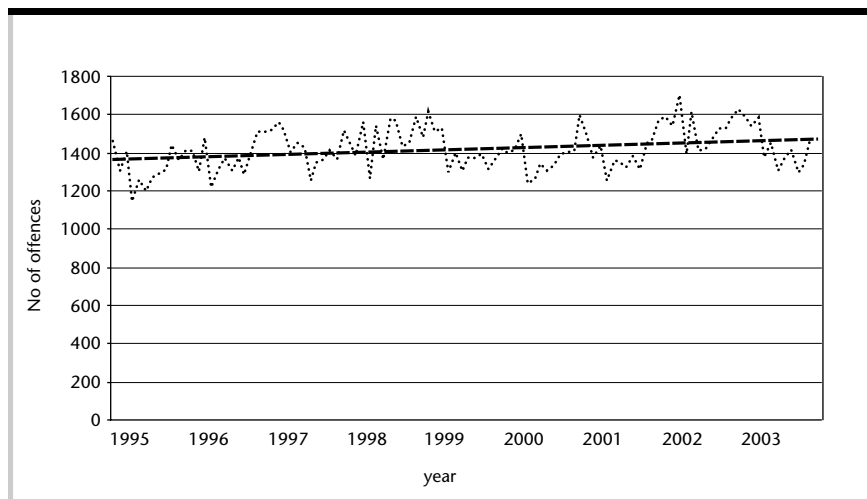
Table 5.4: Road User Violence Offences compared with violent crimes recorded by Police in Victoria 2002–2003

Offence Type	Number	Road User Violence as a Percentage of
Assault offences	25,104	3.2
Robbery offences	3,214	24.8
Burglary offences	66,150	1.2
Road User Violence incidents	798	100

Source: Victoria Police 2003, *Victoria Police Crime Statistics 2002/03*. (Note that 'road user violence' data are in respect of incidents, not offences, and were extracted from LEAP on 10 June 2004 by Victoria Police Statistical Services Division).

In Victoria, over the preceding nine years, the number of recorded assaults has increased approximately 7 per cent, as shown in Figure 5.4.

Figure 5.4: Number of assaults by month, Victoria, 1995–2003



Source: Unpublished data from ABS recorded crime collection, 2003.

By way of comparison, incidents of ‘road user violence’ as recorded on the Victoria Police database, LEAP, have declined over the last 12 months as shown in Table 5.1. The large increase from 2000–01 to 2002–03 may be due to the fact that recording of ‘road user violence’ had only recently commenced and, presumably, not all incidents were noted in the database.

Road usage data

In determining whether Road Violence has increased in Victoria, it is also necessary to consider any changes in the use of motor vehicles on Victorian roads. This can be done by examining data on the number of licensed drivers (and motorcycle riders), the number of kilometres which vehicles travel each year, and the extent of the Victorian road network.

As Tables 5.5, 5.6 and 5.7 show, respectively, there have been increases in each of these indicators of motor vehicle usage in recent years. Accordingly, any increase in the incidence of Road Violence may be reflective of the increased use of vehicles. This consideration may be important when examining causes of Road Violence that specifically arise out of the driving environment, such as road congestion.

Table 5.5: Number of licensed drivers/riders in Victoria, 1996–2003

Year	Driver	Rider	Total
1996	2,928,250	186,154	3,114,404
1997	2,981,882	194,621	3,176,503
1998	3,055,847	204,332	3,260,179
1999	3,134,004	214,663	3,348,667
2000	3,215,197	224,984	3,440,181
1999-2000	3,400,000		
2000-2001	3,500,000		
2001-2002	3,800,000		
2002-2003	3,300,000		

Note: Licence holders may hold a driver and rider licence and therefore be counted in both categories.

Source: 1996–2000 – Australian Bureau of Statistics, 2000–2002, *Victorian Year Book*.

Source: 1999–2000 to 2002–2003 – VicRoads, 1999/00–2002/03, *Annual Report*.

(After 2000 the *Victorian Year Book* ceased publication following which limited data for financial years were only published by VicRoads.)

Table 5.6: Motor vehicle use in Victoria 1998–2002 (kms travelled annually)

Year	All business use	To and from work	Personal and Other	Total
1998	17,147	9,148	18,548	44,843
1999	16,868	9,531	19,031	45,430
2000	20,151	13,606	20,742	54,499
2001	19,051	11,162	20,604	50,817
2002	19,438	12,273	19,748	51,459

Source: Australian Bureau of Statistics, 2001–2002, *Survey of motor vehicle use, Australia*.

Table 5.7: Extent of the Victorian Road Network 1996–2002 (kms of roads)

Declared roads	1998*	1999	2000	2001**	2002**
National highways	1,005	1,018	1,010	1,004	1,004
State highways and freeways	6,739	6,747	6,530	6,524	6,524
Main roads	12,693	12,693	12,697	12,704	12,704
Tourist roads	1,713	1,480	1,697	1,694	1,694
Forest roads	n/a	311	312	312	312
Total declared roads	22,150	22,249	22,246	22,238	22,238
Other roads (at 30 June)					
Sealed roads	49,837	52,138	51,004	51,985	51,985
Formed and surfaced roads	49,654	51,078	52,002	52,132	52,132
Natural surface	28,827	25,289	22,401	29,843	29,843
Total other roads	128,318	128,505	125,407	133,960	133,960
Total roads open for traffic	150,468	150,754	147,653	156,198	156,198

Notes: * Tourist roads also includes Forest roads;

** Excludes several thousand kilometres of unclassified roads in forest areas that are the responsibility of the Victorian Government (for total declared roads).

Source: Australian Bureau of Statistics 1998–2002, *Victorian Year Book*.

Crash data

It is also appropriate to consider the number of incidents of Road Violence in relation to the number of motor vehicle crashes, casualties and fatalities that occur each year. Some prior research has considered the relationship between 'road rage' and crashes with some evidence emerging of the presence of a positive correlation.

National Injury Surveillance Unit (NISU) (Australia)

In 1999, NISU interrogated its database of persons presenting to accident and emergency departments at 50 participating hospitals around Australia for the years 1986 to 1994. Some 300 cases were found which fulfilled the following search criteria:

- *Location:* Public Road
- *Road User:* Cyclist, Motorcycle, Car driver/passenger
- *Event:* Aggression, fight, quarrel (Elliott 1999, p.6).

While a number of these would not have involved 'road rage', it was concluded that, in any event, the numbers were low (with a mean of 37 per annum) and that it was not a recent phenomenon (Elliott 1999, p.6).

Insurance Australia Group (IAG)

In June 2004, IAG searched its national motor vehicle claims database for the preceding 12 months and identified 38 claims arising from violence associated with motor vehicle use, involving an estimated cost of \$110,000. However, because 'road rage' is not a field in which data are normally entered, these 38 instances were able to be identified merely because the policyholder had specifically identified 'road rage' as being part of the incident when making the claim.⁹⁷

VicRoads

In Victoria, VicRoads maintains data on motor vehicle crashes involving casualties and fatalities that take place in Victoria.⁹⁸ As one might expect, the number of crashes is far in excess of the number of incidents of Road Violence that take place each year, although no data are kept on crashes that involve 'road rage' or 'aggressive driving' as such.

During the period 1 July 2001 to 30 June 2002 (the most recent financial year for which data are available), there were 31,361 crashes involving casualties and 672 crashes involving fatalities in Victoria, totalling 32,033 crashes involving casualties or fatalities. For the same period, there were 84 incidents of 'road user violence' recorded on the Victoria Police LEAP database. Assuming a reporting rate of 9 per cent (as found by the VCCAV Report 1999),

97 Submission from Dr Barbara Hayes, Group Head, Government Relations and Policy, Insurance Australia Group, to the Drugs and Crime Prevention Committee, 22 June 2004.

98 See <http://crashstat1.roads.vic.gov.au/crashstats/crash.htm>

it can be estimated that some 933 incidents of 'road user violence', may have taken place during the year 2001–2002 in Victoria. Accordingly, the number of incidents of 'road user violence' was approximately 3 per cent of the number of crashes involving casualties and fatalities that took place in Victoria in 2001–2002, or one case of 'road user violence' for every 34 casualties or fatalities.

Mizell (USA)

In the United States, an even smaller proportion of 'road rage' incidents in relation to motor vehicle crashes has been identified. Mizell (1997) estimated there to be 10,037 incidents of 'road rage' reported in newspapers, police reports and insurance reports between January 1990 and September 1996 in the United States. Again, applying a reporting rate of 9 per cent (cases reported), it could be estimated that there were 111,522 incidents of 'road rage' during this period. During the same period, more than 22.7 million people were injured in motor vehicle crashes in the United States and more than 290,000 people were killed (Fatality Analysis Reporting System (FARS) 2000 cited in Stuster 2004). Accordingly, the number of cases of 'road rage' was only 0.5 per cent of the total number of people injured or killed in traffic crashes, or one case of 'road rage' for every 206 injuries and fatalities.

National Highway Traffic Safety Administration (NHTSA)

In the United States, the NHTSA General Estimates System contains a random sample of all vehicle collisions reported to police each year since 1988. The data are compiled by NHTSA from 400 police departments across the United States, involving 50,000 crashes a year, being a nationally representative sample of police-reported crashes with accidents, vehicles and occupants all weighted (Bowles & Overberg 1999; Overberg 1999; *USA Today* 1999).

In an attempt to determine the number of crashes caused by 'aggressive driving', the database was searched for crashes in 1997 and 1998 involving injuries where at least one driver was cited for running a stop sign/light, speeding, failing to yield, or reckless driving, but excluding drunken driving. It was acknowledged that this would under-estimate the extent of 'aggressive driving', as many violations would not result in crashes or injuries.

It was found that 'aggressive driving' crashes, as defined in this way, constituted approximately 20 per cent of total crashes in both years – 441,000 aggressive driving crashes with injuries in 1998 (19.2 per cent of all crashes with injuries); 459,000 aggressive driving crashes with injuries in 1997 (20.8 per cent of all crashes with injuries). It was also found that 'aggressive drivers' were just as likely to be women as men, and just as likely to involve cars as opposed to sport utility vehicles (SUVs) (proportionate to the numbers of cars/SUVs on the road). Aggressive drivers were, however, disproportionately under 25 years of age, although there was a substantial proportion among middle-aged drivers (Bowles & Overberg 1999).

Marion County Medical Examiner data (USA)

In another study in the United States, a search was conducted of Marion County Medical Examiner files for 36 years, from 1963 to 1998 (7,946 files), in order to locate cases of fatal 'road rage' incidents. These were defined as incidents in which one driver 'locked onto' another driver and exhibited both hostile and aggressive intent and behaviour to the second driver. Over the whole period, only five definite (or likely) instances were found – one in 1981, two in 1991 (unrelated), and two in 1993 (related – two persons killed in same crash). The first two cases involved shootings following arguments, the third involved a heart attack after a car chase, and the fourth and fifth cases involved a fatal car crash following an argument between young men who had been drinking, driving and joy-riding (Batten, Penn & Bloom 2000).

Although these statistics are based on somewhat nebulous and variable definitions, they confirm that Road Violence is a far less prevalent problem than motor vehicle crashes in terms of seriousness and allocation of government resources.

Victorian online survey results

An additional source of information on the extent of Road Violence in Victoria came from a self-reported survey carried out by the Committee via its website between 1 June 2004 and 7 July 2004. The form of this online survey is reproduced in Appendix 7. In all, the Committee received 86 responses from members of the public.

The responses to the survey were extremely diverse in the range of incidents reported, locations and dates of incidents, and the residential addresses of those making the responses, some of which came from interstate residents who had driven in Victoria. A high proportion of responses came from bicycle riders, a number of whom referred to large numbers of incidents, mainly involving acts of Road Hostility or Selfish Driving. Some responses recounted a number of separate incidents, while others provided comments on the problems of 'road rage' without giving specific incidents. As such, information provided in the response to the online survey was not suitable for detailed quantitative analysis. It was, however, possible to classify the types of separate incidents referred to in the responses using the Committee's categories of Road Violence, Road Hostility and Selfish Driving. As previously noted, often an incident of Road Violence will be preceded by acts of Selfish Driving or Road Hostility. Accordingly, the data provided in Table 5.8 shows the most serious outcome of each incident in question.

Table 5.8: Most serious outcome of separate incidents recorded in the Committee's online survey

Category	Number of Incidents	Percentage
Road Violence	16	17
Road Hostility	49	53
Selfish Driving	14	15
Comments/Other Submissions	14	15
Total	93	100

Note: Some responses reported more than one separate incident.

Source: Drugs and Crime Prevention Committee 2004.

The Committee found, therefore, that only 16 separate incidents (17%) referred to in response to the online survey involved acts of Road Violence (within the Committee's definition). These related to 15 individuals (18% of those who provided responses).

Conclusions

On the basis of the information on 'road user violence' collected by Victoria Police since July 2002, it appears that there is no evidence of an overall increase in recorded incidents in Victoria and that the incidence is very low compared with other crimes of violence. Any increase in the number of incidents could also easily be accounted for in terms of increased road user activity, rather than due to a net increase in these particular crimes of violence. Finally, the proportion of incidents of Road Violence appears to be considerably smaller than the number of motor vehicle crashes that occur in Victoria.

Similarly, although the information provided by those who responded to the survey on the Committee's website indicated the serious nature of many incidents of Road Violence that have taken place in Victoria in recent years, it does not support the conclusion that the problem is one of major significance in terms of its overall reported incidence. Only 15 individuals who provided responses to the online survey were able to recount instances of Road Violence, with the majority of other reports involving Road Hostility or Selfish Driving. In addition, those who replied were self-selected, which limits the generalisability of the findings.

6. Media Reports of Road Violence

Introduction

Owing to the limitations of official statistics on 'road rage', researchers seeking to assess the scale and nature of the problem have sought to analyse reports that have been published in newspapers and other media. The aim of such research has been twofold: on the one hand, to locate reports of incidents in order to determine their frequency and characteristics; and on the other hand, to examine the extent and nature of media representations of crimes of this kind. As the Committee is principally concerned with the nature and extent of Road Violence, rather than the question of media reporting of crime, the current chapter deals primarily with the former category of research.

National newspaper reporting suggests that 'road rage' incidents are a serious problem. Certainly media analyses carried out show that media coverage of these incidents is extensive. However, such analyses also confirm the traditionally-held view that individual instances, although often extremely serious, are relatively rare (VCCAV 1999; University of Western Australia Crime Research Centre 1997; Lupton 2001). A concern has therefore been expressed that media reporting of 'road rage' has given undue emphasis to a problem that is not all that prevalent. Media reporters are not, however, solely responsible for over-reporting the problem of 'road rage', as the term has entered popular discourse and is widely discussed in a range of different contexts. In this sense, the media merely reflect current usage in western countries.

There is a range of methodological problems to be considered when undertaking analyses of media reports in this area. At the outset, is the problem that many incidents of 'road rage' are never reported in newspapers, because the reporting of incidents is often based on their apparent 'newsworthiness'. Roshier (1981) highlighted a number of aspects that might constitute newsworthiness. Two of these were the tendency to report incidents of a more serious nature and the tendency to report those that involve a well-known personality. In a study undertaken in England, for example, five cases involved either known people, people linked to known people, or people involved in well-known occupations or activities. The analysis of the

behaviour involved in the 60 incidents examined also indicated that they were towards the more serious end of the scale (Marshall & Thomas 2000, pp.2–3). It seems, therefore, that newsworthiness, as determined by the seriousness of the incidents as well as the celebrity status of those involved, dictates which incidents will receive media attention.

Another difficulty which arises is that the incidence and prevalence of ‘road rage’ is often inaccurately captured by many newspaper reports, with much of the discussion in the press concerning the concept of ‘road rage’ or the use of the term itself, without identifying specific incidents (Lupton 2001). As researchers at the Home office in the United Kingdom observed, any statement about the perceived problem of ‘road rage’ based on newspaper reports must take into account multiple recording of the same incident, not only by different newspapers but also by the same newspaper at different times.

Bearing these limitations in mind, this chapter begins with a discussion of the media analyses that have been conducted in Australia and then examines studies from the United Kingdom, Canada and the United States. The final section analyses the results from the Committee’s study of reports in two Victorian newspapers since 1999.

Australian research

Victorian Community Council Against Violence (VCCAV)

In 1997, the VCCAV held a forum with key stakeholders and it was reported that a number of participants felt that ‘road rage’ was ‘a media-driven issue, and that the Council should avoid unnecessarily raising community concern or causing unwarranted fear among the community about the issue’ (1999, p.16).

Concern was expressed that excessive media attention to an objectively small-scale problem could result in the creation of a climate of fear in the community, which could adversely affect constructive social behaviour. ‘Road rage’ could, for example, become a ‘moral panic’ which, in the opinion of Cohen (1972), could lead to the creation of certain social types (‘folk devils’) which are positioned as a threat to established and dominant values, creating an escalating sense of panic around how to contain this threat. Underlying such moral panics is a deeper concern about an apparent fragmentation or breakdown in social order (see Lupton 2001). Such concerns, of course, are applicable to all types of crime reporting, although arguably violent crime can lead to the most serious outcomes for communities.

Commentators have suggested that ‘road rage’ serves to focus a series of issues and anxieties in contemporary society. These include the state of traffic on the roads and of the transport system in general; recent transformations in society in which people are seen as having become more selfish; and the increased levels of all forms of anger and rage which, it is claimed, are partly prompted by the rise of psychotherapy, with its injunctions to ‘express oneself’ (Michael 2001, p.60).

Concern has also been expressed that excessive media reporting may lead to amplification of a new crime problem, through so-called 'copycat' behaviours. This problem was noted by both the VCCAV (1999) and the University of Western Australia Crime Research Centre (1997), discussed below.

In order to assess the extent of this concern, the VCCAV compiled a register of Victorian newspaper articles from 1995 to 1997 that mentioned 'road rage' (VCCAV 1999). It was found that 169 articles were published, containing details of 68 separate 'road rage' incidents on Victorian roads, or over three articles a week. Most articles did not refer to specific instances but merely mentioned the term. Of the 68 Victorian incidents, five were in 1995, 24 were in 1996, 36 were in 1997 and in four cases dates were not specified.

Interestingly, an examination of the profile of people involved in 'road rage' incidents revealed that people who committed severe 'road rage' were more likely to have had media exposure to the issue (92%) than people who had never committed either form of 'road rage' (87%). The VCCAV (1999) suggested that the media, through discussing the topic generally and providing the public with information about certain incidents, had influenced some individuals to react in similar ways when they become angry on the roads. Concern was also expressed about potential 'copycat' effects on people who see media items. As the University of Western Australia Crime Research Centre observed:

It is often the case when the media 'discovers' a new form of crime that some activities become redefined to fit into the new category. This process can have the effect of amplifying and exaggerating the true scale of the problem and convincing the public that they are faced with an epidemic of new crimes: a process known as 'amplification'. Hence, for example, heated disagreements that currently ensue, say, after a minor collision at a road junction, may become relabelled as 'road rage' and given undue attention in the media – this will then reinforce the belief that there is an escalating problem (1997, p.6).

The VCCAV concluded that this amount of media coverage, as well as the nature of the reporting, was highly likely to contribute to community fears about the issue (VCCAV 1999).

University of Western Australia Crime Research Centre

The University of Western Australia Crime Research Centre also conducted a media analysis of 'road rage' incidents reported in Western Australian newspapers (1997). It was found that there were many articles discussing 'road rage' generally in Australia, Europe, the United States and elsewhere, and that these tended to be very high-profile cases involving celebrities or particularly violent conduct. The actual number of incidents reported in Western Australia newspapers was, however, fairly low, especially compared to the number of articles that covered 'road rage' generally.⁹⁹

⁹⁹ Dr Lynne Roberts, Research Fellow, Crime Research Centre, University of Western Australia, in conversation with the Drugs and Crime Prevention Committee, 21 June 2004.

Other research conducted by the University of Western Australia Crime Research Centre (1997) also noted the problem of media reports being counter-productive in minimising the seriousness of incidence through over-exposure. As the report noted:

The media have a role to play by presenting roadway aggression under the euphemistic label ‘road rage’. They can suggest that violence and aggression on the roadway is somehow normal, less serious than other forms of violence, excusable or simply an understandable attribute of increasing congested roads and incompetent drivers. By drawing on the experience of frustration that almost all drivers have felt on at least one occasion the media may excite the belief that such phenomena are a product of the road situation and are thus not the product (and therefore the responsibility) of the individual concerned (University of Western Australia, Crime Research Centre 1997, p.28).

Lupton (New South Wales)

In New South Wales, Ms Deborah Lupton (2001), Director of the Centre for Cultural Risk Research at Charles Sturt University, engaged a media-monitoring company to conduct a search of all articles or news items referring to ‘road rage’ in the *Sydney Morning Herald*, the *Daily Telegraph*, the *Sunday Sun Herald* and the *Sunday Telegraph* from the first mention of the term (in 1995) until the end of 2000. In all, 609 articles were located, as shown in Table 6.1.

Table 6.1: Newspaper mention of ‘road rage’ in New South Wales, 1995–2000

Year	Sydney Morning Herald	Daily Telegraph
1995	4	3
1996	20	53
1997	62	89
1998	63	76
1999	61	61
2000	51	66
Total	261	348
Mean per year	44	58

Source: Lupton 2001, p.27.

Lupton (2001) found the first appearance of the term ‘road rage’ in the *Sydney Morning Herald* on 25 January 1995, in the gossip/light news column in which ‘road rage’ was described as being a foreign phenomenon and another symptom of modern urban life. The idea that ‘road rage’ was a major problem in Australia, and especially Sydney, was made in newspapers in 1996 – with suggestions that incidents were escalating. In October 1997, the first ‘road rage’-related Australian death was reported. This involved a Melbourne woman who was fatally injured in a car crash following an altercation between her husband, who was driving the car, and another driver, who lost control of his vehicle, clipped the other car, and caused it to crash.

Although Lupton's research supported the view that young men were often singled out in reports as the most likely offenders, road rage committed by females was also established (see the discussion of prior research on gender of offenders in Chapter 8). Her study of accounts of 'road rage' generally found that people who engaged in 'road rage' were described in highly negative terms. She describes this as follows:

They were characterised using terms such as 'exploding with anger', 'monsters', 'frenzied', 'in a blind rage', 'evil', 'uncivilised' and 'bad to the bone'. Importantly, however, many reports also emphasised that all drivers were incipient 'road ragers'. While young men were portrayed in some newspaper accounts as the most likely perpetrators of road rage, it was suggested that any driver could potentially lose control. 'Road rage' was depicted as a response to the stresses of modern urban living and competing pressures of home and work, as well as to the more immediate factors of driving, such as road congestion. While, therefore, loss of control of one's emotions was by no means sanctioned in press accounts, it was often justified by social structural factors (Lupton 2002, pp.277–78).

These findings also confirmed previous studies that had found a substantial increase in newspapers mentioning the term 'road rage' over the last decade. In the *Sydney Morning Herald* there were negligible references prior to 1994, only three references in 1995, 30 in 1996, and 82 in 1997 (Brewer 1998). However, it is not apparent how many reports concerned actual incidents of Road Violence within the definition adopted by the Committee in the current Inquiry.

Overseas research

Marshall & Thomas (United Kingdom)

In England, researchers at the Home Office conducted a review of instances of 'road rage' reported in national newspapers (both broadsheet and tabloid) in England in 1996. Articles were located via a search for the term 'road rage' in either the text or title of the article. An initial search revealed 438 articles. The sample was then filtered to exclude duplicate articles relating to the same matter, those published in local newspapers, Irish, Scottish and Welsh newspapers, and those whose source was unknown. The final sample consisted of 352 articles, which were then word-processed and formatted for analysis using a qualitative data analysis software package (Marshall & Thomas 2000).

Of the 352 articles, not all were about 'road rage'. The researchers separated them into four categories:

- *Incidents* (255 articles – 72%): the majority of the articles concerned an incident of 'road rage' which were the focus of the analysis;

- *Commentaries* (18%): articles that provided a discussion on the issue of ‘road rage’ without identifying specific incidents;
- *Letters* (5%): readers’ letters to newspapers concerning ‘road rage’; and
- *Anomalies* (4%): articles that contained the phrase ‘road rage’, but which were not overtly concerned with it – for example, the term may have been used to draw attention to a story bearing little relation to the phenomenon (Marshall & Thomas 2000, p.2).

Of the 255 articles that reported incidents, only 60 single incidents of ‘road rage’ were identified. Fifteen of these occurred prior to 1996 and no date of incident was given for 26 incidents, therefore there were only 45 incidents in 1996, of which 26 could have been in prior years.

The 60 incidents reported involved the types of behaviours shown in Table 6.2.

Table 6.2: Behaviour reported in the media — ‘road rage’ incidents in the UK

Behaviour	Number of Incidents	% of 60 incidents
Dangerous driving	24	40
Assault	22	37
Argument	13	22
Damage	13	22
Verbal abuse	12	20
Crash/accident	10	17
Obscene/aggressive gestures	8	13
Flashing headlights	8	13
Flashing headlights	7	12
Chase/tailgating	7	12
Not known	3	5

Note: ‘Dangerous driving’ included erratic driving, ‘cutting in’ on others, and overtaking cars dangerously.

Source: Marshall and Thomas 2000, p.3.

Table 6.2 shows that some 22 (37%) incidents involved an assault, which would approximate to the Committee’s category of Road Violence. Although the individual circumstances varied considerably, many of the cases were relatively serious. The seriousness of the incidents was also reflected in the number and range of weapons involved. In 21 incidents (35% of the sample) at least one weapon was used. Most (20%) were blunt instruments (eg. baseball and rounders bats, bricks and concrete blocks and steering wheel locks), while in 10 per cent of cases a gun was involved. Three incidents involved a knife and one a screwdriver. This could reflect a high level of violence involved in incidents, but is likely to be an artefact of newspapers’ tendency to report those incidents of a more serious nature (see Roshier 1981; Marshall & Thomas 2000).

The criminal justice outcome of the incidents was stated in only 38 of the 60 cases with the availability of information reflecting the stage at which the incident was reported. For those reported immediately after the event, there

was obviously no information available on the outcome of the case at any stage. Details were, however, available in reports concerned with court proceedings or the prosecution process of an earlier incident.

Information on court outcomes was reported in only 38 of the 60 cases. Table 6.3 shows the range of court outcomes of the offences. In addition to these judicial outcomes, three 'road rage' perpetrators were said to face the possibility of losing their jobs (Marshall & Thomas 2000).

Table 6.3: Outcome of media reported incidents of 'road rage'

Outcome	Number of Incidents	%
Custody	22	37
Prosecution	6	10
Bail	5	8
Compensation	5	8
Driving ban	5	8
Fine	4	7
Community sentence	2	3
Questioning	2	3
Re-sit driving test	2	3
None/not known	22	37

Source: Marshall and Thomas 2000, p.3.

As is apparent from Table 6.3, there is a large degree of variation in the outcome of cases, with the choice of charge and sentence being likely to correspond with the severity of the case and the behaviour for which the suspect was arrested. What is not clear from this analysis is whether the available charges and penalties were being used appropriately. The low number of prosecutions also reflects the fact that outcomes as quoted at the time of reporting would not take into account action that might later have been taken in relation to the incident (Marshall & Thomas 2000).

One of the authors of the study noted that following this research, and given the findings that the levels of violence were quite low, the Home Office policy teams responsible decided not to take the issue any further. Responsibility for this issue was then transferred to the Department of Transport to examine 'road rage' in terms of general safety strategies and policies. Since then this Department has not undertaken specific research in this area.¹⁰⁰

Smart & Mann (Canada)

In Canada, Smart and Mann (2002b) surveyed eight major Canadian newspapers published between 1995 and 1999 and some newspapers published in 2000. Table 6.4 shows the number of articles that had 'road rage' in their title or text.

¹⁰⁰ Ms Nerys Thomas, co-author of *Traffic calming: The reality of road rage*, in conversation with the Committee, London, 5 July 2004.

Table 6.4: Frequency with which ‘road rage’ appeared in selected Canadian newspapers, 1996–2000

Year	Number
1996	2
1997	17
1998	29
1999	44
2000 (part year)	31

Source: Smart & Mann 2002b, p.184.

On the basis of this research, the authors claimed that reports of ‘road rage’ had increased 15-fold in Canadian newspapers between 1996 and 2000. This confirmed the findings of previous Canadian research using a Nexis database search, which found a 167-fold increase in reports of ‘road rage’ appearing in newspapers (24 times in 1994, 400 times in 1995, 1,600 times in 1996 and 4,000 times in 1997) (Bowles & Overberg 1999).

In another study, Smart and Mann (2002a) examined newspaper articles published between 1998 and 2000 in Canada, using a database maintained by Canadian Press, a wire service that gathers news from 99 newspapers in all areas in Canada. It was found that 96 articles mentioned the expression ‘road rage’ in the title or text of the articles involving 59 separate cases of ‘road rage’. Most of the reported cases occurred because of cutting in and out, changing lanes, disputes over parking spots or rude gestures.

Smart and Mann (2002a) found that young people and men were most frequently involved (there were male perpetrators in 57 cases (96.6%) and female perpetrators in only five (8.5%), while men were victims in 57 cases (96.6%), and women in 13 cases (22%). The average age for perpetrators was 33 years and the average age for victims was 34.3 years.

In terms of injuries, four cases involved deaths (6.8%), three involved shootings and one involved a heart attack. Some 43 cases involved non-fatal injuries to 59 individuals (72.9%) and all of the reported injuries were serious and required medical attention. In all but two cases involving injury to pedestrians, those injured were drivers or passengers. The most common injuries occurred as a result of beatings with fists, bats or clubs.

In 43 cases (72.9%), criminal charges were laid – usually assault, manslaughter or dangerous driving. In no cases were charges for alcohol or drug offences laid, nor was alcohol or drug consumption mentioned in any of the cases.

The authors concluded that while newspaper reports could not be used to estimate the total number of cases, they could give a first glance at the phenomenon of ‘road rage’. On the basis of this study it appeared that ‘road rage’ did result in deaths and serious injuries in Canada. It was also thought

that the reports examined represented 'the tip of the iceberg', with many or most cases going unreported (Smart & Mann 2002a, p.761).

Burns & Katovich (USA)

In the United States, Burns and Katovich (2003) collected all newspaper articles containing the terms 'road rage' or 'aggressive driving' that were published in *The New York Times*, *The Dallas Morning News* and the *Los Angeles Times* between 2 May 1985 (when the term first appeared) and 1 May 1999. These papers were selected because of their large circulation and their coverage of eastern, central and western regions in the United States. Burns and Katovich decided to undertake this analysis because of the impact such articles have on Americans, their widespread readership, the fact that crime-related articles are read by a greater percentage of subscribers than other articles, and the fact that they tend to affect reader beliefs more than TV because of factual/analytical presentation.

In all, some 390 articles were located of which 152 contained the expression 'road rage'. In these 152 articles, 512 causes of the incidents were reported. Of the 512 causes of 'road rage' or 'aggressive driving' cited in the articles examined, 185 (36.1%) were driving-related behaviours such as weaving, tailgating and flashing headlights, while a further 50 (9.8%) were non-driving-related driver actions, such as making obscene gestures or verbally abusing other drivers. Although the report of the study did not indicate any trend data over time, it was clear that problem drivers were often the cause of the incidents reported in the media and that punitive responses tended to have limited impact (Burns & Katovich 2003).

Mizell (USA)

Subsequently in the United States, a more extensive examination of media reports and other sources was carried out in 1997 by Mizell. Mizell and Company International Security reviewed 10,037 incidents gathered from newspapers, police reports and insurance reports between January 1990 and September 1996. Some 30 major newspapers, reports from 16 police departments, and insurance company claims were all examined. It was found that between January 1990 and 1 September 1996 – a period of 6 years and 8 months – there were at least 10,037 incidents of aggressive driving reported. This number excluded cases in which people were injured or killed as a result of random snipings, so-called thrill shootings, violent carjackings, or by objects thrown from overpasses. It also did not include people injured or killed by armed robberies of motorists or other common highway crimes, and it did not include people killed or injured in ordinary drunk driving or hit-and-run collisions.

The findings revealed that at least 218 men, women and children had been murdered and 12,610 people injured as a result of these 10,037 incidents (aggressive driving incidents often result in more than one person being

injured or killed). The 12,610 injuries included many cases in which people suffered paralysis, brain damage, amputation and other seriously disabling injuries.

The number of aggressive driving cases increased every year (from 1,129 in 1990, up to 1,708 in 1995). In approximately 4,400 of the 10,037 known aggressive driving incidents, the perpetrator used a firearm, knife, club, fist, feet or other standard weapon for the attack. In approximately 2,300 cases the aggressive driver used an even more powerful weapon – his or her own vehicle – while in approximately 1,250 cases the aggressive driver used his or her own vehicle and a standard weapon like a gun, knife or club.

Mizell's (1997) study, however, has been criticised methodologically by a number of subsequent researchers who have claimed that its sampling was not representative and that, as such, it did not reflect national trends (Fumento 1998; Novaco 1998). The research also examined 'aggressive driving', which is a concept quite dissimilar from the Committee's primary concept of Road Violence.

The Committee's analysis of newspaper reports

In order to verify the extent to which incidents of Road Violence were reported in the main Victorian newspapers in recent years, the Committee undertook an analysis of articles mentioning the words 'road rage' in *The Age* and the *Herald Sun* newspapers. The articles analysed were published between 1 July 1999 and 30 June 2004, a period of five financial years.

Searches of archives of the two newspapers were conducted at the Parliamentary Library in Melbourne using some hard copy archives and some searchable electronic databases. In all, between 1 July 1999 and 30 June 2004, 689 separate articles were identified in which the words 'road rage' appeared – 291 in *The Age* (42%), and 398 in the *Herald-Sun* (58%). Extrapolating these data to the full six-year period (1 January 1999 to 31 December 2004), 835 articles in both newspapers would have referred to 'road rage' – an average of 139 each year (2.7 per week).

After inspecting each article to locate an identifiable incident of Road Violence (within the Committee's definition), 55 separate incidents of Road Violence were located within the specified period (some on more than one occasion and some in either or both newspapers). In all, 104 separate articles contained reference to these 55 incidents, or some 15 per cent of all the articles inspected. Extrapolating for the incomplete years of 1999 and 2004, it can be estimated that some 62 incidents would have been reported over the six years examined or approximately 10 incidents per year (less than one a month). The years in which these incidents were reported are shown in Table 6.5.

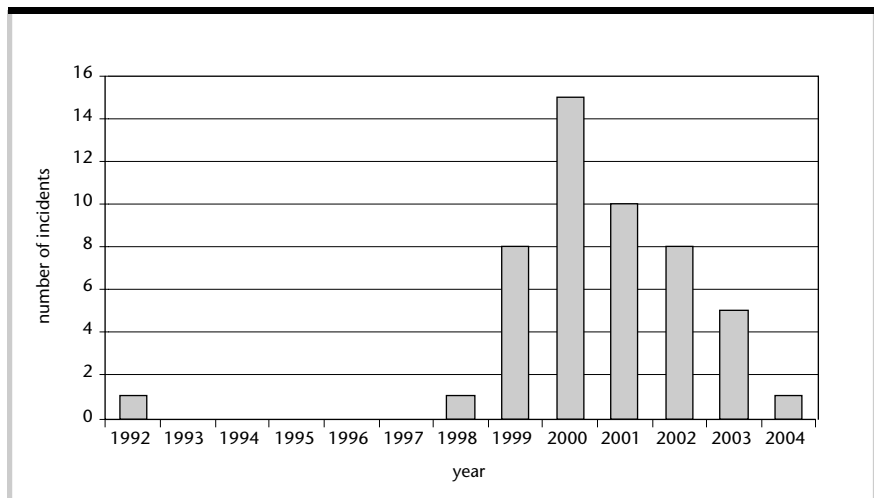
Table 6.5: 'Road rage' and Road Violence articles reported in *The Age* and *Herald Sun* 1999–2004

Year of Reports	The Age		Herald Sun		Both Papers		
	'Road Rage' Articles	Road Violence Articles	'Road Rage' Articles	Road Violence Articles	'Road Rage' Articles	Road Violence Articles	Separate Road Violence Incidents
July-Dec 1999	46 (92)	2 (4)	36 (72)	3 (6)	82 (164)	5 (10)	5 (10)
2000	68	8	78	21	146	29	16
2001	47	8	88	20	135	28	15
2002	62	6	70	10	132	16	6
2003	43	6	87	11	130	17	11
Jan-June 2004	25 (50)	5 (10)	39 (78)	4 (8)	64 (128)	9 (18)	2 (4)
Total	291 (362)	35 (42)	398 (473)	69 (76)	689 (835)	104 (118)	55 (62)
Mean per year	60	7	79	13	139	20	10

Note: Figures in parentheses are extrapolated total for the full 12-month period. Data refer to the year in which an incident was first reported in an article.

Source: Drugs and Crime Prevention Committee Data File.

Because newspaper reports sometimes referred to incidents that took place some time in the past, Figure 6.1 presents data on the year in which each incident occurred, rather than the year in which the report appeared. Considerably more incidents took place in the years 2000 and 2001, although the numbers are, on the whole, too small to determine if these represent statistically significant trends.

Figure 6.1: Year in which media reported incidents of Road Violence occurred

Source: Drugs and Crime Prevention Committee Data File.

Further information concerning these 55 incidents relating to the circumstances of the incidents and demographics of perpetrators and victims is presented in Chapters 7 to 9. A short summary of each incident is also presented in Appendix 8.

It may be concluded, therefore, that although newspaper discussion of 'road rage' has been extensive in recent years, with almost three articles appearing

weekly, the number of actual incidents of Road Violence identified in these reports is low (less than one a month). In fact, this number is considerably lower than even those incidents recorded by Victoria Police.

Conclusions

On the basis of this research it may be concluded that media commentary on ‘road rage’ has been extensive in recent years, but that the vast bulk of this does not involve the reporting of individual incidents of Road Violence, within the definition adopted by the Committee. It seems that ‘road rage’ has become a popular expression used in a wide range of contexts to describe highly variable behaviours. As such, the analysis of newspaper and other media reports cannot be said to offer much in terms of precise quantification of the problem of Road Violence. There is also the possibility that media reporting of ‘road rage’ has, in fact, exacerbated the problem by placing undue emphasis on conduct that should not be afforded widespread publicity.

Without wishing to constrain freedom of expression, the Committee believes 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. Hopefully the findings of the present Inquiry will help to inform reporters of the need to use the expression ‘road rage’ with restraint and the need to report incidents rather than simply to provide a commentary on various degrees of aggressive and Selfish Driving. The Committee also sees benefits in terms of the general deterrent effects of prosecution and punishment if journalists publicised the judicial outcomes of cases involving Road Violence, including details of sentences imposed for specific offences committed. This would help to educate road users of the seriousness of Road Violence and make known that it is taken seriously by the community and the courts.

Recommendations

- 4 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.
- 5 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.

Part C: The Nature and Impact of Road Violence

7. The Nature of Incidents of Road Violence

Introduction

In this Part the Committee examines more closely the characteristics of incidents of Road Violence and other forms of ‘road rage’ in order to ascertain whether any particular circumstances occur more frequently than others. Knowing how incidents occur is important in terms of efficient allocation of resources so that the most prevalent problems can be addressed first.

The Committee also reviews the substantial evidence gathered during the Inquiry from Victoria, elsewhere in Australia, and overseas, concerning the demographic and other characteristics of perpetrators and victims of incidents. This research will be presented in Chapter 8.

Finally, and in accordance with the terms of reference of the Inquiry, the Committee will review the somewhat limited evidence available that deals with the impact of Road Violence. This entails both the personal impact on victims as well as the impact on the community in terms of resources which agencies and organisations expend in dealing with the problem, through preventive strategies as well as prosecution and punishment. In presenting these findings in Chapter 9, the Committee wishes to stress that Road Violence not only affects people and the Victorian community financially, but also has important consequences for people personally and emotionally; for example, creating fear which may deter some individuals from driving or cycling.

Having examined the available evidence of the incidence of violence associated with motor vehicle use in previous chapters, Chapter 7 begins this Part by reviewing the available evidence concerning the nature of Road Violence incidents. Again, the Committee notes the general lack of comparability of the various studies examined due to differences in definitions of key terms adopted, and cautions readers against drawing conclusions without considering the precise nature of what has been measured in each study.

In addition, as was the case in Chapter 4 when prior research on the incidence of 'road rage' was reviewed, many of these studies examine forms of 'road rage' (as variously defined) that would extend far beyond the Committee's conception of Road Violence. These include acts of Selfish Driving, Road Hostility and aggressive driving. Although the Committee's primary interest is in those studies that deal with Road Violence, it found that most research deals not only with Road Violence but also with other forms of 'road rage'-related conduct including Road Hostility, Selfish Driving and aggressive driving. In order to obtain a fuller understanding of this research, the Committee took the view that it was necessary to present all the research findings, even though some may deal with matters outside the scope of the Committee's definition of Road Violence. In fact, as will be seen, there is very little prior research that is limited solely to Road Violence.

Incidence of Road Violence

Prior research from around the world has provided considerable information on circumstances involved in 'road rage' incidents. Some studies have focussed on the initial triggering incident, while others have documented the final outcome of interactions between perpetrators and victims. From the Committee's perspective it is these final outcomes which are of paramount importance as it is these which enable a case to be classified as falling within the definition of Road Violence, as opposed to Road Hostility or Selfish Driving. Documenting and quantifying the type of triggering event is of less direct interest for the present Inquiry unless it can be determined that the triggering event was the most serious and final outcome of the interaction. In some cases, for example, tailgating can constitute Road Violence itself (such as where a four-wheel-drive vehicle tailgates a bicycle), while in other cases it will merely be the trigger to a more serious consequence such as an act of assault and battery. Accordingly, great caution is needed in determining exactly what prior research has sought to measure.

The research reported in this section focuses primarily on final outcomes of incidents rather than triggering events. Chapter 11 specifically addresses the nature of triggering events and the relevant prior research is presented there along with a proposed typology of triggers.

Type of incident

The Committee's research

The Committee's investigations into the nature of incidents of Road Violence in Victoria included an examination of official statistics provided by Victoria Police, responses to the Committee's survey conducted via its website, and analysis of recent media reports that included the expression 'road rage'. On the whole, these sources of information proved to be problematic and the

Committee was therefore unable to draw definite conclusions on the nature of incidents of Road Violence that have occurred in recent times in Victoria. The data provided by Victoria Police included 1,524 incidents of 'road user violence' (as defined by Victoria Police) recorded between 1 July 2000 and 30 June 2004. Although these data contained information on the nature of the criminal offence involved, it would have been necessary to examine every case narrative to understand the story behind the incidents. Such a task was beyond the resources of the Committee and Victoria Police. As was seen in Chapter 5, the Committee was able to inspect case narratives for the single month of March 2004 in order to verify the type of incidents recorded and whether they accorded with the Committee's definition of Road Violence. The type of triggering events present in these incidents will be discussed in Chapter 11 (see Table 11.7).

The responses to the Committee's Online survey disclosed 16 separate incidents of Road Violence which involved a range of circumstances. The initial triggers and most serious outcomes of these are presented in Table 7.1.

Table 7.1: Triggers and most serious outcome of online submissions involving Road Violence

Sub No	Initial Trigger	Most Serious Outcome
9	Truck cutting in to lane in front of Victim's car	Offender shoved victim's car
11	Victim legitimately blocking progress of offender's vehicle	Altercation with victim punching offender
28	Offender tailgating victim's car	Offender rammed victim's car
31	Presence of cycle on road	Offender's car pushed victim's cycle off road
34	Presence of cycle on road	Passenger in car swiped cyclist with car door
38	Offender's car turned in front of cyclist	Victim cyclist kicked offender's car
43	Victim flashed lights at offender's car with high beam on	High speed chase and attempted ramming of victim's car
44	Disputed car parking space	Offender hitting victim's car window
49	4WD cutting in front of victim's car	Offender's 4WD attempted to ram victim's car
50	Offender cutting in front of victim's car	Victim punches and breaks offender's window
53	Offender intentionally blocking victim's path	Offender ran victim off road and made threats
60a	Presence of cycle on road	Offender's car chased victim on cycle with verbal threats of violence
60b	Presence of cycle on road	Offender's car attempted to run cyclist over
70	Car turned in front of victim's cycle	Offender threatened and poked victim with her finger and took mobile phone from her
84	Presence of cycle on road	Offender threw eggs from car at cyclist causing near collision
85	Presence of cycle on road	Offender-pedestrian knocked victim off cycle causing injury

As can be seen from Table 7.1, there were various initial triggers identified by those making online submissions to the Committee, although as only 16 incidents were referred to, the sample is clearly extremely small. It seems, however, that more cyclists were involved in instances of Road Violence, either as victims or offenders – possibly due to the cycling community having sent in a large number of submissions to the Committee. Interestingly, the initial victim sometimes ended-up being the ultimate offender which is a circumstance brought to the Committee’s attention on a number of occasions.

Information on the circumstances of ‘road rage’ incidents was also available from the Committee’s analysis of media reports contained in two Victorian newspapers between 1994 and 2004. Using the Committee’s categorisation of triggers (set out in Chapter 11), it was possible to count the number of triggering events disclosed in these newspaper reports of ‘road rage’ incidents. These are shown in Table 7.2.

Table 7.2: Circumstances of ‘road rage’ incidents disclosed in media reports in Victoria, 1999–2004

Nature of Incident	Number of Media Reports
Discourteous and/or hostile events (e.g. failing to let a car merge, making an obscene gesture)	30
Endangering events (e.g. crashes, near collisions and driving at excessively high speed)	16
Violating events (e.g. talking on a mobile telephone while driving, cycling on a road considered to be the ‘proper’ domain of cars)	12
Other	8
Frustrating events (e.g. slow driving, hesitant driving and failing to move when traffic lights turn green)	4
Total	70

Notes: (N=55). Some reports contained more than one type of trigger.

Source: Drugs and Crime Prevention Committee analysis of separate incidents of ‘road rage’ reported in *The Age* and *Herald Sun* between 1 July 1994 and 30 June 2004.

Once again, this information provides little assistance in understanding the nature of the final outcome of incidents of Road Violence, as opposed to triggering events.

Victorian Community Council Against Violence (VCCAV) survey

As we saw in Chapter 4, between 25 November 1997 and 2 December 1997 the VCCAV (1999) conducted a survey of 801 Victorian drivers about aggression and/or violence associated with motor vehicle use. The most common forms of ‘mild road rage’ from the victim’s perspective (in decreasing order) were: obscene gestures; tailgating; prolonged horn tooting; abuse; flicked lights on and off; and braking suddenly. The most common forms of ‘severe road rage’ from the victim’s perspective (in decreasing order) were: car swerved in front of you (16%); followed; got out of vehicle and approached; tried to run off road; attempted to stop vehicle; deliberately bumped vehicle; assaulted or tried to assault; and damaged or tried to damage vehicle.

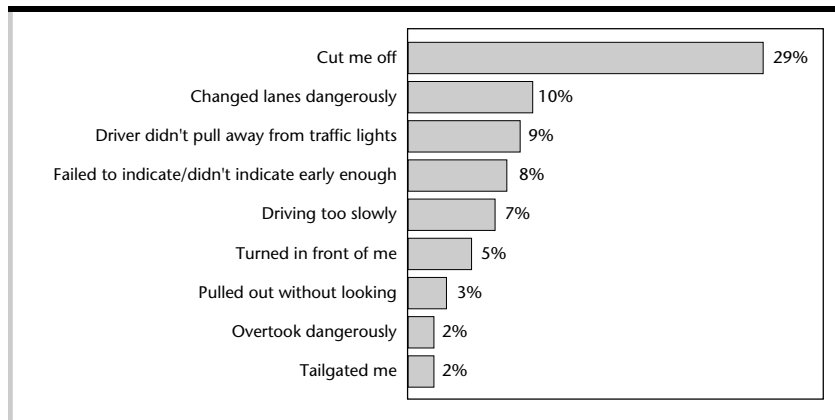
From the perpetrator's perspective, the most common forms of 'mild road rage' (in decreasing order) were: prolonged horn tooting; flicking lights on and off; shouting abuse; obscene gestures; tailgating; and braking suddenly. The most common forms of 'severe road rage' from perpetrator's perspective (in decreasing order) were: being followed; got out of vehicle and approached; swerved in front; and attempted to stop vehicle/bumped vehicle. Perpetrators did not readily admit to committing 'severe road rage', with no one admitting to assaulting another person.

AAMI Crash Index

The *AAMI Crash Index* is based on claims data, as well as a national survey of licensed drivers around Australia in which questions about 'road rage' are asked. The tenth *Crash Index* was released in October 2004 (AAMI 2004). The principal finding of relevance to the current Inquiry was that 5 per cent of drivers said that they had been physically assaulted by another driver (over 90 individuals). This was the same percentage as in the 2003 *Crash Index*. Some 93 per cent of respondents indicated that they had been subjected to some form of 'road rage' or antisocial driving behaviour at some time. In the 2003 Survey, this was 91 per cent. Three-quarters (77 per cent) had received rude gestures, a large proportion said they had been tailgated (68 per cent) and almost as many (60 per cent) said they had been verbally abused.

The triggers identified in the latest survey as causing 'road rage' are shown in Figure 7.1.

Figure 7.1: Reasons given for 'road rage' in AAMI survey



Source: AAMI 2004, p.2, citing Sweeney Research Survey.

Bulletin survey

In May 1998, a Morgan Poll was conducted for the *Bulletin* magazine of 641 Australians aged 14 and over to determine their experience of 'road rage' (Dean 1998). It was found that 84 per cent of respondents had been victims of some type of aggressive 'road rage' behaviour, generally of the less serious types that would fall within the Committee's definition of Road Hostility or Selfish

Driving. Some 4 per cent, however, had been physically attacked, and another 4 per cent reported that someone they were with had been physically attacked. The types of incidents reported are presented in Table 7.3.

Table 7.3: Circumstances of ‘road rage’ incidents disclosed in the Morgan Poll

Type of Incident	Percentage
Rude gestures	75
Verbal abuse	62
Chased by another vehicle	21
Had damage done to your vehicle	10
Physically attacked	4
Someone you were with was physically attacked	4
Other	3
Tailgated	1

Note: Some incidents involved more than one type of conduct.

Source: Dean 1998, p.21.

United Kingdom Automobile Association survey

As part of a survey conducted in July 1996, 500 parents who drove motor vehicles in the United Kingdom were asked a question about the types of aggressive behaviour shown to other drivers. From the victim’s perspective, aggressive tailgating (62 per cent) was the most common form of ‘road rage’, followed by headlight flashing (59 per cent), obscene gestures (48 per cent), deliberately obstructing other vehicles (21 per cent) and verbal abuse (16 per cent). One per cent of drivers claimed to have been physically assaulted by other motorists (Joint 1995).

Although doubts were raised about how willing people would be to admit having done some of the more serious things described, some 60 per cent of respondents admitted committing one of the ‘road rage’ behaviours listed. Of these, 45 per cent had flashed lights; 22 per cent had given aggressive or rude gestures; 12 per cent had given verbal abuse; 6 per cent had tailgated; 5 per cent had deliberately obstructed; and 1 driver admitted physically assaulting another.

Belgian Road Safety Institute study

In conversation with the Committee in Brussels, Mr Ludo Kluppels, Policy Coordinator, Belgian Road Safety Institute, presented findings from the Report *Road Rage in Belgium: An Overview of Facts and Actions*. Individual administrative files were examined for 299 cases of ‘road rage’ that took place between July 1997 and June 1998.¹⁰¹ The immediate cause of incidents was found to be discussion about priority of pedestrians (14%), changing lanes

101 Ruypers (2001). ‘Expertmeeting verkeersagressie’ lecture on the ‘Staten-Generaal voor de verkeersveiligheid van de provincie Antwerpen’ January.

(11%), obstruction (9%), accidents (7%) and discussion about parking place (7%). In 20 per cent of cases there was no clear cause presented.¹⁰²

Canadian research

In Ontario, Mann, Smart and their colleagues carried out research, known as the CAMH (Centre for Addiction and Mental Health) Monitor, a repeated cross-sectional telephone survey of 2,610 adults conducted in two phases, between July and December 2001, and January and June 2002. Questions about experiencing 'road rage' behaviour, as perpetrator and victim, during the preceding 12 months were reported in Chapter 4 (see Table 4.11). As already noted, with respect to the most serious behaviours (that would approximate to the Committee's definition of Road Violence), it was found that only 5.2 per cent of respondents had been threatened with damage to their vehicle or personal injury, while only 1 per cent of those surveyed admitted to hurting or attempting to hurt someone or damage his or her vehicle (Mann et al. 2004).

United States research

As already noted in Chapter 4, there has been considerable survey research carried out in the United States, principally to do with forms of aggressive driving, rather than Road Violence. The principal difference between incidents of Road Violence in Australia and the United States appears to be the greater use of firearms in the United States (see discussion of weapon usage below). In most other respects, the progression from less serious forms of Selfish Driving, through Road Hostility, to Road Violence appears to be the same in Australia as in the United States.

As already reported by the Committee, the types of serious conduct have been found to include: 'harassing or threatening others verbally', 'using rude language or gestures', 'flashing high beams or headlights', 'honking', 'slamming on brakes in front', 'preventing others from passing', 'threatening others with a weapon' (eg. knife, gun, throwing objects, etc.), 'firing shots', 'hitting vehicles with objects', 'hitting other vehicles with vehicle', 'chasing another vehicle', 'trying to run someone down', and 'trying to run someone off the road' (see also Sarkar et al. 2000).

Relationship to crashes

In Chapter 5 the Committee reported data on the relationship between motor vehicle crashes and 'road rage'. Almost all of the prior research on the hypothesised relationship with crashes has examined aggressive driving behaviours rather than Road Violence and it seems clear that individuals who drive aggressively tend to be involved in crashes to a significantly higher degree than those who do not. Understanding the reason for this is, however, more

102 Mr Ludo Kluppels, Policy Coordinator, Belgian Road Safety Institute, Brussels, in conversation with the Committee, 7 July 2004.

complex. It may be, for example, that aggression is positively correlated with speeding, and that it is speeding which leads to crashes.

In Victoria, for example, Deakin University conducted preliminary multivariate analyses¹⁰³ of the AAMI 2003 *Crash Index* data¹⁰⁴ (a national telephone survey of approximately 1,800 Australian drivers). This indicated that a person who reported *strongly agreeing* to tailgating when angry, tooting the horn, and making rude gestures was 2.4 times more likely to report having a crash in the last 12 months than someone who strongly disagreed with the above statements.¹⁰⁵

Victoria Police also believed that acts of aggressive driving increased the likelihood of motor vehicle accidents and should be discouraged.¹⁰⁶

The Committee was told by Dr Soames Job, General Manager, Road Safety Strategy, Road Traffic Authority of New South Wales, that:

Some of the crashes we see are really a direct consequence of hostility and deliberate attempts to frighten someone, which go wrong. I think we have to include some number of crashes in our consideration of the consequences... [In terms of evidence for this conclusion], I think there are isolated cases where people have admitted to it. How you would get a handle on the proportion is really beyond us, because people are not going to admit that a crash occurred because they were deliberately trying to frighten someone or tailgate someone because they were so angry and admit that they basically caused the crash. We are not ever, I do not think, going to get a good handle on the extent of its contribution, but it is a contributor.¹⁰⁷

In the United Kingdom, Whitlock (1971) argued that aggressive driving was the reason behind 85 per cent of all crashes in Great Britain, while a more recent study reported six fatalities in 1996 resulting from 'road rage' (Connell & Joint 1996). The authors postulated that a British driver's chances of being fatally injured in a 'road rage' incident were closer to one in 9.5 million while the likelihood of being fatally injured in a motor vehicle collision was estimated to be one in 15,686. While the precision of these estimates is open to question, the fundamental point is beyond dispute: an individual is much more likely to die in a fatal car crash than as a result of a 'road rage' incident (Tasca 2000).

103 Using logistic regression – a statistical analysis technique that attempts to assess the impact of a number of 'explanatory variables' (eg. driver age, gender, aggression) on an 'outcome variable' (eg. self-reported crash in last 12 months).

104 The Committee would like to thank AAMI for providing the raw data that enabled this analysis to be conducted. The views presented in this submission are those of the author, and not necessarily those of AAMI.

105 Submission from Dr Jan Garrard, Senior Lecturer in Health Promotion, School of Health and Social Development, Deakin University, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 21 June 2004.

106 Submission from Ms Christine Nixon, Chief Commissioner, Victoria Police, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 30 June 2004.

107 Dr Soames Job, General Manager, Road Safety Strategy, Road Traffic Authority of New South Wales, in conversation with the Committee, Sydney, 17 June 2004.

In the United States, a number of studies have sought to quantify and explain the link between aggressive driving and motor vehicle crashes. Deffenbacher, Lynch and Oetting (1994), for example, argued that driving anger could affect safety in the following way:

The literature on the influence of emotion on performance shows that emotional arousal can influence perception and information processing; this influence could presumably be strong enough to disrupt driving proficiency sufficiently to increase accident risk. That is, anger while driving may interfere sufficiently with attention, perception, information processing, and motor performance to increase the likelihood of an accident directly or indirectly through the increased probability of other risk behaviours... [E]levated anger may prompt aggressive and other risk-taking behaviour (e.g., driving too fast, tailgating, flashing bright lights, aggressive verbal or physical behaviour), behaviours that can increase accident risk, and risk of other deleterious behaviour such as physical assault between drivers or arguments with passengers (Deffenbacher, Lynch & Oetting 1994, p.84).

Hemenway and Solnick 1993) found a significant correlation between drivers who had been involved in arguments with other drivers and having an accident, while the AAA Foundation for Traffic Safety estimated that between 1990 and 1996 an average of 1,500 people died annually as a result of aggressive driving (Mizell 1997).

Underwood et al. (1999) cites a number of other studies that also found a link between aggression and accident involvement. Wells-Parker et al. (2002) reported that there is extensive evidence that hazardous driving practices and aggressive tendencies are associated with crash risk (citing Selzer & Vinokury 1974 and Elander 1993). The survey used by Wells-Parker et al. (2002) employed 17 items developed by James and Nahl (2000) to measure 'road rage'. It was found that ever having had a serious crash was associated with angry/threatening driving, even after controlling for verbal expression, gender, age, exposure and each of the three hazardous driving behaviours.

It seems clear, therefore, that there is an established relationship between aggressive driving (of which Road Violence would form an extreme part) and susceptibility to be involved in crashes. No research, however, has specifically tested the hypothesis that involvement in acts of Road Violence will correlate positively with crashes – either to the same extent as the correlation between aggressive driving and crashes, or even to a higher degree.

Location of incidents

Part of the research undertaken by the Committee examined the location at which incidents of Road Violence took place. On occasions, this was difficult to determine with accuracy. For example, a triggering event might have taken place on a roadway, which resulted later in a violent assault taking place in a car park. On other occasions the whole incident may have taken place in one

location. The Committee was also interested in whether or not incidents occurred in urban and rural settings. It was hypothesised that most incidents would take place in urban settings, as Road Violence stems, in part, from increasing pressures and demands on individuals in modern society, forces which are greater in large urban centres than in rural communities. Similarly, the probability of interactions increases in urban locations because of the larger numbers of vehicles and roads. On the other hand, lengthy highways in the country encourage faster driving which can create tensions if slower vehicles are encountered.

Determining the location of an incident of Road Violence has important implications in terms of allocation of crime prevention resources and targeting of educational programmes. The research undertaken by the Committee revealed the following findings.

The Committee's research

The data provided by Victoria Police included the variable of location of road user violence incident. Of the 1,524 incidents recorded, 37 separate locations were identified. The largest category related to 1,253 incidents which occurred on a Street / Lane / Footpath. The next most frequent location was Car Parks (Single Level Car Park – 92; Multi Level Car Park – 16; Railway Car Park – 1). Some 26 incidents took place in Service Stations, and 18 in Shopping Complexes. These were the five most frequent categories, which accounted for 1,406 out of the 1,542 incidents (91%).

The location categories were collapsed into seven categories, as set out in Table 7.4.

Table 7.4: Location of Road User Violence incidents recorded by Victoria Police

Location Category	Number of Incidents	Percentage
Transport related (Bus, Bus Stop, Car Park, Railway Carpark, Private Car, Taxi, Tram, Tramstop, Street, Lane, Footpath, Other Transport)	1,382	90.7
Retail (24 hour Convenience Shop, Bank, Licensed Premises, Restaurant, Fast Food Outlet, Shopping Complex, Service Station, Supermarket, Other Retail)	68	4.5
Private Property (House, Flat, Unit, Apartment, Frontyard, Backyard, Garage)	29	1.9
Other (Other Unspecified Locations or Unknown Locations)	18	1.2
Public areas (Recreational Areas, Sports Areas, Parklands, Reserves, Schools, School Grounds, Other Educational)	14	0.9
Business Premises (Ministry of Housing, Police Station, Business Office, Medical Centres)	7	0.4
Industrial Premises (Factory, Warehouse, Storage Area, Manufacturing Premises)	6	0.4
Total	1524	100.0

Source: Victoria Police, Statistical Services Division, Unit record data provided to the Drugs and Crime Prevention Committee.

It appears, therefore, that on the basis of the data provided by Victoria Police, the vast majority of Road User Violence incidents took place either on roads or on adjacent areas such as car parks.

The Committee's analysis of the newspaper reports contained in *The Age* and *Herald Sun* was, however, less informative. Of the 67 cases noted in Appendix 8, almost three-quarters took place in suburban locations within Melbourne. Only six occurred in country locations (9.0%) and only three in the CBD (4.5%). No information on location was present in nine cases (13%). These findings probably indicate that the newspapers examined focus predominantly on central Melbourne news as opposed to rural or country items. One aspect that may deserve further investigation was that, of the 49 suburban locations, 25 (51%) were in outer-Melbourne suburbs. A possible explanation for this could be that traffic moves faster on outer-suburban roads creating higher levels of stress for drivers. Alternatively, there may simply be a more extensive road network in the outer-Melbourne suburbs resulting in higher levels of vehicle usage on those roads. In view of the small numbers involved and the incomplete nature of the media reports examined, this trend cannot be statistically tested.

VCCAV study

The VCCAV's (1999) survey of 801 Victorian drivers about aggression and/or violence associated with motor vehicle use found that both 'mild' and 'severe road rage' incidents were more likely to occur in metropolitan than non-metropolitan areas (31% of cases of 'severe road rage' occurred in metropolitan areas while 17% occurred in non-metropolitan areas). According to victims, 'severe road rage' was most likely to occur (in descending order) on a main road; freeway; residential street; country road; back street; in the CBD; commuting to/from work; pleasure trip; driving to shops; driving to family/friends; or on an evening out. According to perpetrators, 'severe road rage' was most likely to occur on a main road; freeway; CBD; back street; car park; residential street and when commuting to and from work; pleasure trip; driving to shops; or driving to family/friends.

This again supports the view that locations that are likely to have fast traffic such as main roads and freeways are the most prevalent locations for 'road rage'.

University of Western Australia study

The 1997 study undertaken by the Crime Research Centre at the University of Western Australia for the Western Australian Royal Automobile Club researched 797 incidents of driving-related violence reported to police from 1991 to 1995. It found that incidents were more likely to occur in the street (84%) than in a car park (13%), and that the vast majority (94%) of incidents took place in metropolitan areas, mostly eastern, southern and northern suburbs. There were fewer incidents in the CBD. Most incidents also occurred

on high-volume arterial roads (University of Western Australia Crime Research Centre 1997; Harding et al. 1998).¹⁰⁸

AAMI Crash Index 2004

The 10th *AAMI Crash Index* (AAMI 2004), which was based on claims data as well as a national survey of licensed drivers around Australia, found that the incidence of 'road rage' was fairly consistent across metropolitan and regional areas. The exception to this related to the incidence of tailgating – where it was found to be 3 per cent in regional areas as opposed to 13 per cent in metropolitan areas.¹⁰⁹

United Kingdom research

In the British survey of 526 motorists conducted by the Automobile Association (Joint 1995), it was found that within the previous 12 months almost 90 per cent of those surveyed said they had experienced behaviour that could be classified as 'road rage'. The most common type of road upon which the incident took place was, in rank order, a main road (46%); motorway (divided highway) (26%); minor road (23%); car park (4%); and other location (2%).

Canadian research

In a survey of 2,610 Canadians involved in 'road rage' incidents, those residing in an urban locale experienced greater victimisation (48.2%) than those residing in a rural location (35.2%). Urban residents were also more involved in offending (33.7%) than rural residents (25.2%) (Asbridge, Smart & Mann 2003; Smart, Asbridge et al. 2003).

Prevalence was much lower in all regions when compared to Toronto. It was found that victimisation involving threats and damage was significantly associated with region, with a reduced likelihood in all regions compared to Toronto. The results clearly indicated that 'road rage' was more common in the Toronto area, the most heavily populated part of Ontario, with the largest number of vehicles. Traffic congestion in Toronto is heavier than elsewhere in Ontario and hence there are more opportunities to be blocked or frustrated by other drivers (Smart, Mann & Stoduto 2003).

United States research

In the *USA Today* study, it was found that aggressive-driving accidents occurred more frequently in areas less accustomed to traffic jams, such as the southern and western states where people had recently moved, creating new traffic

108 See also the observations of Dr Lynne Roberts, Research Fellow, Crime Research Centre, University of Western Australia, in conversation with the Drugs and Crime Prevention Committee, 21 June 2004.

109 Mr Frank Peppard, Manager, Corporate Affairs, AAMI, Evidence given at the Public Hearing of the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 21 June 2004.

problems drivers there were unused to. By contrast, in the north-east, where residents were more used to heavy traffic, drivers were less likely to try 'daredevil manoeuvres' (Bowles & Overberg 1999).

In the analysis of calls to the California Highway Patrol (Sarkar et al. 2000), it was found that the volume of traffic on the freeways, as well as the length of the freeway, were robustly correlated with the number of phone reports of aggressive driving per freeway.

Not all research, however, indicates different trends for location of incidents of 'road rage'. Crimmins and Callahan (2003), for example, conducted a general telephone phone survey about lifestyle, which included questions about how often the 13,300 respondents 'gave the finger' to someone while driving their car. It was found that only 28 per cent of adults admitted to giving the finger while driving in the past year and that there were no differences in 'giving the finger' in rural areas, suburbs, small cities or big cities.

Generally, however, the Committee concludes that Road Violence is more likely to occur in urban areas on main roads where vehicles can travel at speed, than in congested, inner city areas or rural locations. Arguably, the combination of urban stresses and high speed driving that occurs in outer urban suburbs creates an environment which is conducive to Road Violence taking place.

Time of occurrence

A number of studies of Road Violence have sought to determine the time at which incidents took place – including month of the year, day of the week, and time of day. As with the other data reported in this chapter, most research dealt with the ill-defined concepts of 'aggressive driving' or 'road rage' rather than incidents involving Road Violence within the Committee's definition. Only the Victoria Police statistics on road user violence were the most relevant to the terms of reference of this study.

Victoria Police data

In terms of month of the year, the 1,524 incidents of road user violence recorded by Victoria Police showed little variation, apart from June being somewhat lower than the other months. There appeared to be no change in incidence during the summer months (but see the discussion of temperature below). Table 7.5 presents these data for each of the five years in question. It should be recalled, however, that during 2000 and 2001 the recording of Road User Violence was in its infancy and so fewer incidents were recorded than in later years.

Table 7.5: Road User Violence incidents recorded by Victoria Police, month x year

Month	2000	2001	Year 2002	2003	2004	Total
January	0	0	5	59	42	106 (7.0%)
February	0	0	7	60	47	114 (7.5%)
March	0	1	11	58	59	129 (8.5%)
April	0	0	9	53	43	105 (6.9%)
May	0	0	10	80	37	127 (8.3%)
June	0	1	26	64	0	91 (6.0%)
July	0	2	58	64	0	124 (8.1%)
August	1	1	73	72	0	147 (9.6%)
September	0	0	73	61	0	134 (8.8%)
October	0	1	62	79	0	142 (9.3%)
November	0	5	69	61	0	135 (8.9%)
December	0	7	89	74	0	170 (11.2%)
Total	1 (0.1%)	18 (1.1%)	492 (32.3%)	785 (51.5%)	228 (14.5%)	1,524 (100.0%)

Source: Victoria Police, Statistical Services Division, Unit record data provided to the Drugs and Crime Prevention Committee.

In relation to the day of the week, again there were no particular trends present in the Victoria Police data, apart from Mondays having noticeably fewer incidents, as is apparent from Table 7.6. In terms of time of day, late afternoons (3pm to 5.59pm) was the time period with the highest number of incidents, which corresponds with afternoon peak-hour commuting times. The late night category (3am to 5.59am) showed the least number of incidents, which reflects low vehicle usage during these periods.

Table 7.6: Road User Violence incidents recorded by Victoria Police 2000–2004, day of week x time of day

Time Period	Day of Week							Total
	Sun	Mon	Tues	Wed	Thurs	Fri	Sat	
Midnight–2.59am	35	8	7	8	9	10	27	104 (6.8%)
3am–5.59am	9	2	0	2	1	2	5	21 (1.4%)
6am–8.59am	6	13	32	20	24	16	14	125 (8.2%)
9am–11.59am	25	21	31	42	20	28	36	203 (13.3%)
Midday–2.59pm	41	29	37	41	44	51	41	284 (18.6%)
3pm–5.59pm	43	51	56	66	89	72	46	423 (27.8%)
6pm–8.59pm	32	24	32	29	30	46	34	227 (14.9%)
9pm–11.59pm	20	13	10	17	14	23	40	137 (9.0%)
Total	211 (13.8%)	161 (10.6%)	205 (13.5%)	225 (14.8%)	231 (15.2%)	248 (16.3%)	243 (15.9%)	1,524 (100.0%)

Source: Victoria Police, Statistical Services Division, Unit record data provided to the Drugs and Crime Prevention Committee.

Comparing incidence between weekdays and weekends, it is apparent that 70.2 per cent of incidents took place during weekdays and 29.8% on weekends – see Table 7.7. It seems, however, that proportionally more incidents took place during the weekends in the evening periods than during the day – perhaps being indicative of a correlation with night-time recreational activities and alcohol consumption.

Table 7.7: Road User Violence incidents recorded by Victoria Police 2000–2004, time of day x weekday/weekend

Time Period	Weekday	Weekend	Total
Midnight–2.59am	42 (40.4%)	62 (59.6%)	104 (100.0%)
3am–5.59am	7 (33.3%)	14 (66.7%)	21 (100.0%)
6am–8.59am	105 (84.0%)	20 (16.0%)	125 (100.0%)
9am–11.59am	142 (70.0%)	61 (30.0%)	203 (100.0%)
Midday–2.59pm	202 (71.1%)	82 (28.9%)	284 (100.0%)
3pm–5.59pm	334 (79.0%)	89 (21.0%)	423 (100.0%)
6pm–8.59pm	161 (70.9%)	66 (29.1%)	227 (100.0%)
9pm–11.59pm	77 (56.2%)	60 (43.8%)	137 (100.0%)
Total	1,070 (70.2%)	454 (29.8%)	1,524 (100.0%)

Note: Percentages are of the total within each time category.

Source: Victoria Police, Statistical Services Division, Unit record data provided to the Drugs and Crime Prevention Committee.

Victorian media analysis

The Committee’s analysis of the newspaper reports contained in *The Age* and *Herald Sun* showed similar trends. Table 7.8 shows that incidents reported in the newspapers were evenly distributed across months of the year.

Table 7.8: ‘Road rage’ incidents reported in *The Age* and *Herald Sun*, 1999–2004 x month of the year

Month	Number of Incidents	Percentage
January	4	7.3
February	6	10.9
March	3	5.4
April	2	3.6
May	5	9.2
June	4	7.3
July	5	9.2
August	6	10.9
September	3	5.4
October	6	10.9
November	3	5.4
December	0	0.0
Unspecified	8	14.5
Total	55	100.0

Source: Drugs and Crime Prevention Committee analysis of separate incidents of ‘road rage’ reported in *The Age* and *Herald Sun* between 1 July 1994 and 30 June 2004.

Interestingly, however, it appears that considerably more incidents took place on Sundays than on other days. As seen in Table 7.9, weekend incidence on the basis of the media reports appears, therefore, to be higher than revealed in the Victoria Police statistics, although the number of incidents reported in the media is relatively small.

Table 7.9: ‘Road rage’ incidents reported in *The Age* and *Herald Sun*, 1999–2004 x day of the week

Month	All Days		Weekdays		Weekends	
	No.	%	No.	%	No.	%
Monday	3	5.5	24	57.1		
Tuesday	6	10.9				
Wednesday	7	12.7				
Thursday	4	7.3				
Friday	4	7.3				
Saturday	7	12.7			18	42.9
Sunday	11	20.0				
Unspecified	13	23.6				
Total	55	100.0				

Source: Drugs and Crime Prevention Committee analysis of separate incidents of ‘road rage’ reported in *The Age* and *Herald Sun* between 1 July 1994 and 30 June 2004.

As was the case with the Victoria Police statistics concerning time of day, the media reports also showed that the late afternoon period was when the highest proportion of incidents occurred, as shown in Table 7.10.

Table 7.10: Road User Violence incidents reported in *The Age* and *Herald Sun*, 1999–2004 x time of day

Time Period	No	%
Midnight–5.59am	3	5.5
6am–8.59am	6	10.9
9am–11.59am	2	3.6
Midday–2.59pm	1	1.8
3pm–5.59pm	7	12.7
6pm–8.59pm	6	10.9
9pm–11.59pm	2	3.6
Unspecified	28	51.0
Total	55	100.0

Source: Drugs and Crime Prevention Committee analysis of separate incidents of ‘road rage’ reported in *The Age* and *Herald Sun* between 1 July 1994 and 30 June 2004

In all, the information gathered by the Committee tends to show that most incidents occur during weekdays between the afternoon hours of 3pm and 5pm.

VCCAV media analysis

Turning to the VCCAV’s study of media-reported cases, it was found that of the 68 incidents detailed in the media the most frequent time of occurrence was between the hours of 5pm and 7pm (VCCAV 1999). This is somewhat later than the trend of time of day found by the Committee’s own research, but still correlates with peak-hour traffic times.

University of Western Australia Study

The 1997 study undertaken by the Crime Research Centre at the University of Western Australia found that 48 per cent of incidents occurred between noon and 6pm, while 22 per cent of incidents took place between 6am and noon. As with the Committee’s finding, the most frequent time period was 3pm to 6pm (27%). On weekdays, few incidents occurred between midnight and 6am (1%) as opposed to that time period at weekends (14%) (University of Western Australia Crime Research Centre 1997, Harding et al. 1998).

The time-of-day patterns for incidents were found to be typical of traffic flows for the Perth metropolitan area, with traffic peaks between 3pm and 6pm accounting for 23 per cent of total traffic flow during an average 24-hour period.

In her evidence to the Committee, Dr Lynne Roberts, Research Fellow, Crime Research Centre, University of Western Australia,¹¹⁰ indicated that there was a

¹¹⁰ Dr Lynne Roberts, Research Fellow, Crime Research Centre, University of Western Australia, in conversation with the Drugs and Crime Prevention Committee, 21 June 2004.

slight discrepancy between morning and afternoon incidence with slightly higher rates of incidents compared to traffic flow patterns in the afternoon, and slightly lower rates in mornings. She considered that this could be due to a mixture of stress, frustration and tiredness. She also indicated that these trends were similar to road crash patterns, although road crash patterns were actually closer to traffic flow than Road Violence patterns.

Similar results were found for days of the week, with the highest number of incidents occurring on Fridays (18%) when the volume of traffic was highest. Generally there was uniformity across days of the week, apart from peak time for Road Violence of Tuesday and Friday afternoons.

New Zealand research

In New Zealand, the New Zealand Police studied 16 incidents in 1997 in which car drivers exhibited aggression – either verbally, or coming to blows following a driving incident. It was found that most incidents occurred in daylight and in fine weather. Of the 14 incidents where information on time of day and road conditions were known, 12 occurred in fine daylight, and two occurred in wet dark conditions (Wright, Gaulton & Miller 1997).

In a subsequent study, New Zealand Police increased the sample to 26 cases, and confirmed their earlier finding that these incidents occurred during daylight hours and in mostly fine weather (Gaulton 1997). With the exception of three incidents, all took place between 6.50am and 5.30pm, and only one daylight incident was listed as occurring during overcast conditions on a wet road. Of the other three incidents that occurred at night, two were in wet conditions.

United Kingdom research

In a survey of 526 motorists conducted by the Automobile Association (Joint 1995), it was found that within the previous 12 months, almost 90 per cent of those surveyed stated that they had experienced behaviour that could be classified as 'road rage'. Seventy per cent experienced their last incident during the day and 30 per cent after dark. Young motorists under 35 years of age were more likely to report having been victimised after dark (44%) than those in the 35–54 year age group (28%) or those aged 55 years and over (15%).

Belgian Road Safety Institute study

In Belgium, the Committee was informed about research carried out by the Belgian Road Safety Institute involving the analysis of individual administrative files for 299 cases of 'road rage' that took place between July 1997 and June 1998.¹¹¹ The research found no difference in frequency of incidents over the months of the year or over the days of the week, apart from

111 Ruypers (2001). 'Expertmeeting verkeersagressie' lecture on the 'Staten-Generaal voor de verkeersveiligheid van de provincie Antwerpen' January. Mr Ludo Kluppels, Policy Coordinator, Belgian Road Safety Institute, in conversation with the Committee, Brussels, 7 July 2004 discussing *Road Rage in Belgium: An Overview of Facts and Actions*.

a slight diminution on Wednesdays, Saturdays and Sundays. Most incidents occurred in the afternoon – between 2pm and 8pm. With regard to the time of the day, no correlation was found between incidents and traffic congestion. The morning peak hour showed only a minor incident rate. These findings are consistent with those of the Committee.

United States research

In the United States, research by Rathbone and Huckabee (1999) which involved a number of surveys of Police Departments found that 'road rage' incidents were more common in the early rush hour and the hours before 6.00pm (73.7% of cases). Incidents were also more common in the summer, on Fridays, and in congested conditions. It was found that 10.5 per cent of the observed 'road rage' incidents occurred between 6am and 8am, which generally corresponds with morning peak travel times. During the afternoon peak hours, however, this figure rose to 15.8 per cent in the 2pm to 4pm period, and to 25 per cent during the 4pm to 6pm travel peak, dropping back to 11.8 per cent in the hours between 6pm and 8pm. In this small sample, 'road rage' incidents were more likely to occur during peak travel times, and one in four occurred during the 4pm to 6pm afternoon travel peak.

Other research by Lowenstein 1997 found that time of day was a significant factor, with more aggression being shown in the afternoons than the mornings – possibly due to the tiredness of drivers after a day's work. In the *USA Today* study, slightly more than half of aggressive-driving crashes occurred during morning and evening rush hours (Bowles & Overberg 1999).

The analysis of calls to the California Highway Patrol carried out by Sarkar et al. (2000) sought to estimate whether the different types of aggressive behaviours examined varied by time of day. Using statistical tests to determine the probability of variations occurring by chance alone, it was found that calls for Aggressive Driving 1 (speeding and some other behaviour) were significantly higher between 9am and 9pm with the highest number of calls reporting such incidents being 12pm to 3pm and 3pm to 6pm. Reports of Aggressive Driving 2 (weaving and cutting) were quite high between 9am and 6pm, and the 3pm to 6pm time had the highest number of reported incidents, which corresponds with the peak hours of travel. Aggressive Driving 3 (tailgating) was highest between 12pm and 6pm. Speeding Alone incidents reported were higher than expected between 12pm and 3pm, followed by 3pm to 6pm and 9am to noon. 'Road rage' incidents were reported more frequently during 3pm to 6pm, and the number of reports was marginally greater between 12 to 3pm and 6 to 9pm.

Statistical tests were significant, indicating that each freeway did exhibit differences in the driving behaviours based on time of day. The time period when aggressive driving, speeding and 'road rage' were reported most was 3pm to 6pm for all the four freeways. Aggressive driving in general was reported more often between 9am and 6pm (for convenience all the three types of aggressive driving categories were combined for this analysis). Interstates 5 and

15 had significant variations for aggressive driving by time of day, with the highest reported for 3pm to 6pm.

In terms of day of the week, the chi-square tests indicated that the number of calls varied by the day of the week for all incidents together and each category of aggressive driving. The number of calls was greater than expected on Fridays followed by Wednesdays. Sunday had a lower than expected number of calls followed by Monday and Saturday. For each separate category the trends were similar to the overall pattern with minor differences. Thursday generated a higher number of calls for Aggressive Driving 1 (speeding and something else).

Sarkar et al. (2000) also found that there was a significant difference in 'road rage' depending on time of year, with most incidents taking place in the months of June or September.

Temperature at time of incidents

Little information was available to the Committee concerning the variable of temperature. Each of the Committee's principal sources of data did not have evidence about whether incidents of Road Violence took place in hot or cold conditions. Accordingly, the Committee had to rely on limited overseas research that it located.

In the United States, for example, Lowenstein (1997) argued that temperature was an important factor in determining driver aggression. He cited research by Kendrick and MacFarlane (1986) who examined the influence of ambient temperature on the response of 75 drivers stopped at traffic lights. Results indicated a direct linear increase in horn sounding with rising temperature – concluding that increasing temperatures were associated with increased instrumental behaviour designed to remove a source of frustration.

In Rathbone and Huckabee's survey of law enforcement agencies in the United States, it was found that the majority of 'road rage' incidents reported in the surveys occurred during sunny weather (68.3%). Another 20.1 per cent of incidents occurred on overcast days. Inclement weather did not appear, therefore, to contribute to 'road rage', but could actually decrease it by keeping motorists more preoccupied with roadway conditions and lowering driver expectations. Of the 63 incidents (17 were either unknown or did not report the conditions), none were reported to have occurred during rainy or snowy weather, and only one was reported to have occurred under icy conditions. The highest percentage of 'road rage' incidents, 37.8 per cent, was reported to have occurred during the summer. The lowest percentage was reported for the winter months at 10.8 per cent. Spring and autumn occurrences were observed to be 23.0 per cent and 28.4 per cent, respectively (Rathbone & Huckabee 1999, pp.28-9).

As noted above, the 1997 New Zealand Police study of 16 incidents of car drivers exhibiting aggression – either verbally, or coming to blows following a

driving incident – found that most incidents occurred in fine weather. Of the 14 incidents where information was available, 12 occurred in fine daylight, and two occurred in wet dark conditions (Wright, Gaulton & Miller 1997).

In the subsequent study, New Zealand Police increased the sample to 26 cases, and confirmed their earlier finding that these incidents occurred during daylight hours and in mostly fine weather (Gaulton 1997). With the exception of three incidents, all took place between 6.50am and 5.30pm and only one daylight incident was noted as occurring during overcast conditions, on a wet road. Three further incidents occurred at night, two of which were in wet conditions.

Road conditions at time of incidents

The Committee also had little data available to it to ascertain whether various road conditions affected the incidence of Road Violence. Victoria Police data, the newspaper reports analysed and the online surveys all failed to deal with road conditions in relation to the occurrence of Road Violence.

In the VCCAV's (1999) survey of 801 Victorian drivers about aggression and/or violence associated with motor vehicle use, both victims and perpetrators agreed that 'severe road rage' was most likely to occur in peak hour/heavy traffic, followed by light traffic, moderate traffic, or when no traffic was present.

In the United States, Rathbone and Huckabee (1999) found the highest percentage of 'road rage' incidents reported in the surveys (33.3%) occurred under moderately congested conditions. This was followed by 26.4 per cent of incidents that occurred under free-flowing conditions, and 22.2 per cent occurring under conditions of heavy congestion. The least number of incidents (18.1%) occurred under lightly congested conditions.

Use of weapons

The final variable relating to the nature of Road Violence incidents examined by the Committee was the type of weapon used in incidents. Clearly the use of weapons differs considerably between cultures, with firearms being much more prevalent in crimes in the United States than in Australia or the United Kingdom (Stephen 1999). In Victoria, for example, the 1999 *Crime Victimization Survey* found that 33,767 people were assaulted in a private vehicle by a stranger during the 12 months in question, with weapons being displayed, threatened or used in 23 per cent of these cases (see Victorian Community Council Against Violence 1999).

Victorian media analyses

In the Committee's analysis of reports of 'road rage' in *The Age* and *Herald Sun* newspapers between 1999 and 2004, a range of weapons and instruments

were found to be involved in the reported incidents. Hands were the most frequently reported instrument used to commit an assault (17 cases), followed by motor vehicles themselves which were used in 12 cases to target victims. The next largest category included various blunt instruments (10 cases) consisting of a baton, piece of wood, baseball bat, crowbar, wheel brace, jack, hammer, iron bar, golf club and club lock). Firearms were reported in just nine cases (one of which involved a toy firearm) and six other cases involved knives. Offenders used their feet to commit assaults in eight cases, a screwdriver in three and a brick in one other. No weapons or instruments were used in only two cases and weapon usage was not reported in a further three. In all, of those cases in which weapon usage was reported, some 60 per cent of instances involved weapon usage (excluding cases involving hands and feet).

In the VCCAV's survey of 68 incidents of 'road rage' reported in the media (1999), some 35 per cent of incidents involved the use of weapons.

New Zealand research

In the New Zealand Police study conducted in 1997 of 16 incidents in which car drivers had exhibited aggression – verbally, or coming to blows following a driving incident – in seven cases punches were thrown, in six a weapon was used; two involved a vehicle as a weapon and one case involved verbal abuse and threats. The weapons used included tyre levers, rocks and a golf club, generally indicating a lack of premeditation (Wright, Gaulton & Miller 1997).

Belgian Road Safety Institute research

The Committee was informed that research carried out by the Belgian Road Safety Institute involving analysis of individual administrative files for 299 cases that took place between July 1997 and June 1998¹¹² found that 11.2 per cent of incidents of 'road rage' involved weapons. No guns were used, however, with weapons being restricted to implements such as baseball bats, spanners, knives, pepper spray and fire extinguishers – indicating an absence of premeditation.

United States research

In the United States, as one might expect, firearms were more frequently used in the course of 'road rage' incidents. The study by Mizell and Company International Security in 1997 of 10,037 incidents of aggressive driving reported in newspapers, police reports and insurance reports between January 1990 and 1 September 1996, for example, found that at least 218 men, women, and children were murdered and 12,610 people injured as a result of these 10,037 incidents (Mizell 1997). In approximately 4,400 of the 10,037 known aggressive driving incidents, the perpetrator used a firearm, knife, club, fist, feet or other standard weapon for the attack. In approximately 2,300 cases the aggressive driver used an even more powerful weapon – his or her own

112 *ibid.*

vehicle – while in approximately 1,250 cases the aggressive driver used his or her own vehicle and a standard weapon such as a gun, knife, or club.

While no information was available for 1,087 of the cases reviewed, the most commonly used weapon was a firearm (37% of cases) or the vehicle (35%). Other common weapons (in order of frequency) were: fists and feet; tyre irons and jack handles; baseball bats; knives (including bayonets, ice picks, razor blades & swords); hurled projectiles (beer/liquor bottles, rocks, coins, soda cans, garbage, food); other clubs (crowbars, lead pipes, batons, 4x4 timbers, canes, tree limbs, wrenches, hatchets, golf clubs); defensive sprays (mace, pepper spray); and miscellaneous items (eggs, water pistols, paint roller rod). While women used a variety of weapons, the most commonly used weapon for women was the vehicle itself (285 of 413 incidents).

In 2002, a survey was carried out of 790 licensed drivers in Arizona (Miller et al. 2002). It was found that 34 per cent of respondents reported having made obscene gestures or cursing at other drivers over the 12 months prior to the survey; 28 per cent reported aggressively following/blocking other drivers; and 7 per cent reported engaging in at least three of the above behaviours (obscene gestures, cursing, following, blocking). Rude and hostile behaviour while driving was significantly more common among men, young adults and people who carried firearms in their cars, than among those who did not carry firearms.

Men who carried guns in their cars were about three times as likely to engage in three of the four behaviours than women without guns. It was argued that the high correlation between carrying guns and aggression could be due to: those carrying guns being predisposed to hostile behaviour; having a gun emboldening them to act aggressively; and higher rates of hostility in the area, requiring them to carry a gun as protection (Miller et al. 2002).

Although the Committee views with concern the evidence that a high proportion of incidents of Road Violence entailed the use of weapons or other instruments of violence, it is reassured that firearms remain a rare feature of Road Violence in Victoria at present.

Conclusion

On the basis of the research reported in this chapter, it appears that actual incidents of Road Violence are rare and tend to arise following some of the more frequently reported triggering events, such as tailgating and cutting-in on other drivers. Where Road Violence takes place it is usually accompanied by hostile and aggressive words and threats, and, in rare cases, ends in assault and battery or property damage to the victim's vehicle. It also appears that the more aggressive drivers tend to be involved in crashes more often than non-aggressive drivers.

By far the majority of incidents occur on roadways or in car parks, and most frequently in outer-suburban areas, as opposed to inner city locations and remote and rural areas. The research evidence on location is, however, rather limited and so these findings may require verification using larger samples.

In terms of time of occurrence, proportionally fewer incidents seem to take place during the winter months and on Mondays. The highest risk time period was confirmed in a number of studies to be 3pm to 6pm, which correlates generally with peak-hour traffic. Very congested traffic conditions, however, often did not lead to an increase in incidents. Instead, more incidents occurred in conditions of dense but fast-moving traffic. The limited research that dealt with weather and temperature seems to indicate that incidents generally occurred during fine as opposed to inclement weather and, accordingly, on hotter rather than cooler days.

Finally, with respect to weapon usage during incidents of Road Violence, the research shows that although guns are often present in incidents in the United States, in Australia it seems that perpetrators often punch or kick their victims or use their vehicles as a weapon to run over their victim. A range of other blunt instruments, often including vehicle steering locks, are also regularly used as weapons. Research in the United States shows that individuals who carried guns tended to be more likely to become involved in 'road rage' than those who did not carry guns.

8. The Characteristics of Perpetrators and Victims

Introduction

Considerable research has been conducted around the world on the personal characteristics of both perpetrators and victims of Road Violence and other forms of 'road rage'. This research will be presented under various sub-headings in which the variables will be considered as they each apply to both perpetrators and victims. Some studies, however, present data on a number of variables together and these will be presented in full in the first sub-section dealing with age and gender (despite the fact that other demographic characteristics are included). The Committee's own research findings will be presented at the commencement of each sub-section.

Age and gender

Most kinds of violent crime are usually perpetrated by young males, as is the case with acts of Road Violence. However, in the case of aggressive driving, Road Hostility and Selfish Driving, the Committee heard that women are often the perpetrators.¹¹³ It appears, therefore, that the most severe forms of Road Violence are the preserve of males, while females tend to be involved in less serious forms of aggression. In this section the Committee presents the research findings on the variables of age and gender as they apply both to perpetrators and victims of Road Violence and associated conduct.

Age is also a predictor of Road Violence, with the majority of offences committed by younger drivers. Wiesenthal, Hennessy and Gibson (2000) suggest that older people may have learned from experience that retaliation to a perceived threat is unproductive or counterproductive, or they may just not react as quickly as in the past. They may also see the option of aggression as less desirable because the end result may be that they lose what they have

113 Dr Barry Watson, Centre for Accident Research and Road Safety – Queensland (CARRS-Q), in conversation with the Committee, Brisbane, 15 June 2004; Mr Wayne Warburton, Doctoral Student, Department of Psychology, Macquarie University, in conversation with the Committee, Sydney, 17 June 2004.

worked hard to obtain – their vehicle or, more importantly, their health, family and/or freedom. Younger, less experienced drivers may need an adjustment period to become accustomed to the newly found freedom of driving and to become aware of the consequences of aggressive driving habits.

The Committee’s research

The data provided by Victoria Police of the 1,524 road user violence incidents recorded during the period 2000 to 2004 showed that both victims and perpetrators of incidents tended to be relatively young. The mean age of victims at the time of the offence was 35 years (with a standard deviation of 13). The median age of victims was 33 years. The youngest victim was aged 9 years and the oldest 84 years. Age categories for victims are shown in Table 8.1.

Table 8.1: Road User Violence incidents recorded by Victoria Police, victim age x sex

Age category (years)	Male		Female		Unspecified		Total	
	N	%	N	%	N	%	N	%
< 10	1	0.1	0	0	0	0	1	0.1
10-14	4	0.3	2	0.1	0	0	6	0.4
15-17	11	0.8	7	0.5	1	0.1	19	1.3
18-19	72	5.1	24	1.7	1	0.1	97	6.9
20-24	158	11.2	71	5.0	2	0.1	231	16.4
25-29	155	11.0	50	3.5	2	0.1	207	14.7
30-34	162	11.5	53	3.8	1	0.1	216	15.3
35-39	115	8.2	51	3.6	5	0.4	171	12.1
40-44	109	7.7	40	2.8	3	0.2	152	10.8
45-49	73	5.2	22	1.6	5	0.4	100	7.1
50-54	59	4.2	15	1.1	1	0.1	75	5.3
55-59	58	4.1	13	0.9	0	0.0	71	5.0
> 60	49	3.5	12	0.9	3	0.2	64	4.5
Total	1,026	72.2	360	25.5	24	1.7	1,410	100.0

Note: Victim age and sex were not recorded in 114 cases.

Source: Victoria Police Statistical Services Division, Unit record data on Road User Violence.

The mean age of offenders at the time of the offence was 32 years (with a standard deviation of 11). The median age of offenders was 31 years. The youngest offender was aged 14 years and the oldest 73 years. Age categories for offenders are shown in Table 8.2.

Table 8.2: Road User Violence incidents recorded by Victoria Police, offender age x sex

Age category (years)	Male		Female		Unspecified		Total	
	N	%	N	%	N	%	N	%
< 10	0	0.0	0	0.0	0	0.0	0	0.0
10-14	2	0.2	1	0.1	0	0.0	3	0.2
15-17	35	2.8	3	0.2	3	0.2	41	3.3
18-19	135	10.9	15	1.2	21	1.7	171	13.8
20-24	207	16.7	25	2.0	1	0.1	233	18.8
25-29	174	14.0	17	1.4	1	0.1	192	15.5
30-34	179	14.4	20	1.6	5	0.4	204	16.4
35-39	143	11.5	19	1.5	1	0.1	163	13.1
40-44	85	6.8	5	0.5	1	0.1	91	7.4
45-49	50	4.0	6	0.5	0	0.0	56	4.5
50-54	28	2.3	3	0.2	0	0.0	31	2.5
55-59	29	2.3	3	0.2	0	0.0	32	2.6
> 60	23	1.9	1	0.1	0	0.0	24	1.9
Total	1,090	87.8	118	9.5	33	2.7	1,241	100.0

Note: Offender age and sex were not recorded in 283 cases.

Source: Victoria Police Statistical Services Division, Unit record data on Road User Violence.

Limited information on the age and gender of those involved in 'road rage' incidents was available also from the Committee's analysis of media reports contained in two Victorian newspapers between 1994 and 2004. Unfortunately, not all reports contained information concerning age and gender.

In the reports examined, 80 offenders were identified, 66 of whom were male (82.5%), and eight of whom were female (10.0%). Gender was not specified in respect of a further six individuals (7.5%). Some incidents had one offender involved, and others had multiple offenders. The distribution of offenders' ages in single offender incidents was as follows: Under 20: 1; 20-29: 14; 30-39: 7; 40-49: 3; 50 and over: 2. Age was unspecified in relation to a further 12 individuals. In relation to incidents with multiple offenders, one incident involved offenders under 20 years of age, five incidents involved offenders aged 20-29, and one other incident involved offenders aged 30 or older.

In relation to victims, in the reports examined, 78 victims were identified, 55 of whom were male (70.5%), and 15 of whom were female (19.2%). Gender was not specified in respect of a further eight individuals (10.3%). As was the case with offenders, some incidents had one victim involved and others had multiple victims. The distribution of victims' ages in single victim incidents was as follows: Under 20: 1; 20-29: 9; 30-39: 7; 40-49: 2; 50 and over: 2. Age was unspecified in relation to a further 17 individuals. In relation to incidents with multiple victims, one incident involved a child victim under 10, another involved a victim under 20; six incidents involved victims in their 20s or 30s, and in seven other incidents age was not reported.

The responses to the Committee's online survey disclosed 16 separate incidents of Road Violence. The age and gender of victims and offenders are shown in Table 8.3.

Table 8.3: Age and gender of victim and offenders in online survey

Age category (years)	Offenders				Victims			
	Male		Female		Male		Female	
	N	%	N	%	N	%	N	%
18-25	4	27	1	100	0	0	0	0
26-35	7	47	0	0	4	40	4	57
36-45	3	20	0	0	4	40	1	14
46-55	0	0	0	0	2	20	1	14
56-65	1	6	0	0	0	0	0	0
> 65	0	0	0	0	0	0	1	14
Total	15	100	1	100	10	100	7	99

Note: One case involved two victims, one male and one female 36–45. Some percentages do not total 100 due to rounding.

Source: Victoria Police Statistical Services Division, Unit record data on Road User Violence.

From Table 8.3 it appears that victims were quite evenly distributed across genders while offenders were almost all male. Offenders also tended to be younger than their victims.

Victorian Crime Victimization survey

The Victorian Department of Justice's *Crime Victimization Survey* in 1996 found that the second most likely place (after the location 'outside') for an assault by a stranger to occur was in a 'private car'. As was explained in Chapter 5, although not all of these assaults would constitute acts of Road Violence, of the 33,767 people in Victoria who were assaulted in a private vehicle by a stranger during the 12 months in question, some 86 per cent of victims were male, and 14 per cent female. The most common age for these victims was 15–24 years old (Victorian Community Council Against Violence 1999).

Victorian Community Council Against Violence (VCCAV) study

The VCCAV's (1999) survey of 801 Victorian drivers about aggression and/or violence associated with motor vehicle use found that males were more likely to be 'mild road rage' perpetrators than females, both in general terms and in terms of specific behaviours (apart from horn tooting, where females were more likely to behave in such a manner). Males were twice as likely to commit 'severe road rage' than females.

In terms of age, people aged 18–24 (55%) and 25–34 (56%) were more likely to commit 'mild road rage' than population as a whole (37%) and males aged 18–24 (65%) and 25–34 (59%) were even more likely to commit 'mild road rage'. Retirees (17%) were significantly less likely to have committed 'mild road rage'. Young males aged 18–24 were the most likely to commit 'severe road rage', with rates three times higher than for females.

Females aged 25–34 were significantly more likely to commit ‘mild road rage’ than the population as a whole. The highest reported incidence of ‘severe road rage’ was among 18–24 year old males (15%) with the lowest among 18–24 and 35–44 year old females (3% each).

Concerning victims, the VCCAV found that certain groups of the population were significantly more likely to encounter ‘mild road rage’. These were: 18–24 year olds (86%); those who have had between 6–10 years of driving (87%); and those who have had less than five years of driving (83%) (Victorian Community Council Against Violence 1999). Groups of the population who were less likely to have experienced ‘mild road rage’ victimisation were: those who have had over 30 years of driving (63%); and males aged 65 years and over (58%) (Victorian Community Council Against Violence 1999).

Males were more likely than females to be victims of ‘severe road rage’ generally and each of the various types of ‘severe road rage’ behaviours. Young 18–24-year-old males (7%) were more than three times more likely to be assaulted than the population as a whole (2%). Males felt that they were the victims of ‘mild road rage’ more often than females. For example, 21 per cent of male victims perceived such incidents occurred once a week or more often, as opposed to 9 per cent of female victims. Some 10 per cent of 25–34 year old males recalled being a victim of ‘mild road rage’ daily, as opposed to 3 per cent of the whole population.

With respect to the 68 incidents detailed in the media reports examined by the VCCAV (1999), the profile of offenders was that they were predominantly male (69 out of 84 offenders) and young (the largest age category was 26–30-year-olds). Victims also were predominantly male (44 out of 73 victims) and also were young (the largest age category for victims was under 25).

University of Western Australia study

The 1997 study undertaken by the Crime Research Centre at the University of Western Australia for the Western Australian Royal Automobile Club researched 797 incidents of driving-related violence reported to police from 1991 to 1995. It found that some 83 per cent of cases involved male victims and 17 per cent involved female victims. Offender details were only recorded in 26 per cent of incidents. Where the sex was known, males constituted 93 per cent of offenders.

The median age of victims was 28 with half of all victims aged 21–40. The youngest victim was aged 8 and the oldest aged 84 years. An age-specific victimisation rate was calculated using estimated resident population figures and total number of incidents for each age group. It was found that the risks of being a victim of road violence peaked at 151.9 / 100,000 residents for those aged 18–19 for both males and females, but the victimisation rate for males (240.3 / 100,000) was much greater than for females (60.3 / 100,000). Risks for males remained high until the 45–49 age group. The average age, where

known, was 30 years with a median of 27 years. Half of all offenders were aged 22–35, the youngest offender was 14 and the oldest was 94 (University of Western Australia Crime Research Centre 1997; Harding et al. 1998).

New Zealand research

The only relevant study the Committee was able to locate in New Zealand involved a police examination of 16 incidents in 1997 where car drivers had exhibited aggression – either verbally, or coming to blows following a driving incident. The study found that 16 of the 17 perpetrators (one had two perpetrators) were male and 13 of the 16 victims were also male. There were no instances of men doing more than verbally abusing a woman – the only physical assault on a woman was by another woman (Wright, Gaulton & Miller 1997). A subsequent study of 26 cases confirmed the earlier findings that perpetrators are mostly men. Of the 31 offenders, there were 30 men and one woman. There were 21 male victims and five female victims (Gaulton 1997).

More recently, in Hastings, a case was reported in which two women allegedly threatened a 22-year-old female motorist with a screwdriver and then assaulted her causing minor injuries, following a ‘road rage’ incident. The accused were arrested by police and charged with assault and intent to injure (*Dominion Post* 2005).

United Kingdom research

Three questions concerning aggressive driving behaviour were included in one of the follow-up sections of the 1998 British Crime Survey. After an initial filter question to ensure respondents had driven within the preceding 12 months, questions were asked to gauge victims’ experience of the following behaviours: verbal abuse or gestures; being forced to pull over or forced completely off the road; and other drivers getting out of their cars and threatening violence. The analysis was based on the responses of 4,565 individuals (Marshall & Thomas 2000).

The survey found that over half (54%) of all respondents who had driven a car or a van in the past 12 months reported being a victim of some form of ‘road rage’, as defined by the British Crime Survey. This was somewhat lower than that reported in other surveys. However, in line with previous studies, most people claimed to have experienced the less serious forms of ‘road rage’: 52 per cent said they had experienced verbal abuse or gestures from another driver; 9 per cent said they had been forced to pull over or forced completely off the road; and only 3 per cent said that another driver had got out of his or her car and threatened violence.

Overall, men were significantly more likely to have experienced ‘road rage’ in the last 12 months than women (57% and 50% respectively). Among both men and women risks were significantly higher for those aged 25–44 (66% of men and 58% of women). Men were significantly more likely to have been

victims of verbal abuse and gesturing (55% as opposed to 48% for women) and threats of violence (4% as opposed to 2%). However, women were as likely as men (9%) to have been forced to pull over or forced completely off the road (Marshall & Thomas 2000).

In Marshall and Thomas' (2000) media analysis of 60 incidents, they identified 95 perpetrators. The specific age and gender were known for only 47 (49%) of the 95 perpetrators involved in the 'road rage' cases. Assuming these 47 were representative of age and gender across all perpetrators, it would appear that 27 (57%) were aged 16–29, while 19 (40%) were aged 30–59. As the age of women was only known in five cases, the sample was considered too small to compare age differences between genders (Marshall & Thomas 2000). Details of these results are shown in Table 8.4.

Table 8.4: Age and gender of perpetrators of 'road rage' in the UK

Age	Male	Female	Unknown	Total
0-15 year	0	0	2	2
16-29 year	23	4	0	27
30-59 year	18	1	0	19
60+ year	1	0	0	1
Adult – specific age unknown	35	3	3	41
Unknown	0	0	5	5
Total	77	8	10	95

Source: Marshall & Thomas 2000, p.4.

Marshall and Thomas observed that:

The concentration of road rage perpetrators in the 16 to 29 age range is consistent with previous research. For example, Jonah (1990) found that those aged between 20 and 24 years were most likely to engage in aggressive driving. By contrast, those in the 45 to 64 age group and those over 65 years were less likely to engage in all forms of aggressive driving behaviour (Marshall & Thomas 2000, p.5).

In relation to gender differences, Joint (1995) found that 54 per cent of women admitted to aggressive driving behaviour, compared with 64 per cent of men.

In terms of victims, of the 60 incidents reported in the media there were identifiable victims in 56 cases, but as little information was provided in two cases the analysis was limited to the remaining 54 incidents. These involved 84 victims in total (Marshall & Thomas 2000). The sample size was really too small to draw any clear conclusions and the presence of missing age data could have considerably changed the patterns found (Marshall & Thomas 2000). The results are shown in Table 8.5.

Table 8.5: Age and gender of victims of 'road rage' in the UK

Age	Male	Female	Total*
0-15 year	4	2	6
16-29 year	7	9	16
30-59 year	20	7	27
60+ year	2	2	4
Adult – specific age unknown	13	9	22
Total	46	29	75

* In addition, the gender of the seven victims and the age of three was not reported (totalling nine victims, as for one both age and gender was unknown).

Source: Marshall & Thomas 2000, p.4.

There was a contrast in the age distribution of male and female victims. Forty-five per cent of female victims (whose specific age was known) were 16 to 29, while 35 per cent were aged 30 to 59. By contrast, only 21 per cent of males were aged 16 to 29, while a further 61 per cent were aged 30 to 59.

It is possible that the age and gender composition of 'road rage' victims may reflect the profile of victims of violent crime more generally. Figures on victims of stranger violence from the main British Crime Survey (Mirrlees-Black, Mayhew & Percy 1996) showed that women aged 16 to 29 were four times more likely to be at risk than those aged 30 to 59. Although these figures are not strictly comparable with those in Table 8.5, they do suggest similar patterns to that found in the media analysis (Marshall & Thomas 2000).

The differences between age groups for men could be an artefact of the extent of their road use; indeed, 'road rage' victimisation might be expected to be highest among those who use the roads most often. This would appear to be confirmed by data provided by the Department of Environment, Transport and the Regions (DETR) (2000) which revealed that, among males, those aged 30–59 were the heaviest road users. This group drove, on average, 8,641 miles per annum, compared to 5,321 miles by 17–29-year-old males and 3,796 by those aged 60 and over. In contrast, road use for females was highest among 30–59-year-olds, who drove, on average, 3,536 miles per annum, compared to 2,917 miles by 17–29 year olds and 778 miles by those aged 60 and over (DETR 2000). This suggests that the 'road rage' victimisation patterns found in this study for females are potentially related to both risk of stranger violence generally and extent of road use, but for male victims the potential relationship is only to road use (Marshall & Thomas 2000).

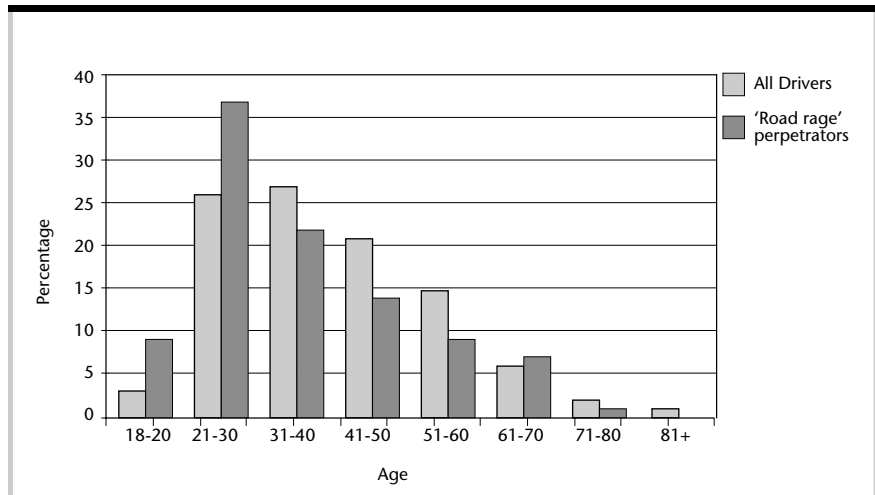
Criminal Statistics for 1996 (Home Office 1997) revealed that 91 per cent of those found guilty of violence against the person were also male. This suggests that the gender distribution for 'road rage' offenders is similar to that for violent offenders as a whole (Marshall & Thomas 2000). The gender distribution found in the current study supports previous research (see Wright, Gaulton & Miller 1997; AAA Foundation for Traffic Safety 1996), which suggests that men are more likely to perpetrate acts of aggression on the roads.

However, other studies report little gender difference in rates of 'road rage' (for example, Stradling et al. 1997). The disparity between studies may be due to differences in the definitions of what constitutes 'road rage', or that the media sample over-represents the serious violent cases (Marshall & Thomas 2000).

Belgian Road Safety Institute research

The research carried out by the Belgian Road Safety Institute Research into 299 cases of 'road rage' that took place between July 1997 and June 1998 found that most offenders were young males in the age group 21–30 years (89%). Compared with the average population of drivers, there was proportionally a higher number of 'road rage' offenders in the age categories 19-20 years, 21-30 years and, interestingly 61-70 years (see Figure 8.1). Males were more involved than females (89% males and 10% females), even in comparison with their presence as car drivers (82% and 18% respectively). Most men attacked male opponents (male–male 81.8%). Generally, there was an over-representation of young males between the ages of 18–30 years.¹¹⁴

Figure 8.1: Percentage of all drivers and 'road rage' perpetrators by age category, in Belgian Road Safety Institute research



Source: Data presented to the Committee by Mr Ludo Kluppels, Policy Coordinator, Belgian Road Safety Institute, Brussels, 7 July 2004.

Canadian research

In Ontario, Mann, Smart and his colleagues carried out research, known as the CAMH (Centre for Addiction and Mental Health) Monitor, a repeated cross-sectional telephone survey of 2,610 adults conducted in two phases, between July and December 2001, and January and June 2002. Questions about experiencing 'road rage' behaviour as perpetrator and victim during the preceding 12 months were reported in Chapter 4 (see Table 4.11). As already noted, with respect to the

¹¹⁴ Ruypers (2001). 'Expertmeeting verkeersagressie' lecture on the 'Staten-Generaal voor de verkeersveiligheid van de provincie Antwerpen', January. Mr Ludo Kluppels, Policy Coordinator, Belgian Road Safety Institute, in conversation with the Committee, Brussels, 7 July 2004, discussing *Road Rage in Belgium: An Overview of Facts and Actions*.

most serious behaviours (that would approximate to the Committee's definition of Road Violence), it was found that only 5.2 per cent of respondents had been threatened with damage to their vehicle or personal injury, while only 1 per cent of those surveyed admitted to hurting or attempting to hurt someone or damage his or her vehicle (Smart, Asbridge & Mann 2003).

The data gathered by these researchers on demographic variables of offenders and victims is set out in Table 8.6.

Table 8.6: Percentage of past year 'road rage' victimisation and offending in Canada and psychiatric distress by demographic subgroups (weighted)

Independent measures	Any road rage victimisation	Any road rage offending	GHQ _{≥3} (%)
Mean (%)	46.5	32.5	13.2
Sex			
Men	49.2 ^b	39.1 ^b	10.1 ^b
Women	43.8	26.9	15.9
Age (years)			
18–29	51.7 ^b	46.3 ^b	13.9
30–39	49.4	39.8 ^b	15.6 ^b
40–49	48.7	30.9	12.0
50–64	44.8	23.8 ^b	41.2
≥ 65	28.3 ^b	14.3 ^b	7.1 ^b
Educational attainment			
Less than high school	39.3 ^b	25.1 ^b	13.6
Completed high school	42.1	31.8	12.8
Some postsecondary	47.7	36.5 ^b	14.4
Completed university	53.0 ^b	32.6	12.1
Employed full time			
Yes	49.0 ^b	37.3 ^b	11.2 ^b
No	43.6	27.5	15.3
Marital Status			
Married and (or) common-law	45.6	29.1 ^a	12.4
Previously married	42.7	26.0 ^a	15.7 ^b
Never married	50.9 ^a	45.5 ^b	14.2
Residential location			
Rural	35.3 ^b	25.2 ^b	11.9
Urban	48.2	33.7	13.4
Past-year road-rage victimisation			
Yes	—	52.8 ^b	16.0 ^b
No	—	15.8	11.2
Past-year road-rage offending			
Yes	74.3 ^b	—	14.8
No	32.5	—	12.6
Mental Health (≥ 3 on GHQ)			
Yes	55.2 ^b	36.1	—
No	45.0	31.9	—

Note: Subgroup differences are tested with an analysis of variance. Subgroup differences for variables with more than 2 categories are tested against the means for that variable. GHQ = General Health Questionnaire.

^a $P < 0.05$; ^b $P < 0.01$

Source: Smart, Asbridge & Mann 2003, p.684.

From Table 8.6 it is apparent that approximately 40 per cent of men indicated involvement in 'road rage' as a perpetrator, a rate significantly higher than that for women (around 27%). Similarly, men were also more likely to be 'road rage' victims (49.2% as opposed to 43.8% for women), although these differences were less pronounced. A greater proportion of individuals aged 18–29 years had experienced 'road rage' victimisation and offending, while those aged 65 years and over were significantly less likely to be victims and offenders. Differences for other age groups were not significant for victimisation, although those aged 30–39 years were more likely to be 'road rage' offenders, while 50–64-year-olds were significantly less likely to offend (Smart, Asbridge et al. 2003.).

The data relating to other variables will be discussed in more detail below.

Further information from the 2001 cycle of the CAMH Monitor about experiencing 'road rage' behaviour as perpetrator and victim during the preceding 12 months is shown in Table 8.7.

Table 8.7: Prevalence of ‘road rage’ victimisation and perpetration by demographic characteristics, 2001 Ontario CAMH Monitor Data

Sample Characteristics		Road Rage Victimisation by Demographics		Road Rage Perpetration by Demographics	
		Someone shouted, cursed or made rude gestures at you %	Someone threatened to hurt you or damage your vehicle %	You shouted, cursed or made rude gestures at someone %	You threatened to hurt someone or damage their vehicle %
Total sample	N=1395	46.6	7.2	31.7	2.1
Gender	N=1395	*		***	**
Male	46.0	50.3	7.3	39.2	3.4
Female	54.0	43.3	7.0	25.4	1.0
Age	N=1356	***	***	***	***
18-34	32.3	53.3	11.8	44.2	4.7
35-54	42.1	49.0	6.3	32.2	1.1
55+	25.5	35.7	3.6	17.1	0.3
Region	N=1395	***	***		*
Toronto	23.5	53.4	14.1	37.2	2.0
Central East	19.6	50.0	6.4	29.4	1.5
Central West	19.7	49.4	6.0	33.5	4.5
West	13.1	43.2	2.9	31.4	0.0
East	13.9	40.9	4.8	28.3	1.6
North	10.2	31.6	4.3	26.3	2.2
Income	N=1141	***	*	***	
<\$30,000	16.5	34.9	4.6	19.3	1.2
\$30,000-49,999	22.6	39.7	7.4	21.6	1.2
\$50,000-79,999	28.6	53.6	7.1	37.9	3.8
\$80,000+	32.3	56.9	11.5	44.5	2.9
Education	N=1377	***		**	
<High school	13.2	36.1	6.3	22.1	4.0
Completed high school	27.9	42.5	7.7	32.3	1.9
Some post-secondary	32.3	48.1	7.6	36.9	2.3
University degree	26.6	55.6	6.8	30.6	1.1
Marital status	N=1383			***	***
Never married	24.1	52.3	10.1	47.3	6.0
Married/ partner	63.4	46.9	6.4	27.4	0.9
Previously married	12.4	35.8	6.3	25.6	0.6

Note: Statistical significance * p<0.05 ** p < 0.01 *** p<0.001.

Source: Smart, Mann & Stoduto 2003, p.248.

With respect to the most serious behaviours that would approximate to the Committee’s definition of Road Violence, it was found that only 7.2 per cent of respondents had been threatened with damage to their vehicle or personal injury (‘threats’), with no differences being present between men and women. Rates of victimisation were substantially greater for the 18–34 (11.8%) age group than the 55 or older (3.6%) age group, and prevalence was much lower in all regions when compared to Toronto.

With respect to perpetrators of threats and damage, only 2.1 per cent threatened to hurt someone or damage their vehicle. This form of ‘road rage’ varied by sex (p<0.01), age (p<0.001), region (p<0.05) and marital status (p<0.001); however, the numbers were small in many of the cells and, accordingly, the results may be unreliable (Smart, Mann & Stoduto 2003).

Multivariate analyses were performed on the data using age, sex, region, income level, education and marital status as independent variables (see Table 8.8).

Table 8.8: 'Road rage' victimisation and perpetration by demographic characteristics: Logistic Regression Analyses, 2001 Ontario CAMH Monitor Data

	Road Rage Victimization			Road Rage Perpetration		
	Someone shouted cursed or made rude gestures at you	Someone threatened to hurt you or damage your vehicle	You shouted, cursed or made rude gestures at someone	You threatened to hurt someone or damage their vehicle	OR	95%CI
Gender (male=1)	OR 0.96 95%CI 0.891, 1.02	OR 1.07 95%CI 0.95, 1.20	OR 0.89** 95%CI 0.83, 0.96	OR 0.78 95%CI 0.61, 1.01		
Age	OR 0.98*** 95%CI 0.97, 0.99	OR 0.98** 95%CI 0.96, 0.99	OR 0.98*** 95%CI 0.96, 0.99	OR 0.95* 95%CI 0.90, 0.99		
Region (Toronto=1)						
Central East	OR 1.00 95%CI 0.68, 1.47	OR 0.38** 95%CI 0.20, 0.72	OR 0.65* 95%CI 0.43, 0.99	OR 0.94 95%CI 0.24, 3.69		
Central West	OR 0.79 95%CI 0.54, 1.17	OR 0.43** 95%CI 0.23, 0.80	OR 0.83 95%CI 0.55, 1.26	OR 2.54 95%CI 0.83, 7.76		
West	OR 0.78 95%CI 0.49, 1.22	OR 0.16*** 95%CI 0.06, 0.47	OR 0.76 95%CI 0.46, 1.24	OR 0.14 95%CI 0.01, 3.13		
East	OR 0.63* 95%CI 0.41, 0.96	OR 0.21*** 95%CI 0.09, 0.49	OR 0.75 95%CI 0.48, 1.18	OR 1.14 95%CI 0.27, 4.91		
North	OR 0.43*** 95%CI 0.26, 0.71	OR 0.20** 95%CI 0.07, 0.57	OR 0.65 95%CI 0.38, 1.10	OR 1.62 95%CI 0.33, 8.04		
Income (c\$30,000=1)						
\$30,000-49,999	OR 0.98 95%CI 0.63, 1.53	OR 1.32 95%CI 0.54, 3.21	OR 1.07 95%CI 0.64, 1.80	OR 0.85 95%CI 0.11, 6.42		
\$50,000-79,999	OR 1.46 95%CI 0.95, 2.25	OR 1.10 95%CI 0.45, 2.65	OR 2.08** 95%CI 1.27, 3.41	OR 1.79 95%CI 0.30, 10.64		
\$80,000+	OR 1.64* 95%CI 1.05, 2.54	OR 2.12 95%CI 0.91, 4.96	OR 3.14*** 95%CI 1.90, 5.18	OR 2.12 95%CI 0.35, 12.88		
Education (<high school=1)						
Completed high school	OR 1.00 95%CI 0.63, 1.59	OR 1.03 95%CI 0.44, 2.40	OR 1.08 95%CI 0.64, 1.82	OR 0.20* 95%CI 0.06, 0.71		
Some post-secondary	OR 1.12 95%CI 0.71, 1.75	OR 0.86 95%CI 0.37, 1.99	OR 1.13 95%CI 0.68, 1.82	OR 0.28* 95%CI 0.09, 0.91		
University degree	OR 1.36 95%CI 0.85, 2.17	OR 0.59 95%CI 0.20, 1.41	OR 0.79 95%CI 0.47, 1.35	OR 0.12** 95%CI 0.03, 0.54		
Marital status (never married=1)						
Married/partner	OR 1.15 95%CI 0.81, 1.65	OR 1.19 95%CI 0.65, 2.19	OR 0.67* 95%CI 0.46, 0.98	OR 0.44 95%CI 0.14, 1.39		
Previously married	OR 0.98 95%CI 0.59, 1.64	OR 1.25 95%CI 0.47, 3.29	OR 1.19 95%CI 0.68, 2.07	OR 0.73 95%CI 0.10, 5.21		
Constant	1076	0.34	1.75	0.98		
Asmer & Lemeshow test	11.0 (8df) p=0.20	11.93 (8df) p=0.15	10.20 (8df) p=0.25	4.38 (8df) p=0.82		

Note: Statistical significance * p<0.05 ** p < 0.01 *** p<0.001.

Source: Smart, Mann & Stoduto 2003, p.249.

It was found that victimisation involving threats and damage was significantly associated with age and region with a reduced likelihood as age increased, and was lower in all regions compared to Toronto. No significant relationships were found for income, education and marital status. In terms of perpetration of acts of threats and damage, it was found that these were significantly associated with age and education with a reduced likelihood as age increased, and was lower among those with a higher education level compared to those who did not complete high school. Overall, it was concluded that 'being a victim of road rage is a common experience in Ontario' (Smart, Mann & Stoduto 2003, p.250).

The results indicate that being either a victim or a perpetrator in 'road rage' incidents is usually more common for males and young people. The results clearly indicated that 'road rage' is more common in the Toronto area, the most heavily populated part of Ontario, with the largest number of vehicles and heavier traffic congestion than elsewhere in Ontario. Hence there are more opportunities to be blocked or frustrated by other drivers. Some kinds of 'road rage' were more common among high-income earners than others although the researchers were unable to offer explanations for this. Arguably, high-income earners may be rushed, have more appointments to meet or get frustrated more easily. Thus, these results could support the hypothesis that 'road rage' is related to the stress and pressures of modern life (Smart, Mann & Stoduto 2003).

In 2004, Mann et al. (2004) reported the results of up-dated research using the same methodology. The percentage of respondents who had been threatened with damage to their vehicle or personal injury declined from 7.2 per cent to 6 per cent, while the percentage of respondents who had perpetrated acts of threatening behaviour declined from 2.1 per cent to 1.7 per cent. It appears, therefore, that these acts of severe conduct seem to have declined.

In Asbridge, Smart and Mann's study of 2,610 Ontario residents, 49.2 per cent of men indicated involvement in 'road rage' as a victim, as opposed to 43.8 per cent of women (Asbridge, Smart & Mann 2003). 'Road rage' was defined as verbal gesturing as well as physical threats. When controlling for other factors, however, no differences were found in rates of victimisation. This was seen as being in conflict with the general literature, which suggests that victims are more likely to be male. In fact, males and females are equally likely to be victims.

In terms of age of victims, the study found that 'road rage' victimisation decreased with age (18–29 (51.7%); 30–39 (49.4%); 40–49 (48.7%); 50–64 (44.8%); 65+ (28.3%)). This trend was most significant when comparing seniors (65+) with everyone else. All other age groups were substantially more involved in 'road rage' as victims, even when all other factors were controlled for. Those aged 18–29 were twice as likely to be a 'road rage' offender than those 65+, when controlling for other factors. The relationship also held for

both verbal and physical 'road rage'. For example, 18–29 year olds were over four times as likely as those aged 65 or over to be victims of physical-threats 'road rage'. This conflicts slightly with the general literature on violence, which finds most victims to be young. Here, while most offenders were young adults, those between the ages of 50–64 still had a high probability of being a 'road rage' victim. Asbridge, Smart and Mann suggest this may be due to several factors. 'Road rage' may be seen as less harmful than other forms of violence, removing social or legal constrictions on harming women or the elderly. Similarly, vehicles may hide the age and gender of victims – so factors that might otherwise prevent violence don't operate as effectively. Finally, the automobile could be said to level the playing field – providing more opportunities for violence (Asbridge, Smart & Mann 2003).

United States research

Studies in the United States of human aggression indicate that, in general, men are more likely to show aggression than women (Lajunen, Parker & Stradling 1998). Lowenstein (1997) notes that it is well established that there is likely to be more aggressive behaviour among males, especially young males, than females. Many non-traffic studies report women becoming angry as often and as intensely as men, and for much the same reasons (Lajunen, Parker & Stradling 1998).

Shinar (1998) notes Hyde's 1984 meta-analysis of 143 studies looking at gender differences in aggressive behaviour. While none showed women to be more aggressive than men, and many showed men to be more aggressive, Hyde found that gender differences explained only 5 per cent of the variance, when other factors were taken into account. But Shinar (1998) notes that:

...the discrepancy between these studies and over-involvement of males in violent crimes is due to the fact that in most psychological studies, the situation is rigged and the aggressive behavior that is measured is rather mild. This suggests that women are less likely to exhibit extreme aggression, but possibly just as likely to exhibit more subtle aggression, and exhibit aggression in more subtle verbal terms (e.g., the expressions "shoot!" and "sugar!"). In driving, aggressive behaviours span a wide range from muttering, through yelling and making obscene gestures, all the way to violent actions with the car. Thus, it is prudent to specify the gender role in terms of concrete specific behaviours (Shinar 1998, p.143).

Shinar concluded that studies of aggressive driving were not conclusive with respect to gender differences.

In relation to driving and aggression, there is considerable evidence to support the view that males tend to be more aggressive drivers than women: Novaco (1991); Malfetti Berkowitz (1993); Hemenway & Solnick (1993); Baron & Richardson (1994); Shinar (1998); Wiesenthal, Hennessy & Gibson (2000);

Stradling & Meadows (2000); Fong, Frost & Stansfeld (2001); Dukes (2001); and Wells-Parker et al. (2002).

Some contrary views have, however, been expressed. Brennan, for example, argued that 'women are just as likely as men to display road rage symptoms' (1995, p.21), while many non-traffic studies report women becoming angry as often and as intensely as men, and for much the same reasons (Lajunen, Parker & Stradling 1998, citing Archer 1989). In Lajunen, Parker and Stradling's study, no systematic sex differences were found in the amount of reported anger:

...suggesting that women drivers get irritated for the same reasons and to the same extent whilst driving, although they probably do not express this anger as frequently or as aggressively as men sometimes do (Lajunen, Parker & Stradling 1998, p.119).

However, while men and women both find the reckless driving of others the most anger-provoking, women find direct hostility more anger-provoking than do men. The third most anger-provoking form of driving for women is having their progress impeded, while men find impeded progress more anger-provoking than direct hostility.

In the study by Deffenbacher et al. (2003a) of United States drivers on simulators, using driving logs and self-reports, no gender effects were found on any anger measure. Men and women did not differ on frequency of anger or intensity of anger in day-to-day driving, intensity in the scenarios, state anger in the simulations, or trait anger. There were also no gender differences in measures of aggression (ie. state verbal or physical aggression in response to simulations, reports of aggression in driving diaries or three-month surveys, or aggressive forms of expression on the driving anger expression inventory (DAX)). There were, however, some gender differences in relation to risky driving, with men showing a small to moderate tendency to drive in a more risky fashion.

Deffenbacher et al's (2003b) study of 372 college students in the United States found that men reported using greater personal physical and vehicular aggressive expression and less adaptive/constructive expression than women. Again, it was demonstrated that women were no less angry, but men responded to their anger with more aggressiveness (as well as more risky driving behaviour).

In the study by Deffenbacher et al. (2003c), while no gender effects were found with respect to driving anger, they did find differences on aggression and risky behaviour. Men and women differed on ratings as aggressive and risky drivers, on hostile/aggressive and adaptive/constructive forms of expressing driving anger, and on three-month reports of aggressive and risky driving behaviours. They did not, however, differ on driving diary measures of aggressive and risky behaviour. Although men and women did not differ in the tendency to

experience anger while driving, they differed in terms of men being more aggressive and risk-taking. Two cautions regarding gender differences, were, however, noted:

First, gender effects were not found on some variables, and when they were, effect sizes for gender differences were generally not large. Second, conclusions could not be extrapolated to men and women in general or even college students, but must be limited to anger groupings defined in this study. Gender differences may be more or less pronounced in other samples (Deffenbacher et al. 2003c, p.346).

In 1994, Deffenbacher, Lynch and Oetting found a small but significant difference between what makes male and female drivers angry. Women were found to be more angry about things that were likely to interfere with their driving, such as other drivers speeding or running stop signs, and traffic obstructions such as road repairs. Men were more angry about authority issues, such as presence of police on road, and about slow driving. It was argued that this difference might make men more vulnerable to impulsive anger-motivated behaviour, such as passing slow drivers under unsafe conditions (Deffenbacher, Lynch & Oetting 1994).

In the *USA Today* study, it was found that women were just as aggressive as men, drive 43 per cent of all miles driven, and cause 43 per cent of aggressive-driving crashes (Bowles & Overberg 1999). In 27 per cent of all accidents 16–24-year-olds were involved, but this age group caused 37 per cent of aggressive-driving crashes. In 24 per cent of crashes and 20 per cent of aggressive-driving crashes 25–34-year-olds were involved, with 35–44-year-olds being involved in 20 per cent of crashes and 15 per cent of aggressive driving crashes. Those aged 75 years or more were involved in 3 per cent of all crashes and 6 per cent of aggressive driving crashes.

Turning to Mizell's research, of the 10,037 aggressive driving incidents reviewed, only 413 involved female perpetrators (528 unknown) (Mizell 1997).

In the national survey on driving behaviour in the United States, a Michigan firm, EPIC-MRA, found that 53 per cent of aggressive drivers were women, which was argued to be indicative of a cultural shift, with women's aggression increasing rather than decreasing with age (Ferguson 1998).

Although dealing with instances of aggressive driving rather than Road Violence, in Brewer's sample of 249 professional bus drivers, sales representatives and commuters, women reported higher levels of aggressive driving than men. Women also reported feeling angrier than men about illegal driving and traffic obstructions (Brewer 1998). Women were more likely to report feeling frustrated and angry with slow drivers and pedestrians as well as more impatient in peak hour. Men were more likely to be frustrated with people cutting in on them or not dimming their lights (Brewer 1998). Women

were more likely to use high beams to signal dissatisfaction than men. Men were more likely to shout in retaliation (Brewer 1998). It was argued that higher reporting of impatience, frustration and anger may be due to women's greater capacity to express emotions more effectively than men (Brewer 1998, citing Duncombe & Marsden 1993).

Dealing with one of the triggering behaviours for Road Violence, Crimmins and Callahan (2003) conducted a general telephone survey about lifestyle, which included questions about how often the 13,300 respondents 'gave the finger' to someone while driving the car. It was found that only 28 per cent of adults admitted to giving the finger while driving in the past year. There were no differences in giving the finger in rural areas, suburbs, small cities or big cities. Men were significantly more likely to give the finger than women (35% of men gave the finger in the past year, compared with 21% of women; with a mean frequency 3.0 for men and 1.4 for women. Among those who have given the finger while driving, women had acted in this way 6.9 times in the past year, whereas men had given the finger 8.8 times in the past year). The impact of age was even greater than for gender. The average frequency of giving the finger was approximately five times higher among men aged 18–24 than among men aged 60–64. The average frequency among women aged 18–24 was 10 times higher than among women aged 60–64. Generally the frequency declined rapidly in one's 20s and 30s and more slowly thereafter. At every age, however, men were more likely to exhibit this behaviour than were women.

In 2002, a survey was carried out of 790 licensed drivers in Arizona (Miller et al. 2002). The principal findings are shown in Table 8.9.

Table 8.9: Characteristics of those who engage in rude and hostile behaviour directed at other drivers in Arizona

	Number	% respondents who made obscene gestures or cursed/shouted angrily at other drivers within the last year	% respondents who aggressively followed or blocked other drivers within the last year	% respondents who engaged in at least three of the following: made obscene gestures, cursed/shouted angrily at other drivers, aggressively followed or blocked other driver within the last year
Overall	790	34	28	7
Gender				
Men	335	42***	36***	11***
Women	449	27	21	4
Age				
18–34 years	195	54***	45***	16***
35–59 years	346	33***	26***	4***
60+ years	183	14	11	1
Age missing	66			
Race				
White	644	33	27	6
Non-white	141	38	32	10
Education				
Less than college	186	35	20–	7
College	589	33	26	6
Marital Status				
Married/living with intimate	470	34	26	6
Single/divorced/widowed	299	34	26	7
Income				
≥ \$50,000	237	35	30	7
≤ \$30,000	392	37	23	6
Income missing	161			
Driving Frequency				
Every day	685	6	28	7
2-3 times a week	77	22	16	3
Once a week	12	17	25	8
Less than weekly	14	17	14	7
Gun carrying in vehicle				
Always/sometimes	87	48**	37*	17***
Never	697	32	26	5
Respondent has been the victim of gun brandishing while driving				
Yes	19	74**	52**	31**
No	770	33	26	6

Note: χ^2 test is used to test for significant differences in discrete independent variables
 *** $P < 0.001$; ** $P < 0.05$ * $P < 0.01$.

Source: Miller et al. 2002, p.810.

Table 8.9 shows that some 34 per cent of respondents reported having made obscene gestures or cursing at other drivers over the 12 months prior to the survey; 28 per cent reported aggressively following/blocking other drivers; and 7 per cent reported engaging in at least three of the above four behaviours (obscene gestures, cursing, following, blocking). Rude and hostile behaviour while driving was significantly more common among men, young adults and people who carried firearms in their cars.

Men and people with guns in their cars were about three times as likely to engage in three of the four behaviours than women or people without guns. Younger drivers were more likely than older drivers to commit each of the behaviours, even after controlling for driving frequency.

Driving frequency, race, education, marital status and income were not associated with rude or aggressive driving behaviour. There was a correlation between being a victim of such behaviour and committing it. Of the 413 respondents who reported cursing/making obscene gestures, 70 per cent reported being on the receiving end of such behaviour, as opposed to 42 per cent of respondents who reported refraining from such behaviour. Similarly, of the 211 respondents who reported aggressively following/blocking other drivers, 96 per cent reported being on the receiving end, as opposed to 81 per cent who refrained.

Education and social class

Victorian research

Unfortunately the Committee's own research on Road Violence in Victoria did not address the variables of education or social class. The earlier research by the VCCAV (1999), in which 801 Victorian drivers were surveyed about aggression and/or violence associated with motor vehicle use, found that professionals (56%) and upper white-collar workers (51%) were more likely to commit 'mild road rage' than the population as a whole (37%), while middle white-collar workers had a low incidence of committing 'severe road rage' (3%). Those with an educational attainment of Year 10 or less (63%) were less likely to have experienced 'mild road rage' victimisation. Level of education also affected the experience of victimisation with those having a tertiary degree being more than twice as likely to be victimised than those with education up to year 10 level (Victorian Community Council Against Violence 1999).

Canadian research

On the basis of the research undertaken in Ontario by Mann, Smart and his colleagues at the Centre for Addiction and Mental Health (see Tables 8.7 to 8.9 above), it was found that compared with the mean level of educational attainment, those with less than a high school education were significantly less involved in 'road rage' as either a victim or offender (39% and 25%). The study found also that a greater proportion of those who had completed university had been victims of 'road rage' (53%) and that individuals with some post-secondary education exhibited levels of 'road rage' offending (38.1%) that were significantly greater than the mean (Smart, Asbridge et al. 2003).

Multivariate analyses were performed on the data (see Table 8.9 above) and no significant relationships were found for income or education in terms of victimisation. In terms of perpetration of acts of threats and damage, it was found that this was significantly associated with education and was lower among those with a higher education level compared to those who did not complete high school (Smart, Mann & Stoduto 2003, p.250). These authors noted:

Some kinds of road rage were more common among high income earners than others. Reasons for this are unclear at this time. High income earners may be rushed, have more appointments to meet or get frustrated more easily. Thus, these results may also be accounted for by the hypothesis that road rage is related to the stress and pressures of modern life (Smart, Mann & Stoduto 2003, p.250).

United States research

Research on the relationship between educational level and class and 'road rage' in the United States is conflicting. On the one hand some research shows that those with higher education are more likely to commit 'road rage' and aggressive acts. Hemenway and Solnick (1993), for example, found that highly educated and higher-income drivers tended to speed more, even accounting for all other factors. They also reported more crashes per mile. Young, male, college-education people were most likely to make obscene gestures, and to get involved in arguments. Similarly, Stradling (1999) found that high-violating car drivers tended to be of higher social class and from higher-income households than low violators (cited in Stradling & Meadows 2000). In Asbridge, Smart and Mann's study, those with lower than high school education were less involved in 'road rage' as victims (39.3%) than those who had completed high school (42.1%), those with some post-secondary education (47.7%) and those who had completed university (53.0%) (Asbridge, Smart & Mann 2003). These differences were not significant when controlling for the effects of other variables.

On the other hand, some research points to those with lower educational achievements being more aggressive and likely to commit 'road rage'. Shinar's (1998) study indicated that aggressive driving is more common among drivers of lower socioeconomic levels. Fong, Frost and Stansfeld (2001) also found that perpetrators tended to be male, younger, of manual social class and with less driving experience. In the study by Wells-Parker et al. (2002), while threatening/angry driving scores did not differ significantly by educational level, respondents with low levels of education (<12 year) reported lower verbal/frustration expression. Respondents with lower levels of income also tended to have lower scores on the verbal expression scale. In the 2002 survey of 790 licensed drivers in Arizona (Miller et al. 2002), it was found that race, education, and income were not associated with rude or aggressive driving behaviour (see Table 8.9 above). Finally, Crimmins and Callahan's (2003) study of how often the 13,300 respondents 'gave the finger' to someone while driving the car, found that controlling for other factors, the frequency of someone giving the finger while driving was found to be 45 per cent higher among those without a college degree than among those with a college degree.

On the basis of this research from Victoria, Canada, and the United States, it appears that there is conflicting evidence concerning the influence which

education and social class have on the commission of and victimisation of 'road rage' and aggressive driving.

Marital status

The research examined in the Committee's extensive literature review tended to show that unmarried drivers were more likely to commit 'road rage' and be the victims of 'road rage' than those who were married, although this trend is probably related to the influence of age. Once again, the Committee's own research in Victoria did not address the variable of marital status.

In Canada, Smart, Mann & Stoduto (2003) found that a greater proportion of respondents who had never been married reported involvement in 'road rage' as both a victim and offender, compared with married or previously married individuals.

In the United States, Hemenway and Solnick (1993) found that never-married drivers were more likely to engage in illegal driving behaviours than those who were married, although this finding did not hold true when age and other variables were taken into account. Asbridge, Smart and Mann's study found that respondents who had never been married were more involved in 'road rage' as both a victim and offender (Asbridge, Smart & Mann 2003). For offenders the results were: Married/De facto (29.1%); Previously married (26.0%); Never married (45.5%). For victims the results were: Married/De facto (45.6%); Previously married (42.7%); Never Married (50.9%).

On the other hand, Miller et al's (2002) study of Arizonan drivers found that marital status was not associated with rude or aggressive driving behaviour.

Personality and mental health

There was little research evidence available to the Committee concerning the variables of personality and mental health of victims and offenders, although a number of studies have examined the personality type of angry or aggressive drivers and some have found that Type A personalities, who externalise anger, are more likely to be aggressive drivers (Lowenstein 1997; Miles & Johnson 2003).

The results of Smart, Asbridge and Mann's (2003) survey of 2,610 Canadians included information on the mental health of victims and offenders. The last row in Table 8.6 (above) describes the General Health Questionnaire (GHQ) levels of 'road rage' victims and offenders. At a bivariate level, a greater proportion of individuals reporting psychiatric distress have experienced 'road rage' victimisation. Fifty-five per cent of individuals reporting more than three symptoms on the GHQ have experienced 'road rage' victimisation in the previous year. There were no significant differences in 'road rage' offending (Smart, Asbridge & Mann 2003).

Fong, Frost and Stansfeld (2001) also found that victims had more psychiatric morbidity than control groups, suggesting that psychiatric symptoms, particularly worry, may make victims more vulnerable to driving behaviours or errors that might provoke another driver. Their lower scores on the Aggression Questionnaire were also taken to suggest they may be more vulnerable to bullying.

Alcohol and drug use

Almost no research has specifically been carried out on the relationship between 'road rage', aggressive driving and abuse of alcohol and drugs. However, as Mizell observed, 'the majority of aggressive drivers are relatively young, relatively poorly educated males who have criminal records, histories of violence and drug or alcohol problems' (1997, p.2). Lowenstein (1997) also claimed that research prior to 1997 showed that aggressive drivers had more accidents and were more likely to use alcohol than non-aggressive drivers.

The study by the Belgian Road Safety Institute of individual administrative files of 299 cases of 'road rage' that took place between July 1997 and June 1998, disclosed that only seven incidents (2.7%) had anything to do with alcohol abuse and in 29 incidents (11.2%) drugs were involved.¹¹⁵

In the United States, Rathbone and Huckabee (1999) conducted a number of surveys of Police Departments in the United States. In the second of these surveys in 1999, the 25 respondents indicated that alcohol use was reported to be a factor in 25.5% of all cases.

The influence of alcohol abuse, therefore, is likely to be associated with other factors such as age and gender of perpetrators and victims.

Criminal history

The only research dealing with the question of whether perpetrators and victims of Road Violence have a history of prior criminal offences came from New Zealand. In the study undertaken by New Zealand Police in 1997 of 16 incidents in which car drivers had exhibited aggression – verbally, or coming to blows following a driving incident – it was found that 73 per cent of aggressors and 31 per cent of victims had criminally offended in the past. The convictions held by offenders included disorderly behaviour, drink driving, disqualified driving, fighting, theft, burglary, assault with a weapon, assault, drug offences and firearms offences (Wright, Gaulton & Miller 1997).

A subsequent study by New Zealand Police in which 26 cases were examined confirmed the earlier findings that offenders were likely to have a previous criminal history. Of the known offenders, 18 (72%) had previous convictions, with only seven having no convictions. Convictions ranged from disorderly behaviour to robbery, from possession of cannabis to indecent assault, plus a

115 *ibid.*

variety of driving convictions. With respect to victims, 19 had no convictions and seven had convictions (Gaulton 1997).

Driving experience

One variable that has been the subject of considerable research is that of driving experience. The Victorian data available to the Committee did not, unfortunately, deal with the variable of driving experience. Other research from around the world provided conflicting information with some studies suggesting that Road Violence involved more experienced drivers, while other studies showed that driving inexperience led to Road Violence taking place.

VCCAV research

The study by the VCCAV (1999) found that the propensity to commit 'mild road rage' was inversely proportional to the number of years driving – the more years you drive, the less frequently you experience 'mild road rage'. Those who had between six and 10 years of driving (87%) and those who had less than five years of driving (83%) were more likely to have experienced 'mild road rage'. Those who were less likely to have experienced 'mild road rage' victimisation included those who had over 30 years of driving (63%) (Victorian Community Council Against Violence 1999).

People who drove as part of the job were more than twice as likely to have been victims of all kinds of 'severe road rage' than people who did not drive as part of their work (Victorian Community Council Against Violence 1999).

People who drove for a living (54%) or to/from work (48%) were more likely to commit 'mild road rage' than the population as a whole (Victorian Community Council Against Violence 1999).

University of Western Australia research

In speaking with the Committee, Dr Lynne Roberts, Research Fellow, Crime Research Centre, University of Western Australia, explained that:

...it came out of the survey where we specifically asked people how many hours a week they drive and whether they drive as a living, that both those groups of people were more likely to be victims of road rage if they had higher hours on the road and if they drove for a living.¹¹⁶

The University of Western Australia data suggested that those who are usually at high risk of offending (eg. young males) but who are less exposed to driving are at lower risk of being involved in 'road rage' than usual. This is in contrast to low-risk citizens (eg. older drivers) who are more at risk the more they drive (Harding et al. 1998, p.229).

116 Dr Lynne Roberts, Research Fellow, Crime Research Centre, University of Western Australia, in conversation with the Drugs and Crime Prevention Committee, 21 June 2004.

United Kingdom research

In the United Kingdom, Ward, Waterman and Joint's (1998) study of 362 British drivers found that drivers with lower mileage in the past year reported higher levels of anger but not violence. However, younger drivers with fewer years driving experience did report higher levels of violence.

In Marshall and Thomas' (2000) study, a disparity was noted in the age/gender profile of 'road rage' victims (more women were of younger ages). It was suggested that this might be related to road use:

Road rage victimisation might be expected to be highest among those who use the roads most often. This would appear to be confirmed by data provided by the Department of Environment, Transport and the Regions (DETR 2000) which revealed that, among males, those aged 30 to 59 were the heaviest road users. This group drove, on average, 8,641 miles per annum, compared to 5,321 miles by 17 to 29 year old males and 3,796 by those aged 60 and over. By way of contrast, for females, road use was highest among 30 to 59 year olds, who drove, on average, 3,536 miles per annum, compared to 2,917 miles by 17 to 29 year olds and 778 miles by those aged 60 and over (Marshall & Thomas 2000, p.4).

This suggests that the 'road rage' victimisation patterns found in this study were potentially related to the extent of road usage, with female victims being less vulnerable to victimisation because of their less frequent road driving behaviour.

United States research

In the United States, Lajunen, Parker & Stradling (1998) found annual mileage to be negatively related to anger, suggesting that experienced drivers may better tolerate frustrating driving situations:

It may be that drivers with extensive particular driving experience may have learned to adjust their travel plans, goals and expectations more realistically than younger and less experienced drivers (Lajunen, Parker & Stradling 1998, p.119).

Stradling (1999) found high violating car drivers to have less driving experience than low violators, while highway code violators were strongly correlated with mileage driven. Aggressive violation was less strongly – though still significantly – affected by mileage. Violations (as opposed to lapses or errors) were consistently reported with higher frequency by male drivers, by younger drivers and by high mileage drivers (cited in Stradling & Meadows 2000).

Wiesenthal et al. (2000) found that those with less driving experience indicated higher levels of aggression than more experienced drivers. The total DVQ score was significantly negatively correlated with the subjects' driving experience, indicating that as experience increases, reported aggressive responses in driving situations decrease.

Fong, Frost and Stansfeld (2001) found that the group of 'road rage' perpetrators had significantly less driving experience than the control group or victim group (average of 8.2 years as opposed to 16.2 to 17.8). There was not, however, a difference in driving hours per week. Fong et al. (2001) also found that the typical victim was female, more experienced in driving and older than perpetrators.

Parkinson (2001) found a positive correlation between driving aggression and average hours spent driving per week, but noted a lack of correlation with the driver anger scale, suggesting that self-perceptions of driver aggression of those who drive a lot may not have been based in fact.

Lajunen and Parker (2001) found that, among women, witnessing reckless driving did not lead to an increase in the amount of anger experienced or to an increase in their aggressive response. By way of contrast, mileage was not related to anger or aggression at all for men. This was interpreted as possibly being because women with high annual mileage encounter reckless driving and hostility on the roads so often that they do not take it as a personal insult to which they should react. In the case of men, increased exposure to traffic does not change their view, possibly because male drivers have more fixed views about themselves as drivers than do females.

In Miller et al's (2002) study of Arizonan drivers, it was found that driving frequency was not associated with rude or aggressive driving behaviour, while in Wells-Parker et al's (2002) research, those driving less than 14,000 miles yearly showed lower scores on the verbal/frustration and anger/threat subscales than those who drove more; and that those who drove every day showed higher scores than those driving less frequently.

Deffenbacher et al. (2002a) found that trait driving anger, general trait anger, and forms of anger expression were not correlated with the average number of miles driven in a day. In Deffenbacher et al's (2003a) study of 121 psychology students in the United States, using driving diaries, self-report surveys and simulators, it was found that differential exposure to traffic did not affect the anger of drivers – high and low anger drivers drove equally often and as many miles. This indicated that driver anger was about a person's characteristics in interaction with the driving environment. The same result was found in other studies by Deffenbacher et al. (2003b; 2003c).

In summary, therefore, although many of the results are conflicting and there exists the previously discussed problem of different categories of 'road rage' and aggressive driving having been measured, it may be concluded that those who drive frequently are probably more likely to be involved in instances of serious Road Violence, both as perpetrators and victims, than those who record lower annual mileage.

Victim–perpetrator relationship

In reviewing the literature on victims and perpetrators of ‘road rage’, the Committee discovered research supporting the so-called ‘principle of homogamy’. This holds that violence involves victims and offenders who are demographically similar and is based on the subculture of violence theory – that certain individuals hold definitions favourable to violence and follow a normative standard whereby violence is a common and accepted form of conflict resolution (Asbridge, Smart & Mann 2003). In the context of ‘road rage’, the principle of homogamy would predict that people who experience ‘road rage’ as victims or offenders share similar lifestyles. They are likely to be young, male, spend lots of time outside the home and in their car, commute to work or elsewhere, and live in an urban setting (Asbridge, Smart & Mann 2003).

Evidence supporting this view came from Asbridge, Smart and Mann’s (2003) survey of 2,610 Ontario residents over the course of a year. It was found that 74.3 per cent of ‘road rage’ victims had been ‘road rage’ offenders in the previous year, while 52.8 per cent of ‘road rage’ offenders had been victimised in the previous year (Asbridge, Smart & Mann 2003). Those who experienced ‘road rage’ victimisation in the past year were nearly six times as likely as individuals with no victimisation experience to be offenders. Past victimisation increased the chance of verbal-gesturing ‘road rage’ by 492 per cent and physical-threat ‘road rage’ by 561 per cent. The question arises, however, as to whether victimisation leads to ‘road rage’ or ‘road rage’ leads to victimisation.

Asbridge, Smart and Mann (2003) divided people into four categories: offenders, victims, victim-offenders and not involved. It was found that males were more likely than females to be victim-offenders than to be just victims or uninvolved. There were no gender differences found between being a victim-offender and being an offender. An increase in age was found to decrease the likelihood of being a victim-offender to being a victim only or being not involved.

Victim-offenders exhibited characteristics that were unique from those who were simply victims or offenders. They were significantly more likely to be male, young and reside in urban locales. This was seen to provide mixed support for the presence of homogamy in the context of ‘road rage’.

The study by Smart, Asbridge et al. (2003) found that three-quarters of ‘road rage’ victims admitted to involvement in ‘road rage’ offending in the past year, while more than one-half of ‘road rage’ offenders had experienced victimisation in the past year (Smart, Asbridge et al. 2003).

In Miller et al’s (2002) study of Arizonan drivers, a correlation was found between being a victim of such behaviour and committing it. Of the 413 respondents who reported cursing/making obscene gestures, 70 per cent reported being on the receiving end of such behaviour, as opposed to 42 per cent of respondents who reported refraining from such behaviour. Similarly, of the 211 respondents who reported aggressively following/blocking other drivers, 96 per cent reported being on the receiving end, as opposed to 81 per

cent who refrained. Both of these findings were statistically significant.

These findings were supported by evidence presented to the Committee. Mr Frank Peppard, Manager, Corporate Affairs, AAMI, for example, said:

People who actually engage in [road rage] and are frustrated by it are also more likely to be the ones who are involved in an altercation of some sort.¹¹⁷

Dr David Indermaur, of the Crime Research Centre, University of Western Australia, said:

We have information on victims. Interestingly enough it is pretty similar to the profile of the perpetrators. They are mainly male, and young victims; the proportion is about the same, maybe a bit less. A lot of criminologists talk about how people nominate themselves for a violent transaction. So whereas the perpetrator might initiate the situation, oftentimes someone with a cooler head – an older person, a female, or whatever – will just extricate or remove themselves from the situation so as not to give any cause for it to go further. The conflict may escalate with another male who takes umbrage at being gesticulated at, so you find the two parties get engaged in what Luckenbill or Polk call an honour contest. That is often the nature of a road rage situation; it is an honour contest.¹¹⁸

Typologies and conclusions

During its Inquiry the Committee gathered considerable evidence concerning the nature of offenders and victims. Unfortunately, a good deal of this was conflicting and much was related to the specific forms of behaviour that were being investigated. It is difficult, therefore, for the Committee to draw precise conclusions concerning the general profile of perpetrators and victims of Road Violence (and even less so, those involved in 'road rage' and other less specific forms of aggressive driving).

The vast majority of research shows, however, that there is a high incidence of young men committing Road Violence and also being victims of it. The 'principle of homogamy', discussed above, was also supported with evidence that the characteristics of offenders and victims are highly correlated and that many victims are also offenders (on other occasions).

It is also clear that perpetrators of Road Violence share many of the characteristics of those who commit other crimes of violence, once again, being young and male.¹¹⁹ The Committee heard, however, that while, in general, it is violent people who commit Road Violence, not ordinary people who snap, the one possible exception to this is professional drivers, such as

117 Mr Frank Peppard, Manager, Corporate Affairs, AAMI, Evidence given at the Public Hearing of the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 21 June 2004.

118 Dr David Indermaur, Senior Research Fellow, Crime Research Centre, University of Western Australia, in conversation with the Drugs and Crime Prevention Committee, 21 June 2004.

119 *ibid.*

couriers, taxi drivers and bus drivers, who use the road regularly and may also suffer work-related stress. In the words of Dr David Indermauer:

The stress factor could interact with an exposure factor to push them more towards an aggressive situation than would otherwise be the case. But that would be a very marginal number.¹²⁰

In relation to the development of typologies of offenders and victims, Dr Andrew Carroll told the Committee that there may be a number of different types of 'road rage' offender – some may have mental illnesses, others may have antisocial personality traits, while yet others may be expressing anger. But he pointed out that our knowledge is insufficient to be able to determine a proper typology and that there is a need to assess a wide range of offenders, as with stalking, to be able to determine an accurate typology that could assist with treatment decisions.¹²¹

One attempt to develop a typology of offenders based on quantitative research is that of Smart, Asbridge et al. (2003) in Canada. These researchers found five clusters of 'road rage' offenders and victims whom they surveyed (see Table 8.10).

Table 8.10: Cluster solution for 'road rage' victimisation and offending, psychiatric distress and demographic indicators

Measures	Mean	Verbal threat offenders (Cluster 1)	Verbal threat victims (Cluster 2)	Hard core road rage offenders (Cluster 3)	Verbal victim- (Cluster 4)	No road-rage rage involvement (Cluster 5)
n	244.2	237	612	69	336	1188
Road rage victimisation						
Shouted at you	0.87 ^a	0.30 ^a	1.74 ^b	2.57 ^b	2.39 ^b	0.000 ^a
Threaten to hurt you	0.089	0.035	0.067	1.86 ^b	0.031 ^a	0.026 ^a
Attempted to damage car	0.041	0.023	0.042	0.52 ^b	0.019	0.018
Attempted to hurt you	0.043	0.037	0.038	0.64 ^b	0.014	0.014
Road rage offending						
Shouted at other	0.66	2.31 ^b	0.19 ^a	1.71 ^b	2.32 ^b	0.040 ^a
Threaten to hurt other	0.027	0.085 ^b	0.020	0.27 ^b	0.043	0.065
Attempted to damage car	0.012	0.008	0.012	0.13 ^b	0.000	0.001 ^a
Attempted to hurt other	0.008	0.017	0.009	0.11 ^b	0.000	0.001 ^a
Mental health						
GHQ \leq 3	0.132	0.135	0.164	0.275 ^b	0.144	0.109
Demographic						
Sex (1=men)	0.46	0.56 ^b	0.45	0.56 ^b	0.55	0.41
Ages (years)	43.60	37.52 ^a	43.28	34.48 ^a	40.26	46.46 ^b
Educational attainment	2.74	2.71	2.87	2.56	2.84	2.65
Employment status	0.52	0.60	0.51	0.59	0.60	0.49
Marital status	1.60	1.79	1.59	1.89 ^a	1.64	1.53
Residential location	0.86	0.87	0.88	0.91	0.91	0.82

Note: A Multiple Analysis of Variance test was used to determine subgroup differences ($P < 0.05$), GHQ = General Health Questionnaire

^a Values are significantly lower than the mean value for the sample.

^b Values are significantly higher than the mean value for the sample.

Source: Smart, Asbridge et al. 2003, p.684.

120 *ibid.*

121 Dr Andrew Carroll, Assistant Clinical Director, Victorian Institute of Forensic Mental Health ('Forensicare'), Evidence given at the Public Hearing of the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 22 June 2004.

The largest cluster (Cluster 5) comprised 1,188 individuals who reported little or no involvement in 'road rage'. Respondents in this cluster had significantly lower levels of psychiatric distress. Demographically, a higher proportion of this cluster were women with an average age of over 46 years, which is significantly older than the sample mean (43 years). Educational attainment, employment status, marital status, and residential locale were situated around the mean for this cluster. The remaining 4 clusters were significantly more involved in 'road rage' as a victim, an offender, or both (Smart, Asbridge et al. 2003).

The second largest cluster (n = 612) was the 'verbal victims' cluster (Cluster 2). Members of this cluster experienced significantly greater verbal victimisation and were significantly less involved in 'road rage' offending. Their involvement with other types of 'road rage' hovered around the sample mean, as did their mental health. Moreover, respondents in this cluster were situated around the mean for all demographic indicators (Smart, Asbridge et al. 2003).

The verbal victim-offenders cluster (Cluster 4) was the third largest, with 336 individuals. Members of this cluster had elevated levels of verbal 'road rage' as both a victim and offender but average or lower than average involvement in all other types of road rage, mental health, and demographic indicators (Smart, Asbridge et al. 2003).

The verbal-threat offenders (Cluster 1) was the second smallest cluster with 237 members. These individuals reported significantly greater levels of verbal 'road rage' perpetration, either verbally or through threats to hurt others, relative to the mean. However, their experiences with other types of 'road rage' were minimal. Members of this group were also significantly more likely to be men and younger (37.5 years), although there are no other demographic differences (Smart, Asbridge et al. 2003).

The smallest cluster, with 69 members, contained the most serious offenders (referred to as the hard core 'road rage' perpetrators). Respondents in this cluster were significantly different from other clusters in several ways. They reported elevated levels of involvement in all forms of 'road rage' offending and had experienced significantly higher rates of all types of 'road rage' victimisation. In particular, it was the only cluster to be significantly involved in the two most serious forms of 'road rage': attempting to damage other person's car and attempting to hurt others.

Moreover, this was also the only group to report significantly more experience with these same types of 'road rage' as victims. A far larger proportion (27.5%) of this cluster scored three or more on the GHQ scale, indicating substantial levels of psychiatric distress. This rate was more than double the sample average and more than 10% higher than the next nearest cluster (the verbal victims). Respondents in this cluster were more likely to be men and have the youngest average age (34.5 years). Moreover, they were the least likely to be married or living common-law. While they reported the lowest mean level of

educational attainment and were the most likely to live in an urban locale, these differences were not significant from the mean (Smart, Asbridge et al. 2003).

In the United States, data collected by the Harborview Anger Management Program at University of Washington School of Medicine were used by Maiuro (1998) to suggest various profiles of people at high risk of engaging in 'road rage'. The first was young males under 26 – a subset of young men who are quick to react to perceived challenges to their egos, who may use their car impulsively to race, aggressively posture, and establish territory on the road (Maiuro 1998).

The second profile was the Type A personality – predominantly male, but with a broad age range. These people

may be well established and successful as business people and professionals in the community. Previously described as "coronary prone" in behavioural medicine research, the Type A individual has a cluster of attitudes and a pattern of reactivity that appears to interact with the stresses of driving. The cluster includes time urgency, competitiveness, and hostility towards anyone perceived as delaying or blocking their progress (Maiuro 1998, p.8).

The third profile was of people with displaced anger or projected rage:

Some people have a circumscribed anger problem specifically related to such stresses of driving as traffic jams, having a parking space taken away by another driver, or being cut off, honked at, delayed by construction, or stopped by the police. Others suffer anger resulting from unresolved conflicts in other parts of their lives (Maiuro 1998, p.8).

The fourth possible profile was of the passive-aggressive 'Jekyll and Hyde' types – people who are also prone to displacing their anger and rage, who are ordinarily meek but when driving undergo a personality change.

Finally, there may be 'Polite' rule enforcers – this is the most common profile for female offenders. The profile is 'typified by an overreaction to perceived transgressions of rules or etiquette, such as failure to yield or going out of proper order at an intersection' (Maiuro 1998, p.9).

Although the Committee has found these attempts to develop typologies of offenders and victims of interest, it notes the lack of sufficient evidence in Victoria to carry out similar research. Although the profiles developed in North America could be used as the basis upon which to conduct similar research in Victoria, the Committee feels that it would be inappropriate to transplant these profiles to Victorian motorists without question. In addition, some of the research has dealt with types of aggressive behaviour outside the Committee's primary area of Inquiry on Road Violence. Nonetheless, the evidence presented above does enable the Committee to understand to some extent the circumstances in which instances of Road Violence take place and the types of individuals involved.

9. The Outcomes and Impact of Road Violence

Introduction

Although the Committee has found the incidence of Road Violence to be quite low in comparison with other crimes of violence and road crashes, it is important to understand how criminal justice agencies deal with these cases and what personal, financial and social impact crimes of this nature entail.

Sometimes even crimes that are quite rare, such as those involving terrorism, can have such devastating consequences that the community has to take serious measures to minimise their occurrence in the future. In her submission to the Committee, Dr Jan Garrard, Senior Lecturer in Health Promotion, School of Health and Social Development, Deakin University, observed:

Aggressive driver behaviour, including 'road rage' as an extreme form, is responsible for a range of social harms including injury, damage to property, financial loss, and reduced psychological and social well-being. Quantification of the social harm caused by driver aggression is difficult, but, given the high prevalence rates in Victoria, it is likely to be substantial.¹²²

In addition, although the impact of specific incidents of Road Violence may be severe, the broader issue of the detrimental effects of aggressive driving needs to be considered. The Canadian researchers Smart and Mann explained this as follows:

The potential health and social impact of road rage must be viewed along with the role of the automobile in modern society and the larger impact of collisions on society. Modern vehicle collisions are one of the largest causes of disability and death all over the world... Collisions kill a disproportionate number of young people and injury is the leading cause of death for that group. Collisions account for about 40 per cent of all deaths of those between the ages of 15 and 24 in Canada, with similar figures from other countries. These extraordinary figures, of course, cannot convey the cost of lost opportunities, time off work, or the personal suffering of the individuals and

122 Submission from Dr Jan Garrard, Senior Lecturer in Health Promotion, School of Health and Social Development, Deakin University, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 21 June 2004.

families affected. Health statistics for collisions also do not reflect the substantial costs of damage to vehicles and property borne through insurance and other costs. Thus, even if road rage accounts for only a relatively small proportion of collisions, injuries, and deaths, at the aggregate or population level that impact may be very large (Smart & Mann 2002b, p.187).

Accordingly, the Committee took some time to examine what impact Road Violence has in Victoria. Unfortunately, the evidence upon which the Committee had to rely was somewhat limited. It also needs to be recalled that reporting rates for Road Violence (as well as Road Hostility and Selfish Driving) are relatively low. The Victorian Department of Justice's *Crime Victimization Survey*, for example, reported that some 77 per cent of victims of assaults committed in a private vehicles by strangers did not report the incident to the police (Victorian Community Council Against Violence 1999). In the survey of 'road rage' conducted by the Victorian Community Council Against Violence (VCCAV) (1999), some 91 per cent of victims of 'severe road rage' did not report the incident to the police. As a result, reliance on official police statistics is problematic, as these data only represent an extremely small proportion of incidents that actually occur.

Bearing these limitations in mind, the Committee now presents its findings concerning the policing and court outcomes of cases of Road Violence, the financial and personal impact of offences (including personal injuries suffered), as well as the psychological, physiological and social impact caused.

Police charges

Conduct involving Road Violence can result in the commission of an extensive variety of criminal offences. Following an examination of police briefs and newspaper reports relating to incidents of 'road rage' in 1997, the VCCAV found that the following possible offences could be relevant:

Criminal offences: intentionally causing injury; recklessly causing injury; unlawful assault; assault with a weapon; indecent language; making a threat to kill; possession of an unlicensed weapon; criminal damage; wilful damage; behaving in an offensive manner in a public place; assault by kicking; and conduct endangering life.

Road traffic offences: driving in a manner dangerous; failing to stop after an accident; driving while disqualified; and following too close (Victorian Community Council Against Violence 1999, p.10).

In the 32 incidents reported in *The Age* and *Herald Sun* newspapers from 1999–2004, the following charges were mentioned:

- ◆ affray
- ◆ theft
- ◆ intentionally causing serious injury
- ◆ unlawful assault

- ◆ armed robbery
- ◆ conduct endangering life
- ◆ intentionally causing injury
- ◆ criminal damage
- ◆ recklessly causing serious injury
- ◆ dangerous driving
- ◆ failing to stop after an accident
- ◆ conduct endangering persons
- ◆ kidnapping
- ◆ assault with a weapon
- ◆ having a handgun without a licence
- ◆ recklessly causing injury
- ◆ reckless conduct endangering lives
- ◆ reckless conduct endangering serious injury
- ◆ offensive behaviour
- ◆ drug trafficking
- ◆ attempted murder
- ◆ assaulting police
- ◆ extortion
- ◆ culpable driving
- ◆ murder (see Appendix 8 of this Report).

In view of the diversity of circumstances that arise in instances of Road Violence, the range of offences is large, extending from the least serious matters, such as aggravated littering (which, under the *Environment Protection Act 1970* (Vic) s.45F, includes intentionally depositing litter from a vehicle), to the most serious cases of murder. It is clear, however, that the cases involving Road Violence involve almost exclusively extremely serious crimes of personal violence and property damage. The Committee was able to discover some limited information about the outcomes of police investigations of cases involving Road Violence and how cases were dealt with in the courts.

The Crime Research Centre at the University of Western Australia undertook a study for the Western Australian Royal Automobile Club of 797 incidents of driving-related violence reported to police from 1991 to 1995 (Crime Research Centre 1999; Harding et al. 1998). It found that police 'cleared' or 'solved' 52 per cent of all reported incidents. Of those cleared, 52.4 per cent resulted in the offender being charged and 47.8 per cent were cleared or solved by other means, including recommending civil action to the complainant, not proceeding on advice from the complainant, and having insufficient evidence to process the offender. Police were more likely to proceed with charges where more serious injuries were sustained. For example, 92 per cent of cleared 'serious' injury cases

resulted in a charge, as opposed to 35 per cent of cleared cases where there was no injury (Crime Research Centre 1999; Harding et al. 1998).

In the cases of Road User Violence recorded by Victoria Police between 1 July 2000 to 30 June 2004, over 30 separate types of offences were charged in respect of the 1,524 incidents recorded. The frequency of these is shown in Table 9.1, arranged from the most to least numerous type of offence.

Table 9.1: Number and percentage of Victoria Police outcomes of Road User Violence offences, 2000–2004

Offence Description	Victoria Police Outcome					Total
	Complaint withdrawn	No offence detected	Offender processed	Other	Unsolved	
Criminal damage, intent damage, destroy	7 3.7%	5 2.6%	66 34.9%	0 0.0%	111 58.7%	189 100.0%
Intentionally cause injury	7 4.9%	0 0.0%	102 71.8%	1 0.7%	32 22.5%	142 100.0%
Assault with weapon	2 2.1%	2 2.1%	75 79.8%	0 0.0%	15 16.0%	94 100.0%
Reckless conduct endangering serious injury	2 2.7%	0 0.0%	65 86.7%	0 0.0%	8 10.7%	75 100.0%
Reckless conduct endangering life	1 2.1%	0 0.0%	37 78.7%	0 0.0%	9 19.1%	47 100.0%
Make threats to kill	2 5.1%	1 2.6%	30 76.9%	0 .0%	6 15.4%	39 100.0%
Intentionally cause serious injury	0 .0%	0 .0%	17 81.0%	0 .0%	4 19.0%	21 100.0%
Assault police, summary	0 .0%	0 .0%	7 87.5%	0 .0%	1 12.5%	8 100.0%
Intentionally threaten serious injury	1 12.5%	0 .0%	5 62.5%	0 .0%	2 25.0%	8 100.0%
Behave in offensive manner public place	0 .0%	0 .0%	6 85.7%	0 .0%	1 14.3%	7 100.0%
Assault in company	1 14.3%	0 .0%	5 71.4%	0 .0%	1 14.3%	7 100.0%
Discharge missile to cause injury, danger	0 .0%	0 .0%	4 80.0%	0 .0%	1 20.0%	5 100.0%
Aggravated assault of person under 15	0 .0%	0 .0%	5 100.0%	0 .0%	0 .0%	5 100.0%
Assault with instrument	0 .0%	0 .0%	4 100.0%	0 .0%	0 .0%	4 100.0%
Assault by kicking	0 .0%	0 .0%	1 50.0%	0 .0%	1 50.0%	2 100.0%
Possess controlled weapon without excuse	0 .0%	0 .0%	2 100.0%	0 .0%	0 .0%	2 100.0%
Aggravated littering	0 .0%	0 .0%	1 100.0%	0 .0%	0 .0%	1 100.0%
Armed robbery	0 .0%	0 .0%	0 .0%	0 .0%	1 100.0%	1 100.0%
Assault intent commit indict offence	0 .0%	0 .0%	0 .0%	0 .0%	1 100.0%	1 100.0%
Assault police, serious	0 .0%	0 .0%	0 .0%	0 .0%	1 100.0%	1 100.0%
Common law assault	0 .0%	0 .0%	1 100.0%	0 .0%	0 .0%	1 100.0%
False imprisonment, common law	0 .0%	0 .0%	0 .0%	0 .0%	1 100.0%	1 100.0%
Indecent assault	0 .0%	0 .0%	0 .0%	0 .0%	1 100.0%	1 100.0%
Murder	0 .0%	0 .0%	1 100.0%	0 .0%	0 .0%	1 100.0%
Negligently cause serious injury	0 .0%	0 .0%	1 100.0%	0 .0%	0 .0%	1 100.0%
Possess prohibited weapon without excuse	0 .0%	0 .0%	1 100.0%	0 .0%	0 .0%	1 100.0%
Possess carry, use handgun without licence	0 .0%	0 .0%	1 100.0%	0 .0%	0 .0%	1 100.0%
Possess a dangerous article	0 .0%	0 .0%	1 100.0%	0 .0%	0 .0%	1 100.0%
Total	76 5.0%	30 2.0%	941 61.7%	10 .7%	467 30.6%	1,524 100.0%

Source: Data provided by Victoria Police and re-analysed by the Committee.

Generally it appears that in the majority of cases the offender was processed (61.7%). In almost one-third of matters the case was unsolved. In the most frequent cases involving criminal damage, some 59 per cent were unsolved, possibly owing to the offender having left the scene following the incident. In many of the most serious cases, such as murder, the offender was processed. It is also apparent that the property offences dealt with tended to remain unsolved, unlike the more serious personal violence offences.

These rates are generally comparable with clearance rates for other crime types in Victoria. In 2003–2004, for example, the clearance rate for all crimes against the person in Victoria was 77 per cent, and for all crimes against property, 31 per cent (Victoria Police 2004). As Road Violence involves a combination of crimes against the person and crimes against property, the clearance rate is generally similar.

Court outcomes

Not a great deal is known about the judicial outcomes of cases of Road Violence that have been prosecuted in the courts. Unfortunately, official court statistics collected by the Australian Bureau of Statistics do not have an offence category or sub-category that approximates to crimes involving Road Violence, Road Hostility, Selfish Driving and related conduct. An ongoing review, conducted by the Court Administration Working Group and the Courts Practitioner Group of the Australian Bureau of Statistics, is taking steps to improve data quality. These steps include implementing the recommendations of the Australian Bureau of Statistics *Courts Administration Data Collection National Report* on lodgments and finalisations, clearly defining issues concerning the scope of data collection and reporting, assessing the most appropriate way in which to collect and publish data, amending data definitions, and improving data verification and data quality (Steering Committee for the Review of Commonwealth/State Service Provision 2005). The Committee is supportive of this review and recommends that questions relating to the collection of court statistics concerning Road Violence and related offences should be considered during this review.

Recommendation:

- 6 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.

In the absence of official court statistics on judicial outcomes of cases involving Road Violence, the Committee examined sentences handed down in cases that were reported in the newspaper reports used for the media analysis undertaken by the Committee. Some sentencing information was also contained in the

responses to the survey conducted on the Committee's website. Unfortunately, these sources provided little indication of the outcome of matters that have gone to court. Of the newspaper reported incidents summarised in Appendix 8, sentencing outcomes were available in respect of 21 offenders only. In the other cases, court proceedings were either incomplete or the sentence not reported.

The sentences reported in these newspaper reports varied from the longest custodial sentence of 20 years imprisonment (with a non-parole period of 15 years) in a case of attempted murder (Case No 4), to the most lenient sentence of a \$250 good behaviour bond in a case involving an assault with a weapon. Understanding the reasons why particular sentences were imposed requires, of course, an examination of the statutory maximum penalties available for each offence as well as knowledge of the various aggravating and mitigating factors that the sentencing judge took into consideration.

In 12 cases, custodial sentences were imposed, often involving a number of years imprisonment, and in a further five cases suspended sentences were imposed. Fines were used in six cases and compensation orders given in only two. Interestingly, a community corrections order requiring attendance at an anger management programme was used in only one case. Three cases involved orders disqualifying the defendant from holding a licence and a further two involved licence cancellation for a number of years. The limited use of disqualification orders may have been due to the problem of the offences charged not being 'in connection with the driving of a motor vehicle' (see discussion of this matter in Chapter 21).

Understanding the reasons why particular sentences were imposed requires, of course, an examination of the statutory maximum penalties available for each offence as well as knowledge of the various aggravating and mitigating factors that the sentencing judge took into consideration. In only two cases were female offenders convicted and both resulted in non-custodial sentences – in one case a fine and in the other a good behaviour bond. The offences in these two cases were, however, less serious than in the other matters in which custodial orders were made. Without examining the evidence that was made available to the sentencing judge in these cases, it is difficult to draw conclusions concerning the use of various sentences. The Committee believes that further research should be undertaken into the sentencing of individuals convicted of Road Violence-related offences (see the Committee's recommendation in Chapter 21).

Financial impact

The financial impact of Road Violence is difficult to quantify as so few cases are reported and difficulties arise in determining which losses were the direct result of the incident. One could, for example, include the costs of repairs to a vehicle damaged by the offender, medical costs associated with injuries sustained in an assault, loss of income during periods of sick leave,

compensation for emotional harm and pain and suffering, costs of police time and other criminal justice system costs. In determining the financial cost of Road Violence to Victorians, the primary sources of data that were available to the Committee came from Victoria Police statistics and evidence received from road safety and insurance agencies. These, it must be admitted, provide only a limited estimation of all the costs associated with Road Violence.

The primary sources of data that were available to the Committee came from Victoria Police statistics and evidence received by the Committee from road safety and insurance agencies.

In the statistics on Road User Violence provided to the Committee from Victoria Police, an estimate was given of the value of damaged property in respect of the 1,524 incidents recorded. The mean value was \$174.24 with a standard deviation of 908.62. The maximum value lost was \$28,000 and the minimum value was zero. In almost 80 per cent of recorded cases no financial loss in respect of property damage was recorded for incidents. The distribution of the value of damaged property is set out in Table 9.3.

Table 9.2: Value of property damage in Road User Violence incidents recorded by Victoria Police 2000–2004

Value Category	Frequency	Percentage
Nil	1208	79.3
\$1 – 99	13	0.9
\$100 – 199	42	2.8
\$200 – 499	95	6.2
\$500 – 999	81	5.3
\$1000 – 1499	39	2.6
\$1500 – 1999	15	1.0
\$2000 – 4999	25	1.6
\$5000 – 9999	4	0.3
\$10000 & over	2	0.1
Total	1,524	100.0

Source: Victoria Police, Statistical Services Division, Unit record data on Road User Violence supplied to the Drugs and Crime Prevention Committee.

In relation to insurance data, certain difficulties arose in quantifying losses because most insurers do not categorise claims separately as involving Road Violence or other kinds of 'road rage' or aggressive driving. Problems also arose in attributing insurance losses arising from crashes, many of which could have involved aggressive driving. Once again, statistics are not collected on this matter.

In a newspaper article in 1997, AAMI reported that its statistics indicated more than half of its accident claims were the result of aggressive driving behaviour and frustration, causing vehicle damage valued at \$1.7 billion (Victorian Community Council Against Violence 1999, p.17, citing *Herald Sun*, 12 April 1997).

Unfortunately the *AAMI Crash Index*, which makes use of claims data as well as a national survey of licensed drivers around Australia, did not indicate the financial cost of claims (AAMI 2004).

In June 2004 the Insurance Australia Group undertook a search of its national claims data for the preceding 12 months. Some 38 claims were identified arising from violence associated with motor vehicle use, at an estimated cost of \$110,000. It was noted, however, that this organisation does not specifically collect data on 'road rage'. Accordingly, these data only reflect cases in which the policyholder specifically identified 'road rage' as part of the incident when making the claim.¹²³

Public liability costs

In addition to studies that documented the nature and extent of financial losses suffered by the victims of Road Violence, the Committee heard of the likely costs sustained by public liability insurers where the victims of these incidents have mounted claims for compensation.

In conversations with the Victorian Transport Accident Commission (TAC), the question of compensation payments made in respect of Road Violence arose. One case was referred to in which the victim had been run over by the offender's vehicle following a Road Violence incident.¹²⁴ The offender was sentenced to 6.5 years imprisonment. The victim, tragically, suffered permanent brain damage, residual short-term memory problems, speech and general cognition skill problems and now requires daily support, probably for the rest of his life. He made a claim under the *Transport Accident Act* for no-fault benefits and the TAC had made interim payments to the end of June 2004 of \$288,000 in no-fault benefits.

The victim of this incident then sued the defendant for damages, as clearly he had been seriously injured through the gross negligence of the defendant. Pursuant to section 94 of the *Transport Accident Act*, the TAC was required to pay \$500,000 in damages to the victim. In addition, the TAC was required to pay costs with a total overall expenditure to date, as a result of this one 'road rage' incident, of close to \$800,000. The no-fault payments for medical, rehabilitation and disability services are likely to continue for many years. The evidence received from the TAC was that a few cases of this nature arise each year, although precise data are not maintained.¹²⁵ The TAC indicated to the Committee, however, that its liability is limited to damage that is directly caused by the driving of a motor vehicle (section 3, *Transport Accident Act*). In

123 Letter to the Committee from Dr Barbara Hayes, Group Head, Government Relations and Policy, Insurance Australia Group, 22 June 2004.

124 *DPP v Coleman* (2001) VSCA 59.

125 Mr John Bolitho, Manager, Legal Policy, Transport Accident Commission, Evidence given at the Public Hearing of the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 22 June 2004.

such cases, the TAC has a right of recovery against the driver if he or she is convicted of a serious indictable offence under section 325 of the *Crimes Act 1958* (see section 102(2)(a) *Transport Accident Act*). In cases where the offender got out of the car to assault the victim, liability would not arise under the *Transport Accident Act*.¹²⁶

Preliminary investigations within the TAC indicate that few cases could easily be identified in which 'road rage' was a contributing factor to the injury. The TAC has not in any of these cases been able to recover costs against the perpetrator. Anecdotally, TAC staff are aware of cases in which 'road rage' has resulted in injury but, because the perpetrator has not been convicted of a related offence, the TAC has been unable to seek to recover monies paid. Equally, attempting recovery from impecunious offenders may be an inefficient use of the TAC fund.¹²⁷

Injuries

The Committee was able to draw upon a number of sources of information concerning the incidence of injuries suffered by the victims of Road Violence.

In its analysis of the 55 newspaper reports that mentioned 'road rage' in *The Age* and *Herald Sun* between 1999 and 2004, for example, the Committee found that 35 individuals suffered injuries (63%). Of these, nine had serious injuries, such as stab wounds and head injuries; nine had minor injuries, such as bruising; five were knocked unconscious (one in a coma); three were killed; three had bullet wounds; three had fractures; and in a further three cases injuries were not disclosed in the report. The seriousness of these injuries is perhaps indicative of the fact that only the most serious cases were reported in newspapers (see Appendix 8).

In the statistics on Road User Violence provided to the Committee by Victoria Police, data were provided on the most serious injury suffered by victims for each of the 1,524 incidents recorded. As shown in Table 9.4, male victims suffered slightly more physical injuries than female victims, while female victims suffered proportionally more emotional injuries. Overall, of those cases in which information was available, some 60 per cent suffered some injuries.

126 *ibid.*

127 Submission from Mr David Healy, General Manager Road Safety, Transport Accident Commission, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 22 June 2004.

Table 9.3: Road User Violence incidents recorded by Victoria Police 2000–2004 x most serious injury x gender of victim

Most Serious Injury	Male	Female	Unknown	Total
Unknown	9 (1.3%)	4 (1.7%)	1 (2.8%)	14 (1.4%)
No Injury	262 (36.6%)	107 (45.5%)	18 (50%)	387 (39.3%)
Emotional Injury	113 (15.8%)	79 (33.6%)	6 (16.7%)	198 (20.0%)
Minor Injuries	306 (42.7%)	40 (17.1%)	11 (30.5%)	357 (36.2%)
Severe Injuries	25 (3.5%)	5 (2.1%)	0 (0.0%)	30 (3.0%)
Death	1 (0.1%)	0 (0.0%)	0 (0.0%)	1 (0.1%)
Total Injuries	716 (100.0)	235 (100.0%)	36 (100.0%)	987 (100.0%)
Missing data				537
Total				1,524

Source: Victoria Police, Statistical Services Division, Unit record data on Road User Violence supplied to the Drugs and Crime Prevention Committee.

In terms of the specific types of injuries suffered by victims of the incidents recorded by Victoria Police between 2000 and 2004, it appears that most injured victims suffered emotional trauma as opposed to other forms of physical injuries (see Table 9.5).

Table 9.4: Road User Violence incidents recorded by Victoria Police 2000–2004 x type of injury suffered by victims

Injury Category	Number	Percentage
No visible injuries	387	39.2
Emotional trauma	198	20.1
Red marks	169	17.1
Bruising	104	10.5
Lacerations minor	55	5.6
Swelling	29	2.9
Lacerations severe	15	1.5
Unknown	14	1.4
Fractures	12	1.2
Unconscious	2	0.2
Internal injuries	1	0.1
Deceased	1	0.1
Total Injuries	987	100.0
Missing data	537	
Total	1,524	

Source: Victoria Police, Statistical Services Division, Unit record data on Road User Violence supplied to the Drugs and Crime Prevention Committee.

In addition to the data provided by Victoria Police, the Committee discovered a number of other studies that gave some indication of the nature of injuries

suffered as a result of Road Violence and other forms of 'road rage' and aggressive driving.

The Victorian Department of Justice's *Crime Victimisation Survey* in 1996, for example, found that only 10 per cent of incidents of assault in a private vehicle by a stranger resulted in physical injury, although 93 per cent of victims felt emotionally affected by the incident (Victorian Community Council Against Violence 1999, p.13).

The study undertaken by the Crime Research Centre, University of Western Australia, for the Western Australian Royal Automobile Club of 797 incidents of driving-related violence reported to police from 1991 to 1995 found that in 4 per cent of incidents the victim received serious injuries; in 35 per cent minor injuries which required medical treatment; in 31 per cent minor injuries which did not require medical attention, and in 30 per cent no injuries to the victim were reported (in 26 cases the incidence of injury was not known)(University of Western Australia Crime Research Centre 1997; Harding et al. 1998).

In New Zealand, the study by the New Zealand Police in 1997 of 16 incidents in which car drivers exhibited aggression – verbally, or coming to blows following a driving incident – found that various injuries were sustained including severe cuts, bruising and a depressed skull fracture (Wright, Gaulton & Miller 1997).

In the analysis of Canadian newspapers conducted by Smart and Mann (2002a), it was found that four cases involved deaths (6.8%), three involved shootings, one led to a heart attack, and 43 cases involved non-fatal injuries to 59 individuals (72.9%). All of the reported injuries were serious and required medical attention and in all but two cases, which involved injury to pedestrians, all those injured were drivers or passengers. The most common injuries occurred as a result of beatings with fists, bats or clubs.

In the United States, the Department of Transportation in 1998 blamed 'road rage' for 8,000 deaths and more than one million injuries each year (referred to in Kowalski 1998). Aggressive driving was also seen by Pavelka (1998) to be a particular threat to cyclists and motorcyclists.

It appears, therefore, that more than half of those who become involved in incidents of Road Violence suffer injuries, many require treatment, and occasionally cases involve death and serious consequences.

Physiological and psychological impact

As mentioned above, a high proportion of incidents of Road Violence in Victoria have entailed emotional injuries for victims. The Committee is particularly concerned with the health consequences that can arise from Road Violence and in this section presents the results of recent research into this aspect from around the world.

In the Report of the VCCAV (1999), it was found that victims of both 'mild road rage' and 'severe road rage' felt various degrees of fear during and after the attack. Some 29 per cent of victims felt nervous, frightened, or threatened from the attack (females 38% and males 20%). These feelings were felt by 46 per cent of females aged 35–44 and 11 per cent of males aged 45–54 years. Also, 28 per cent of victims reported feeling annoyed (because they had done nothing wrong) or frustrated, while 25 per cent felt angry, worked up, or aggressive. Interestingly, 6 per cent of victims said that they felt 'road rage' themselves (males 10% and females 2%).

The Committee also found that victims of Road Violence could begin to lose their confidence as drivers. In one case study presented by the Crime Research Centre, University of Western Australia in 1997, a woman had been punched in the face after not pushing into traffic when turning right. She suffered a loss of confidence in driving for a few months and felt afraid in traffic, particularly when turning right. She felt she had contributed to the incident by arguing with the offender, and advised people not to wind down their windows or argue when confronted (Crime Research Centre, University of Western Australia 1997).

In the United Kingdom, Joint's study found that 96 per cent of people found that 'road rage' incidents did not affect their confidence to drive although 3 per cent reported that they were a little less confident; and 1 per cent much less confident (Joint 1995). Women (8%) and motorists aged 55–64 (9%) were most likely to say that the last incident had affected their confidence levels (Joint 1995).

It has also been found that victims generally describe feelings of being 'shaken up' after the incident. As well as the immediate shock of the incident and fear for their safety, victims also described a subsequent effect on their driving. Some felt unable to drive afterwards for fear of repetition, others preferred alternative means of transport. Those who continued driving tended to back down from provocation. A minority became incensed, and admitted to more aggressive driving to avoid further victimisation (Fong, Frost & Stansfeld 2001).

In Canada, exposure to violence and threats was found to have long-lasting psychological effects. These included post-traumatic stress disorder and depression. Recent research has suggested that a substantial amount of post-traumatic stress disorder and related conditions may result from motor vehicle collisions. Research has shown that exposure to violence and threat can have long-lasting psychological effects, including more serious consequences such as post-traumatic stress disorder and increased depression (Smart & Mann 2002b). The experience of 'road rage' resulting in a collision could exert psychological consequences even more severe than the collision alone. Being a victim of 'road rage' in its more serious forms could therefore exert effects similar to other forms of violence and abuse. The result could be increases in depression and other serious psychological consequences among those exposed (Smart & Mann 2002b). Smart, Asbridge et al. (2003) also found that respondents who had experienced 'road rage' victimisation in the past year

were significantly more likely to report a General Health Questionnaire (GHQ) score of three or higher (16.0% as opposed to 11.2%, which provides an indication of psychiatric distress) compared with those who had no victimisation experiences.

The Committee was also informed of the more general health problems associated with Road Violence and high levels of stress in the lives of motorists. Dr Soames Job, General Manager, Road Safety Strategy, Road Traffic Authority of New South Wales, for example said that in addition to physical injury there are other health consequences, for example:

...significant health consequences of stress per se and being the victim of a 'road rage' incident is an extremely stressful event which will have a significant impact on psychological and physical health if that kind of stress is maintained.¹²⁸

Chronic levels of arousal have been linked to the increased risk of cardiovascular disorders. Megargee (1985), for example, discusses the various causal pathways which link aggression to cardiovascular heart disease and identifies both intrinsic and extrinsic instigators of aggression. Intrinsically, personality traits (such as the Type A personality) have been linked to cardiovascular disease. For instance, a hostile personality trait may contribute significantly to aggressive behavior. Extrinsically, external reinforcements influence behavior such as the acquisition of property, enhancement of self-concept and thrill-seeking.

Rosenman (1985) reviewed the evidence of the links between anger, hostility, and aggression and cardiovascular heart disease and hypertension. Ineffective management of anger results in higher resting blood pressure or sustained hypertension. People exhibiting chronic hostility and anger respond with exaggerated and prolonged cardiovascular responses to stressful stimuli stemming from a variety of sources. Cognitive stressors appeared to result in such heightened cardiovascular responses. Of all the emotions, anger appears to evoke the most cardiovascular response (Schwartz, Weinberger & Singer 1981). During an angry response, epinephrine and norepinephrine levels resemble those that occur during isometric exercise (exercise in which there is muscle tension but no movement), which is associated with a rise in cardiac output and peripheral vascular resistance. These responses are opposite of those occurring during relaxation. Fear, on the other hand, has been associated with a greater variety of responses and appears to be more associated with responses occurring during isotonic exercises (exercise in which there is equal muscle tension throughout the movement).

In conclusion, therefore, the Committee believes that it is not just the physical injuries suffered by the victims of Road Violence that are problematic, but other more enduring psychological, emotional and physiological effects.

128 Dr Soames Job, General Manager, Road Safety Strategy, Road Traffic Authority of New South Wales, in conversation with the Committee, Sydney, 17 June 2004.

Although these have not been adequately quantified at present, they all need to be considered in assessing the overall impact of the problem.

Social impact

The evidence presented by the Committee has confirmed the view that Road Violence is simply one element of a wider problem of aggression and violence in the community – in this case displayed in the driving environment. What is of great concern, however, is the possibility that experiencing stress and anger when driving could lead some individuals to act violently when they complete their journey, either at work or at home.¹²⁹

James and Nahl, for example, argued that:

...individualistic and competitive expectations lead drivers to be aggressive and hostile towards other road users. This aggressive frame of mind can generalize to other interactive settings such as the workplace and the family, creating higher stress and greater conflict. Similarly, the more supportive expectations can be expected to generalize to other social settings, creating less stress and conflict, and more satisfaction and calm. Thus, driving psychology is also a health-enhancing practice (James & Nahl 2000, p.14).

Similarly, Deffenbacher et al. (2000) noted a number of studies showing that frustration developed during commuting can have an impact on mood and behaviour in the work environment after commuters come to work and in the home environment after they return (see also Novaco, Stokols, Campbell & Stokols 1979; Novaco, Stokols & Milanese 1990). In the words of Wiesenthal, Hennessy and Gibson, 'since stress may be produced through the interaction of environmental and personality variables, the inability to deal effectively with driving stress may lead to increased stress-related problems at home and at work' (2000, p.116). Deffenbacher et al. also note that:

Anger's effects are not limited to the highway as anger experienced while commuting carries over and impacts post-commute work and family relations. Thus, a driver's anger may not only lead to negative consequences for him/herself and the people who share the vehicle or the road with them, but others who are not even there at the time (e.g. coworkers or family members later) (Deffenbacher et al. 2003c, p.334).

There is now convincing evidence that stress experienced on the road can have an effect on other important areas of functioning in an individual's life. Environmental factors interact with driving stress resulting in negative consequences not only while on the road, in terms of driver aggression and crashes, but also in the social, interpersonal, recreational and occupational levels of functioning. Galovski and Blanchard (2004) explain this as follows:

129 See, for example, the views expressed to the Committee in the submission from Mr Michael Marasco, Chief Executive Officer, Maroondah City Council, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 15 June 2004.

Novaco, Stokols, and Milanesi (1990) studied the reciprocal impact of psychological stressors in important areas of functioning that they termed 'interdomain transfer effects'. Their investigation revealed negative consequences of experiencing regular travel impedance in the daily commute in both the occupational and residential domains. Novaco, Kliewer, and Broquet (1991) then examined the home environment in order to ascertain the effect of commute impedance on the relationships in the home. Further evidence of the interdomain transfer effect was seen in this study as high travel impedance negatively impacted the home environment. Considering general stress variables as they relate to aggressive driving has important treatment implications across life domains (Magnusson, 1982). Changes in a driver's perceptions of demands and cognitive appraisal of the driving situation, as well as of employment and residential situations, may substantially modify stress levels and result in improvements across important areas of functioning (Galovski & Blanchard 2004, pp.115–16).

On a broader social level, the experience of Road Violence may lead some individuals to withdraw from road usage in part or in full. In the preceding section, for example, the Committee noted how fear engendered through exposure to Road Violence could affect people's confidence in driving. Similarly, the impact of Road Violence on people riding bicycles is that many stop cycling. Ms Fiona Campbell stated in her submission that:

After a particularly bad road rage incident I was too afraid to ride on Elizabeth Street on my own again for six months, resorting to riding illegally on the footpath if I was alone. For many others it stops them cycling altogether.¹³⁰

Ms Campbell also pointed out that:

...the impact is especially marked for children. Parents do not feel it is safe for their children to walk or cycle to school even if there are proper footpaths and crossings. More children travel by car, resulting in increased childhood obesity and school time traffic congestion.¹³¹

It was also put to the Committee that 'aggressive and violent driver behaviour is probably contributing to Australia's low rates of cycling for transport and recreation compared to a lot of international countries'.¹³²

Besides the psychological trauma and possible injury, indirect effects of Road Violence are speeding, ignoring road signs, poor lane discipline and lack of courtesy. Road Violence may also be costly in terms of higher fuel consumption, tyre and brake wear and the repair of collision damage (James 1997). If cycling is reduced through fear of violence, this will lead to increased

130 Submission from Ms Fiona Campbell to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 21 June 2004.

131 *ibid.*

132 Dr Jan Garrard, Senior Lecturer, School of Health and Social Development, Deakin University, Evidence given at the Public Hearing of the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 22 June 2004

congestion (more frustration), more air pollution, more obesity and sedentary lifestyle-induced illness, and more greenhouse gas emissions. All these lead to higher health, environmental, social and economic costs for society.

Because people spend such large quantities of time in highly stressful driving situations, over time this chronic exposure may lead to long-term health consequences. Taylor and Pocock (1972), for example, investigated the effects of daily commutes on the physical health of London office workers. They argued that the stress of long, uncomfortable drives to and from work on a daily basis caused an accumulation of stress which, over time, resulted in more sickness and absenteeism from work. Results indicated that the higher the number of stages of a commute, the more sickness and absenteeism. The length of a journey along with a commute in the car as opposed to public transportation also was associated with higher rates of illness. More recently, Larson (1996a, 1996b) argued that the stress of driving and subsequent aggressive driving behavior was detrimental to good health, often leading to cardiovascular disease (cited in Galovski & Blanchard 2004).

Conclusions

The Committee has found support for the view that Road Violence and associated aggression on the road are responsible for major problems in Victoria. Not only do perpetrators face criminal justice consequences from their conduct, but also victims frequently suffer physical injury, property damage, psychological harm and associated health problems. The community suffers generally through the consequential costs that arise, increased insurance premiums, and through the costs of restoring property damage and ill-health.

In view of these consequences, the Committee takes the view that Road Violence and its associated problems of Road Hostility and Selfish Driving are important concerns for the Victorian community and ones that require appropriate public policy responses. In the words of Matthew James of the Australian Science, Technology, Environment and Resources Group:

Growing reports of violence and retributions on the nation's roads, following well-publicised American trends over the last few years, are cause for concern. Some commentators suggest that this "road rage" phenomenon threatens social cohesion and requires prompt amelioration. Otherwise, Australia's roads may become battlefields for antisocial behaviour (James 1997, p.1).

Part D: Causes of Road Violence

10. Causal Models

Introduction

In the previous Parts, evidence concerning the nature, extent and impact of Road Violence was examined. While problems with the data make it difficult to draw definite conclusions it appears that, contrary to common media representations, acts of Road Violence are relatively rare and may not be increasing in frequency. Nevertheless, it is clear that such acts *do* occur, and can have a serious impact on those involved, as well as on society more generally.

Understanding the causes of Road Violence is essential if the problem is to be properly addressed. Without such knowledge, intervention strategies may prove to be ineffective, or even counterproductive. Mooren made this apparent when she examined the issue of road trauma in 1997. She stated that the way in which 'aggressive driving' is understood 'could lead to quite a variety of interventions':

If for example we are dealing with individuals with a history or pattern of violent behaviour who would deliberately use a motor vehicle as a weapon, then the approach would be similar to that which would be used for any violent criminal. If, on the other hand, we are addressing aggressive driving as a manifestation of common stress, then health promotion interventions may be more suitable (Mooren 1997, p.4).

This makes clear the importance of at least seeking to comprehend the underlying motivations of those who commit acts of Road Violence, and the reasons why such acts are perpetrated. Such knowledge can assist in the design of well-targeted prevention measures, which are essential if the problem is to be tackled in an efficient and cost-effective manner.

In this chapter the Committee investigates some of the suggestions about the causes of Road Violence made in the literature and by those who presented evidence before the Committee. Based on this information the Committee has

developed the causal model that is presented and discussed here. This model seeks to bring together the many factors influencing the decision to act violently on the road. In so doing, it provides the structure for the subsequent chapters in this Part.

The role of ‘triggers’

In the vast majority of cases of Road Violence there is a specific incident that precedes the act of violence, such as one driver tooting another or changing lanes without indicating (University of Western Australia Crime Research Centre 1997; Victorian Community Council Against Violence (VCCAV) 1999). It is rare to have a spontaneous, driving-related act of violence between strangers that is not precipitated by such a ‘triggering event’.¹³³

This has led some to speculate that it is these ‘triggering events’ that are the ‘cause’ of Road Violence:

The consensus amongst experts in this area is that road rage, even broadly defined, originates because of poor, careless or risky driving of which the most anger provoking behaviours are:

- failing to indicate
- driving too slowly, and especially in the passing lane
- pulling out without looking
- excessive honking of the horn or head light flashing
- following closely – tailgating
- obscene language
- competitive merging
- deliberate obstruction
- holding up traffic when turning right
- competition for car park spaces
- changing lanes and cutting drivers off...

The critical contributing factor in road rage in general is the behaviour of the victim which leads to aggression by the offender ... Frustrations can occur as a result of overcrowding or being late (and congestion) or because of unclear road priorities where drivers disagree as to right of way. But it is much more likely that antisocial behaviour emerges because of the failure of the victim to

133 In Dr Garrard’s submission to the Committee it was argued that this is not the case in relation to acts of Road Violence committed against cyclists. In this submission it was suggested that the mere presence of bicycles on the road is often sufficient to precipitate acts of Road Violence, without the need for any additional ‘incident’ (Submission from Dr Jan Garrard, Senior Lecturer in Health Promotion, School of Health and Social Development, Deakin University, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 21 June 2004). In the Committee’s view, while such acts of violence may appear to lack a specific precipitating event, they do actually have a trigger – the simple act of riding on the road.

adhere to the rules of the road or ignore signs (like keep to the left unless overtaking) or doing 'stupid' things (Elliott 1999, pp.3–4).

This view that Road Violence is at least partly 'caused' by the events which trigger it is not uncommon (see, for example, Joint 1995; Mizell 1997), nor is it limited to 'experts' in the area. It is a perspective that is commonly put forward by the media. This was found in Burns and Katovich's (2003) analysis of all newspaper articles containing the terms 'road rage' or 'aggressive driving' from *The New York Times*, *The Dallas Morning News* and *Los Angeles Times* between 2 May 1985 and 1 May 1999. Of the 512 causes of 'road rage' or 'aggressive driving' cited in the articles examined, 185 (36.1%) were driving-related behaviours such as weaving, tailgating and flashing headlights, while a further 50 (9.8%) were non-driving-related driver actions, such as making obscene gestures or verbally abusing other drivers.

The notion that it is incidents of 'bad driving' that cause Road Violence also seems to be held by many members of the public. For example, when the VCCAV asked perpetrators of 'severe road rage' what they considered to be the cause of such behaviour, the most common responses were a lack of indication when changing lanes; incompetent drivers/breaking rules; reckless/aggressive driving; and a lack of courtesy (VCCAV 1999). Victims of 'severe road rage' perceived the main causes to be driving too slowly; changing lanes/pulling into traffic; tooting the other driver; and overtaking. While these responses differ, they both focus on the immediate triggers as the 'cause' of the violence. Such a view was also reflected in one of the submissions received by the Committee, which saw the cause of 'road rage' to be 'poor driving skills and inexperience'.¹³⁴

Despite Elliott's assertion of 'consensus' among experts that Road Violence is caused by such triggering events, this view is widely disputed (see, for example, University of Western Australia Crime Research Centre 1997; VCCAV 1999).¹³⁵ While such factors may precede the commission of such acts of violence, it is argued that triggers do not actually *cause* the perpetrator to act violently. Acts of violence are instead seen to be the result of a number of underlying factors, such as the beliefs and attitudes of the perpetrator, which may be precipitated by the 'triggering event' but are not caused by it (University of Western Australia Crime Research Centre 1997).

Driving related violence needs to be seen as another form of violence and shares the same basic psychological and sociological features as other criminal violence. It is important to understand this because it means that this violence is not excusable and is not somehow attributable to modern road design, traffic congestion or bad drivers. Like other forms of violence it is directly

134 Submission from Mr Russell Stevens to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 5 August 2004.

135 See also Submission from Ms Michele Wright, Family Violence Project Worker, Inner South Community Health Service, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 18 June 2004; Submission from Ms Colleen Pearce, Director, Victims Support Agency, Department of Justice, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 7 April 2004.

attributable to the thoughts, attitudes and beliefs of the perpetrator and this should be the main focus of prevention and criminal justice responses (University of Western Australia Crime Research Centre 1997, p.29).

According to this perspective, people make a decision to act violently in response to particular triggers, rather than such triggers causing the violence to occur. This choice to act violently may be influenced by a range of factors, such as the individual's personality, the stress they are experiencing at the time of the incident, or their ability to behave aggressively in an anonymous way because of the nature of the car. It is still, however, a decision for which the individual is responsible, and should not be attributed to the driving behaviour of the victim.

The Committee agrees with this view. In the Committee's opinion, Road Violence is not the result of an uncontrollable urge that sweeps over the perpetrator due to incidents of poor driving. Rather, Road Violence, like any other form of violence, is usually a deliberate act, committed for particular reasons. This point was made clearly in Ms Michele Wright's submission to the Committee:

We believe that... violence is about using power and control over another person to get what you want or to get them to do what you want... We see violence as a chosen act and not about being "out of control".¹³⁶

The Committee considers it important to emphasise this fact, for it is only by acknowledging that violence is a deliberate act that the perpetrators' responsibility for such acts becomes apparent. They could have chosen to act differently, but as they did not they should be held accountable for their actions. By contrast, the suggestion that violence is caused by 'triggering events' provides offenders with a legitimating excuse ('it wasn't my fault, it happened because of *their* poor driving'). Such justifications, with their implication that it is the victims who are to blame for Road Violence, are unacceptable, as was noted by Ms Colleen Pearce in her submission to the Committee:

Views such as those expressed by Dr Elliott are disturbing because they tend to legitimise aggressive or violent behaviour on the grounds that the victim deserved the aggressive response because of their "bad driving". This is no more acceptable than the male who justifies his abuse of a partner on the basis that something she said or did provoked him.¹³⁷

Although the Committee does not view Road Violence as being caused by 'triggering events' such as poor driving, such events are not irrelevant to an understanding of the dynamics of the phenomenon. As noted above, it is exceedingly rare that Road Violence will occur in the absence of such triggers,

136 Submission from Ms Michele Wright, Family Violence Project Worker, Inner South Community Health Service, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 18 June 2004.

137 Submission from Ms Colleen Pearce, Director, Victims Support Agency, Department of Justice, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 7 April 2004.

making such events central to any analysis. The precise role played by 'triggering events' is explored in more detail below.

A multiplicity of causes

A number of models have been put forth to explain the apparent increase in road rage. Some emphasize socio-environmental factors such as population growth and traffic congestion, faulty highway engineering that impedes traffic flow, and inadequate regulation of aggressive driving habits. Also cited are the anonymity and power many drivers feel sitting behind the smoked glass and bullet-shaped armour of the car itself. A causal model advanced by a clinical psychologist in California suggests that certain individuals suffer from a type of mental illness or anger disorder that can be triggered by the pressures of driving. Another model, based on extensive studies of college students in Hawaii, pinpoints faulty attitudes, inadequate driving skills, and the need for education that's relevant to our challenging and stressful world. Yet another perspective views road rage as simply one more symptom of society's growing loss of community, a decay of moral values, and, essentially, a mobile form of rudeness and aggression (Maiuro 1998, p.8).

If triggers such as 'bad driving' do not cause Road Violence, what does? Is there something about driving that 'sees normal, everyday people transformed into uncontrollable, violent criminals' (VCCAV 1999, p.2)? Or is Road Violence simply another form of violence committed by the same people who have learnt to use violence to resolve problems in other aspects of their lives?

As can be seen from the quote above, a variety of explanatory models of Road Violence have been proposed. These range from those which blame Road Violence on traffic congestion (see, for example, Connell & Joint 1996; Stephen 1999), to those which locate Road Violence within the broader context of masculine violence (see, for example, University of Western Australia Crime Research Centre 1997; Vick 2003). While external stress (see, for example, Grennan 1996), the personality of the perpetrator (see, for example, Wiesenthal, Hennessy & Gibson 2000) and the inability of people to apologise for mistakes due to the insular nature of the car (see, for example, Parkinson 2001) are also among the most often cited causes of Road Violence, the number of contributing factors seems almost endless. This can be seen in the extensive nature of Stuster's (2004) list of suggested causes of 'road rage', which includes:

- Increased congestion on roadways;
- Running late, too many obligations;
- Anonymity provided by a closed vehicle;
- Disregard for others and the law;
- Chronic or pathological anger;
- Traffic jams caused by construction zones with little or no work going on;

- Fewer mental health services available than in the past;
- Violent video games;
- Violent films and television programs;
- Increased levels of intrapersonal and interpersonal stress, including stress associated with employment, two-career families, familial relationships, child-care issues, elder-care issues, and fundamental economic and technological changes in society;
- Loud, thumping music on the car radio while driving;
- The need to “save face” and overcome feelings of being disrespected by another driver;
- The need to assert one’s identity and maintain control in a situation where one fears losing control;
- A cultural focus on “time” as a limited resource, including concerns about “saving time,” “using time wisely,” “being on time,” and “time is money”;
- A human need for “space” that causes some drivers to be territorial about infringements on their space;
- The summer heat;
- Popular culture’s focus on machismo and masculinity;
- Increased immigration trends leading to a mixture of different driving styles;
- A widespread increase in interpersonal violence, including murder, domestic abuse, and street crime;
- A focus on individualism that produces a “me first” mentality;
- Oppressive social conditions that produce feelings of alienation in individuals;
- Slow drivers (especially in the “fast lane”);
- Defensive driving habits that produce an inflated concern about the poor driving skills of others;
- A lower emotional intelligence and moral character than exhibited in past societies;
- An innate human drive to aggression;
- Decreased driver education in schools;
- Reduced levels of traffic enforcement;
- Ignorance about the “rules of the road”;
- Dehumanization of the other;
- An attempt to attain power in an otherwise powerless existence;
- Increased commuting distances and durations;
- Fewer people relying on mass transit and more relying on cars;
- An increased sense of invincibility behind the wheel of a 3,000-pound vehicle;

- A cultural propensity to promote and reward competitive, tenacious, and aggressive behavior; and,
- An individual propensity to perceive one's vehicle as an extension of oneself (Stuster 2004, pp.39–40).¹³⁸

Most commentators do not focus on just one of these factors (eg. congestion) as *the* cause of Road Violence, instead they suggest that a combination of factors is responsible for such violence. Wark, for example, sees such behaviour as the product of a number of forces, including:

- The individual psychology of the driver
- The culture
- The particular driving situation
- The drivers' subjective interpretation of that situation (Wark 2001, p.5).

This notion that Road Violence is caused by the interplay of a range of factors is reflected in the few public surveys concerning the causes of Road Violence that have been conducted. For example, the following three reasons for the perceived increase in 'road rage' in Sydney were suggested to Lupton (2002) in interviews held with Australian drivers:

- ◆ People are becoming more self-centred and less tolerant and considerate of others;
- ◆ There are more cars on the roads, which are unable to handle the increased volume of traffic. This causes particular problems in peak hour; and
- ◆ The pace of life has sped up, making people more aggressive in their attitude.

Similarly, in a survey of British drivers conducted by Fong, Frost and Stansfeld, the following results were found:

Many felt the problem had worsened because of increasing congestion on the roads, the stress of constant road works and the poor quality of roads. A few male subjects targeted specific groups, especially mothers taking their children to school. Some felt that road rage was a symptom of declining standards in society, that people are less courteous and more selfish. One subject, a psychologist, felt there was an unnecessary emphasis on the phenomenon of road rage and that this topic should really be studied in the wider context of anger response in modern society (Fong, Frost & Stansfeld 2001, pp.282–83).

The community's view that the causes of Road Violence are complex was also noted in Ms Michele Wright's submission to the Committee. In order to assist in making this submission, the Inner South Community Health Centre sought

¹³⁸ For a similar list of factors that have been suggested in the United States media, see Burns & Katovich (2003). See also Submission from Crime Prevention Victoria, Department of Justice, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 6 July 2004.

feedback on the issue of 'road rage' from six men who attended one of their Men's Responsibility Group sessions.¹³⁹ Their ideas about the causes of 'road rage' included:

About the driver using violence:

- Driver impatience – thinking that other drivers are inconveniencing them.
- Ideas about "being right" (eg. "What are you doing?" and "How could you be so stupid") and teaching people a lesson eg. "I'll show you".
- Using excuses and blaming others eg. believing it is the "bad driving" of others that acts as a trigger and "causes" you to use violence.

About the driving of others (who become the victims)

- Poor driving skills.
- Too easy to get a licence and people enter the road with limited driving experience.

Car design

- Poor seat comfort.

Car advertising and society's view of the car as status symbol

- Car advertising supports ideas such as being "king of the road" and being "tough", macho etc.
- Advertising also supports a notion of giving drivers "freedom" with the message that your car will not impede you fulfilling your desires and needs.
- Cars are priced and advertised as a status symbol, a way of showing your power and place in society. Many people see their cars as an extension of themselves and invest big amounts of money in their cars.¹⁴⁰

While it is likely that some, if not all, of the factors raised above do contribute to the incidence of Road Violence, many of these suggestions have been put forward with little evidential support, simply making assumptions based on 'common sense'.¹⁴¹ This was noted by the Crime Research Centre of the University of Western Australia, which stated in its report on 'road rage' that:

While the "road rage" phenomenon has, thus far, provided colourful and dramatic news, it has received little in the way of objective investigation. The

139 The Men's Responsibility Group is a men's behaviour change program 'which aims to increase the safety of women and children by encouraging men to take responsibility for their controlling, violent and abusive behaviours' (Submission from Ms Michele Wright, Family Violence Project Worker, Inner South Community Health Service, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 18 June 2004).

140 Submission from Ms Michele Wright, Family Violence Project Worker, Inner South Community Health Service, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 18 June 2004.

141 See, for example, Mizell (1997, p.14), where it is asserted that 'the stress from road congestion is a major contributing factor to violent traffic disputes', without providing any support for this claim.

inquiries that have taken place have tended to be speculative rather than analytical and have blamed everything from urban gridlock and traffic congestion to the degeneration of road infrastructure and endless road repairs (University of Western Australia Crime Research Centre 1997, p.6).

As well as lacking an empirical foundation, many theories about the causes of Road Violence seem to reflect the authors' specific background and training. For example, theories posited by psychologists tend to provide a psychological impetus for Road Violence (see, for example, Miles & Johnson 2003), while those written from a road safety perspective often emphasise road-related factors, such as congestion (see, for example, Green 2002). Although this is understandable, such accounts often suffer due to their failure to consider the entire context within which such acts are committed. It is likely that both psychological and road-related factors (as well as a number of other matters) contribute to the incidence of Road Violence.

Suggested models

A few attempts have been made to bring these factors together to provide a comprehensive evidence-based causal model of Road Violence.

Brewer

Professor Ann Brewer, for example, has argued for a 'transactional view' of 'road rage', in which 'the interaction of driver, roadway and vehicle leads to a response and outcome [road rage]... A transactional model assumes that response and outcome are the cumulative emotional, behavioural and sociological consequences of travel conditions' (1998, p.494). To assist in understanding the causes of 'road rage', Brewer (1998, p.493) provides a 'conceptual framework of road rage' that links the following four factors with driver responses (such as 'aggressive driving behaviour') and outcomes (such as having an accident):

- ◆ Travel Demands. These include the reasons for the trip (eg. personal or work-related); the time of the trip; the distance travelled; the physical conditions; and the traffic conditions.
- ◆ Subjective Effects. These include factors such as whether the driver is suffering from job-induced stress, as well as the feelings of anonymity offered by the car.
- ◆ Mediating Factors. These include demographic factors such as age, gender, salary and job position; driver characteristics such as driving experience, driving activity, ownership status and perceived safety; residential satisfaction; and vehicle characteristics such as the type of car and its symbolic importance to the driver.

- ◆ **Moderating Factors.** These include factors related to the driver's personality and emotional state, such as his or her locus of control, anxiety levels and general mood.

New Zealand Police

When the New Zealand Police examined the issue of 'road rage' in 1997 (Wright, Gaulton & Miller 1997), they proposed a causal model similar to Brewer's, focussing on offender, victim and environmental factors:

Offender factors include psychological features such as aggressiveness, territoriality and self-centeredness. Aggression increases with fatigue, low tolerance, general life stresses, substance abuse and poor impulse control. Offenders may also exhibit other patterns such as bullying, exploitativeness and irresponsibility. In many cases road aggression is only another manifestation of dysfunctional behaviour. Damage (however slight) or the threat of damage to their vehicles is perceived as a personal insult deserving great and immediate retaliation.

Victims may wittingly or unwittingly precipitate events leading to aggression. Disregard, inattention, poor driving and failure to communicate are potent triggers of angry responses in others that frequently lead to aggressive interactions. Failure to follow simple driving rules is often a factor. Examples might include tailgating, following with lights on high beam, not signalling lane changes or turns, moving out, closing the gap to prevent a lane change, and failing to give way. All of these are potential sources of negative interactions with other drivers. These factors are compounded by environmental factors such as traffic density, weather conditions, poor light, heat and humidity, high noise levels and road features (Wright, Gaulton & Miller 1997, pp.5–6).

While Brewer's model and the model suggested by the New Zealand Police attempt to bring together the many factors influencing the decision to commit acts of Road Violence, the Committee does not believe either of them are complete. In particular, while both models comprehensively address many person-related factors, such as the personality of the perpetrator and the stress he or she is feeling, as well as situational factors such as traffic conditions, neither specifically examine the cultural factors which influence the commission of violent acts. In addition, apart from Brewer's reference to the anonymity offered by the car, neither model focuses on the role the car itself may play in influencing an individual's decision to act violently.

University of Western Australia Crime Research Centre

The University of Western Australia Crime Research Centre (1997) addresses both of these issues more thoroughly in its report on 'road rage'. As was discussed above, the Crime Research Centre views Road Violence as no different from any other form of violence. As such, person-related and cultural factors are considered to be just as influential in relation to Road Violence as

they are in relation to any other act of violence, such as a 'pub brawl' or an act of domestic violence. Specific driving-related factors are also seen to play a role by diminishing the constraints that usually prevent people from acting violently. This is known as the 'disinhibition of aggression' theory, and was first posited in relation to Road Violence by Novaco:

The physiological arousal induced by driving a car, per se, as well as by exposure to thwartings in transit, contributes to the override of inhibitory factors in a context that is conducive to aggressive responding. Road violence is a product of weakened social controls and personal controls, which can act in concert with arousal-inducing environmental circumstances, such as traffic congestion, work pressures, or family strain (Novaco 1991, p.304).¹⁴²

Citing Novaco's theory with approval, the Crime Research Centre conclude that roadway aggression and violence should be seen as the result of the interaction of at least two of the following variables:

1. Physiological arousal related to stress, anger or both.
2. An individual with a relatively high degree of impulsivity and/or low frustration tolerance.
3. A situation that presents a frustration or challenge to the status of the perpetrator.
4. A belief system or 'aggressive script' that excuses or justifies violence.
5. A model or suggested course of action that may be derived from observing similar scenarios in the media or in real life (University of Western Australia Crime Research Centre 1997, pp.29–30).

While the Crime Research Centre's view of Road Violence is preferable to that of Brewer and the New Zealand Police, in that it addresses cultural and car-related factors as well as person-related and situational factors, its conclusion seems to fall short. In the Committee's view, the causes of Road Violence are much more complex than is suggested in the five-point model outlined above. In addition, the Committee believes that insufficient attention is paid in each of these models to the distinction between the interpretation of 'triggering events' and the response to those events. The Committee's understanding of the causes of Road Violence is outlined below.

The Committee's model

In its report *Violence: Directions for Australia*, the National Committee on Violence concluded that there are multiple causes of violence:

While it is tempting to advance simplistic explanations for violent behaviour, the reality of violence is complex. The fact that certain traits, characteristics or other factors may be associated with violence does not necessarily imply causation. They may be entirely coincidental, or alternatively, symptoms of

¹⁴² The 'disinhibition of aggression' theory is discussed in more detail in Chapter 14.

underlying causes. They may be amplified or muted through interaction with other factors. They may vary in their relative influence on a given individual as he or she proceeds through the life cycle. And their influence may be contingent upon the existence of additional circumstances or condition.

It is tempting (or convenient) for many to regard violence as arising from a single cause... [but] a proper understanding of violence (and ultimately, of the means for its control) requires an understanding of the variety and complexity of contributing factors... Any individual act of violence will have a complex explanation (National Committee on Violence 1990, p.60).

The National Committee on Violence went on to identify what it considered to be the most significant factors influencing the commission of violent acts. These were:

- ◆ Child development and the influence of family;
- ◆ Cultural factors;
- ◆ Personality factors;
- ◆ Substance abuse;
- ◆ Biological factors;
- ◆ Mental illness;
- ◆ Media influences; and
- ◆ Peers and schooling.

While the National Committee on Violence did not expressly examine the issue of Road Violence, the Committee believes its conclusions are applicable. In the Committee's view, each of the matters outlined above can influence an individual's decision to commit any act of violence, be it on or off the road. They should therefore form an integral part of any analysis of Road Violence. However, the Committee believes too that there are elements of the driving situation in which Road Violence occurs that should also be taken into account. That is, a comprehensive model of Road Violence should incorporate both the general dynamics of violence, as well as the specific circumstances in which such violence takes place.

Person-related, situational, car-related and cultural factors

From its review of the literature relating to Road Violence, and violence generally, the Committee has identified four broad categories which it believes influence the decision to act violently on the road to a greater or lesser extent. Firstly, there are '**person-related factors**'. These factors, which are examined in Chapter 11, relate to the characteristics of the perpetrator of the violence. This includes enduring traits, such as the perpetrator's personality, belief system, age, gender and health. It also includes more transient states, such as the perpetrator's mood and level of stress at the time of the incident, as well as the influence of drugs or alcohol.

Secondly, there are '**situational factors**'. These factors, which are discussed in Chapter 12, relate to the circumstances in which an act of violence is committed. In the context of Road Violence, relevant situational factors include road-related matters, such as the condition of the road and whether traffic was congested at the time of the incident, as well as environmental factors such as the temperature.

Thirdly, there are '**car-related factors**'. These factors, which provide the focus of Chapter 14, relate to the role played by the car in the commission of acts of Road Violence. This includes the anonymity offered to perpetrators by the insular nature of the car, as well as the capacity to easily escape from the scene of a crime. The inability of drivers to apologise to each other for mistakes, as well as the view that the car is an extension of personal territory that needs to be defended, are other relevant car-related factors.

Finally, there are '**cultural factors**'. There are three levels at which cultural factors can influence the decision to act violently. At the broadest level, national or even international cultural values, such as the desirability of competitiveness and notions of masculinity, may influence the behaviour of perpetrators. More specifically, driving culture, with its emphasis on values such as speed and freedom, may also play a role. In addition, the sub-cultures to which particular perpetrators belong – such as a sub-culture in which violence is viewed as an acceptable method of resolving problems – may also be of significance. Relevant cultural factors, as well as their transmission (through, for example, family, friends, school and the media) are considered in Chapter 15.

While, for the sake of convenience, the Committee has divided these factors into separate groups, there is significant overlap between the categories. For example, while the perpetrator's age is included in 'person-related factors', the issue of age is not a simple one. Age can influence a person's behaviour due to a combination of biological factors, such as increased levels of testosterone, and cultural factors, such as a need to achieve status in the presence of peers through risky driving behaviour. In addition, it is difficult to separate out the influence of age from related factors such as driving experience. This once again reinforces the complex nature of Road Violence, which must be considered to be the result of the interaction of a wide range of factors.

It is also important to note that not all of the factors outlined above are of equal importance, nor will they play a role in every case of Road Violence. For example, as will be seen in Chapter 12, it seems that alcohol consumption is only relevant in a small number of cases. Yet it is necessary to include the influence of alcohol in an analysis of the causes of Road Violence, because there may be some instances where it does influence a person's decision to act violently. As such, it may be useful to consider the implementation of intervention strategies that target alcohol consumption, even if it will only assist in reducing violence on the roads to a limited extent. Of course, given

funding limitations, not all causes of Road Violence will be able to be targeted equally. Therefore the primary focus of intervention strategies should be on those factors which have the greatest influence. However, as it is possible that even minor causes of Road Violence can be addressed cheaply and efficiently, it is vital to ensure that a comprehensive understanding of the causes of Road Violence is obtained.

Role of the relevant factors

It is the Committee's view that each of the factors outlined above play a dual role. First, they can influence the way a person views or interprets specific 'triggering events' and second, they can affect the way he or she responds to those events.

Interpreting triggers

As noted above, the Committee rejects the idea that these events *cause* Road Violence. There is no inherent quality to such incidents that means they will always cause every person that encounters them to react in the same way. A particular trigger will be interpreted in different ways by different people. The precise interpretation will be influenced by person-related, situational, car-related and environmental factors.

This can be illustrated by considering the 'triggering event' of driving behind a slow driver on the way to work. While many people may become frustrated in this situation, this will not be the case for everyone. For example, people who are in a particularly good mood, or who anticipated the possibility of delay and left home early, may be content to drive slowly, appreciating the surrounding environment. Similarly, while some people may become angry at the driver in front, due to a belief that 'slow drivers' should not be allowed on the road, others may accept their frustration as a normal part of the driving experience, and refuse to become angered.

Other triggers, such as having another driver cut closely in front, are also capable of multiple interpretations. While one driver may consider such an act to be provocative, eliciting anger and a desire for retribution, others may view it to be the result of an honest mistake, and not react at all. Even seemingly clear acts of hostility, such as being the recipient of obscene gestures or verbal abuse, may not cause some drivers to feel angry. They may, for example, choose to ignore such behaviour, due to having commonly encountered it before, and seeing little point in becoming angry. Alternatively, they may experience fear rather than anger.

It can be seen from the examples above that it is not 'triggering events' such as slow driving that cause people to feel angry or scared. *Emotions such as anger result from an individual's interpretation of that event.* For example, a particular event may be interpreted as being frustrating, dangerous or provocative, resulting in the driver becoming angry. Exactly which of these interpretations (if any) is given to a specific incident will depend on the four factors outlined

above. An individual's personality, their ideas about appropriate ways to drive, or whether they are feeling especially hot and bothered at the time may all play a role in determining how he or she interprets a 'triggering event'.

The influence of such factors on the interpretation of triggers was noted by Dr Indermaur when he stated that:

Anger is itself a response that occurs as a product of the pre-established beliefs and expectations of the individual. The way we think about ourselves and other road users and what are appropriate responses to driving situations shapes ... the emotion (anger) that many believe arises spontaneously (Indermaur 1998, p.4).

This theory, sometimes known as 'appraisal theory' (Roseman 1984; Lazarus 1991), proposes that:

the quality and intensity of emotion derive from the way in which the situation is interpreted and evaluated... According to this model, differences in the nature of emotions experienced while driving should be a function of differences in the structure of appraisal (Parkinson 2001, pp.507-8).

In other words, person-related, situational, car-related and cultural factors act to structure the way people 'appraise' or interpret the events that come to be labelled 'triggers'.

Responding to triggers

The way an event is interpreted, however, only provides half of the story. This is because, as was noted in Chapter 2, there is a distinction between the emotions felt by drivers (such as anger) and the response to those emotions (such as violence). While many drivers may feel angry or upset about particular events, not all drivers will respond to those emotions in the same way. While some people may respond with violence or hostility, others may choose not to react. This point was made clearly by Deffenbacher et al. (2002). They stated that while being angry may predispose people to act aggressively, anger does not always result in violence:

The level of anger...is not the only important variable in understanding negative consequences and relationships to other important behaviour such as aggression and risk driving. How people express or deal with their anger may also be important. For example, two people may be equally angered by the same situation, but express that anger in dramatically different ways. One might scream at and give the offending driver the finger and drive menacingly up on the other driver's bumper, precipitating a high speed chase in which drivers run each other off the highway. The other angry driver might mumble something to him/herself and continue to drive safely with no negative outcomes, save momentary negative affect and arousal. Thus, form of expression as well as the intensity of anger may play an important role in a driver's safety, health, and well

being on the road as well as that of others who ride with him/her or share the road with him/her (Deffenbacher et al. 2002b, p.718).

In the context of Road Violence, the fact that anger precipitated by triggering events does not uniformly lead to the same responses has been shown in a number of studies. Ward, Waterman and Joint (1998), for example, presented a number of scenarios to 362 British motorists, seeking to discover which of them made people most angry, and which elicited the most violent response. They found that while 'most types of traffic event can elicit extreme anger in some drivers', the most violent responses were reported for events in which another driver actively constrains progress or is confrontational (Ward, Waterman & Joint 1998, p.162).¹⁴³

Lajunen and Parker (2001) and Parker, Lajunen and Summala (2002) similarly reported differences between the triggers that lead to driver anger and those which elicit specific responses. For example, in Parker, Lajunen and Summala's survey of motorists in the United Kingdom, the Netherlands and Finland, it was found that the occurrence that provoked the most anger among drivers in all three countries considered together was when another driver took a parking spot they have been waiting for. By contrast, the behaviour that elicited the greatest reaction, on average, was when someone coming towards a driver did not dip his or her headlights.

This is not to suggest that there is no correlation between anger and violence. In each of the studies cited above, there was evidence of a relationship between anger and violence. Angry people were more likely than non-angry people to act violently. The mere presence of anger, however, was not found to be sufficient always to result in violence. The findings in Ward, Waterman and Joint's study, for example, lead them to conclude:

the amount of anger reported for specific events accounts for less than 20% of the reported level of violence exhibited in those events. This suggests that there are more factors involved in the determination of aggressive behaviour than the anger of the individual (Ward, Waterman & Joint 1998, p.160).

A similar result was evident in Lajunen and Parker's (2001) study of British motorists.

These findings coincide with the Committee's view that anger does not sweep uncontrollably over perpetrators, making them act violently, but rather that a choice is made to react with violence. While some people, in some cases, will decide that violence is the appropriate response to an angering event, others will act differently. In fact, as noted in Chapter 2, it is possible that the decision to act violently may not even be a result of anger. It may, for example, be used as a way of responding to other emotions such as fear or jealousy, or may simply be used as a 'social problem-solving strategy' (Lajunen & Parker 2001, p.161). Contrary to the assumption that anger and violent or aggressive

143 See Chapter 11 for a more detailed discussion of Ward, Waterman and Joint's (1998) findings.

behaviour are synonymous, 'there is strong evidence that aggression can be produced by a remarkably broad range of unpleasant occurrences' (Lawton & Nutter 2002, p.2).

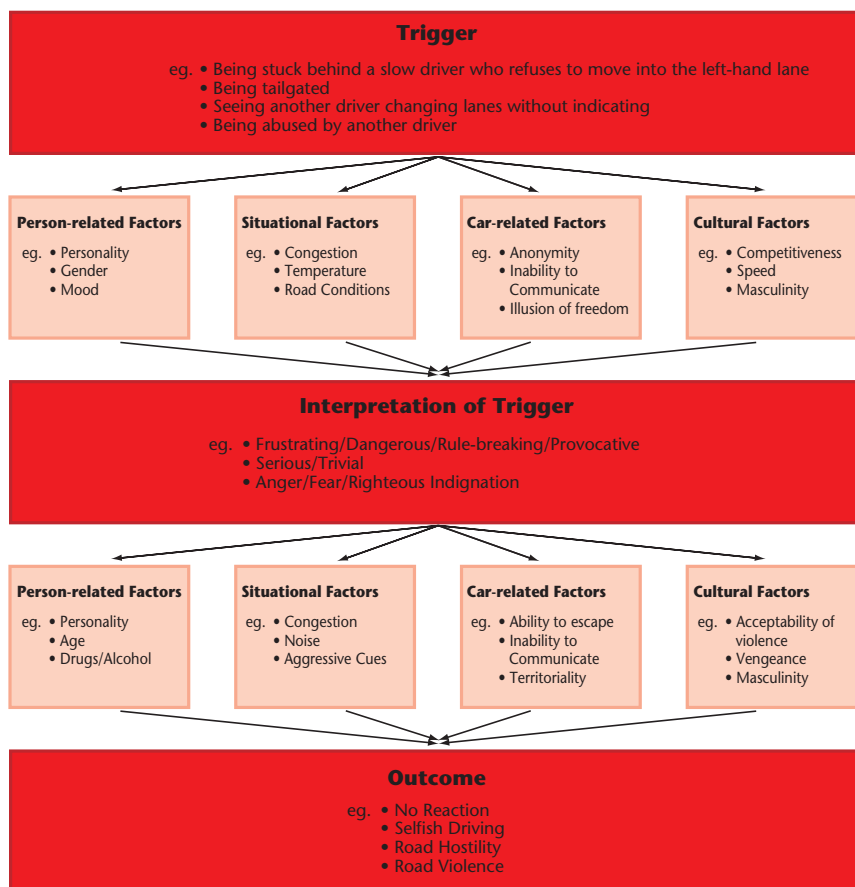
It is the Committee's view that the decision about how to respond to 'triggering events' is also influenced by the person-related, situational, car-related and cultural factors outlined above. For example, whether a person responds by acting violently to an event which has made him or her angry, or whether the choice is made to suppress that anger, depends on factors such as the person's mood at the time, willingness to express aggression anonymously, and beliefs about the acceptability of using violence. A similar point was made by Hatfield and Job when discussing the link between anger and aggression:

Feeling angry does not always result in aggressive behaviour and many people do not behave aggressively when they are frustrated or angered. Whether we react with aggression is influenced by individual differences in previous experience, personality, and the attitudes brought to the situation we face. People with a history of violence or abuse in their families or their other interactions may be more likely to resort to violence, as may people who feel particularly effective in the conduct of aggressive behaviour. People with effective skills for resolving frustration and difficulties without aggression and/or good impulse control, may be less likely to react with aggression (Hatfield & Job 1998, pp.3–4).

Overview of the Committee's model

It can therefore be seen that the four factors outlined above (which are discussed in detail in Chapters 12–15) play a role both in relation to the interpretation of 'triggering events' and the response to such events. This dual role is graphically represented in Figure 10.1 below, which provides an overview of the Committee's understanding of the causes of Road Violence. It can be seen from this figure that the chain of events is started with a 'triggering event', such as being tailgated. Person-related factors, such as personality or gender, play a role in the interpretation of that trigger, as do situational factors such as congestion, car-related factors such as anonymity, and cultural factors such as the value placed on competitiveness. For example, whether being tooted is seen to be a hostile act or an innocent attempt to communicate, and whether the driver who is tooted becomes angry or not, will depend on factors such as his or her mood, the traffic conditions at the time, and the horn-honking culture in the relevant location.

Figure 10.1: The antecedents of Road Violence¹⁴⁴



These same factors will then influence an individual’s response to the trigger. In the above example, assuming the tooted driver interpreted the trigger as a hostile act, and became angry, the way in which he or she will respond to this anger depends on factors such as his or her age and gender, the inability of the other driver to communicate that they did not intend to be hostile, and cultural values about the appropriateness of obtaining vengeance. A young male who is raised in a culture where revenge is necessary to maintain status, for example, may respond with violence, while an older male may instead commit an act of Road Hostility. An elderly woman, by contrast, may decide not to retaliate, even though she was angered by the tooting.

144 While the main categories represented in this figure (eg. ‘person-related factors’) are intended to be comprehensive, the points within those categories (eg. ‘personality’) are examples only. There are, for example, many more relevant person-related factors than are listed in the figure (as is seen in Chapter 8). While some examples have been repeated at both the interpretation and response stages (eg. congestion), this is simply intended to indicate that in some cases the same matters may play a role at both stages, whereas in other cases different matters may influence the interpretation and response. It should not be taken as an indication that the repeated factors are of greater significance.

Conclusion

In this chapter the Committee has presented its understanding of the causes of Road Violence. In the Committee's view, such violence is not the result of 'poor driving', nor is it caused by any single factor. Rather, it is the product of a complex interplay of factors, which are precipitated by a 'triggering event'. These triggers provide the focus of the next chapter. The following chapters then examine in turn the person-related, situational, car-related and cultural factors that influence the interpretation of these triggers, and the decision in some cases to respond with violence.

11. 'Triggers' for Road Violence

Introduction

Although the Committee does not believe that triggering events such as 'poor driving' cause Road Violence, it can be seen from the model outlined in the immediately preceding chapter that these events play a central role. They are the precursors to such violence, the incidents that precipitate the perpetrator's decision to harm the other party. Therefore it is important to understand the nature of these triggers if Road Violence is to be properly addressed. While such triggers are not directly responsible for the actions of the perpetrators, it is possible that by preventing common triggers from occurring, some incidents of Road Violence may be prevented.

For example, if it were the case that most acts of Road Violence are triggered by tailgating then a law enforcement campaign targeting tailgating may lead to a reduction in violent incidents. This is not to blame the tailgating party for the violence. As clearly stated throughout this Report, the responsibility for acts of violence lies with the perpetrator, not the victim. However, as the decision to act violently has been triggered by the tailgating, it does provide one possible avenue for intervention. In the absence of such a trigger, perpetrators may choose not to act violently. In this chapter the Committee examines the main triggers for Road Violence.

Emotions and reactions

Unfortunately, most of the available data in this area relate to events that irritate, annoy or anger drivers. As noted in Chapter 5, there is a difference between emotions such as these, and the reaction to such emotions. While particular events may be interpreted in such a way as to make a driver angry, they may not lead to violence – 'for every physical assault or anger-related injury, there are thousands if not tens of thousands of angry drivers' (Deffenbacher et al. 2003a, p.702).

This point was made clearly by Lajunen and Parker, who sought to investigate the differences between those situations which lead to driver anger and those which result in violence:

Although anger by definition is a generalised, non-specific emotion which does not have a target, behavioural reactions instigated by anger vary considerably ... Hence, different kinds of situations on the road may cause varying degrees of anger, but the behavioural responses may not necessarily always depend on the amount of anger. For example, seeing someone speeding in a residential road may make the observer very angry, but may not lead him/her to express his/her feelings to that driver. On the other hand, a pedestrian or a cyclist blocking up traffic may lead drivers to express their anger by several means, from beeping the horn to a physical attack (Lajunen & Parker 2001, p.244).

In their study of British motorists, Lajunen and Parker (2001) found evidence of this difference between events which anger drivers and those that lead to an aggressive response. For example, they found that while, on average, being tailgated and having the car parking space one has been waiting for 'stolen' elicit the same amount of anger, the people surveyed were more likely to react aggressively to the latter 'triggering event' than the former. There may be a number of reasons for this difference; maybe it is more difficult to confront a tailgating driver (who is located behind the car and is in motion) than it is to confront someone who steals a car parking space (who has stopped and is easily approachable). Alternatively, it may be due to differing interpretations of the 'triggering event', and different views about when a violent response is appropriate. For example, tailgating may lead to anger due to a perception that it is dangerous, while stealing a car-parking space may lead to anger due to the view that it is discourteous. While both actions may result in equal amounts of anger, an individual may believe that violent responses are more appropriate in the context of discourtesy than danger – in order to 'teach the other driver a lesson'.

Regardless of the reasons for this difference between emotion and response, the key point is that there *is* a difference. This means that when investigating triggers to Road Violence, it is necessary not only to look at what triggers irritate people or make them angry, but also to see if there is any evidence about which triggers are common precursors to violent actions. It may be the case that it is the same type of events that trigger an emotional response and result in violence. As noted in the previous chapter, there is a correlation between anger and violence. It is also possible, however, that despite particular events leading to high levels of anger, they may rarely lead to violence. This possibility should be borne in mind when considering the data discussed below.

Survey data

Australian surveys

A vast amount of research has been conducted into triggers that drivers find frustrating or annoying. For example, in the Australian context, AAMI conducts an annual telephone survey of drivers in all states and territories except Western Australia and the Northern Territory. In its 2003 survey (AAMI 2003a)

the following triggers were seen to be the most frustrating by the drivers interviewed:¹⁴⁵

- ◆ Drivers who don't indicate (88%)
- ◆ Motorists driving too close behind you (85%)
- ◆ Drivers not moving over to allow other cars to overtake (78%)
- ◆ Motorists driving too slowly (70%)
- ◆ Drivers not letting you in (66%)
- ◆ Drivers double-parking to pop into a shop, pick someone up or drop them off (61%)
- ◆ Motorists overtaking on the inside (54%).

Comparable lists of triggers have been reported in other surveys conducted in Australia. In a survey conducted by the Royal Automobile Association of South Australia, for example, the following behaviours were found to most irritate drivers: tailgating (63%); turning without signalling (54%); slow drivers in the right-hand lane (48%); unsafe lane changes (38%); and drivers who won't let you change lanes (35%) (Grennan 1996). Similarly, in a focus group of Canberra drivers held in 1997, participants were asked to nominate examples of driver behaviour that irritated them. Their answers were entered in two categories. The first category referred to acts of 'inconsiderate, careless or bad driving' (including not indicating to change lanes, hesitating at intersections, driving slowly in the right-hand lane, stopping suddenly without apparent cause, and not negotiating roundabouts correctly). The second category referred to acts of 'aggressive driving' (including tailgating, hand gestures and smart remarks from passing cars) (Purdon Associates Pty Ltd 1997).

In 2002, O'Brien, Tay and Watson interviewed 25 associates and university students from Queensland University of Technology. They used a semi-structured questionnaire designed to investigate the types of road incidents which may evoke feelings of 'frustration and/or anger' on the roads in Australia. Fifty-six different events were found to result in such emotions:

Participants most frequently reported feeling frustration and or anger about the behaviour of "other drivers", as opposed to situations that involved impediments of progress such as congestion or delays. The survey revealed the following sources of frustration/anger in order of frequency: "other drivers" cutting in; tailgating by "other drivers"; general reckless driving such as speeding and weaving in and out of traffic by others; a perceived lack of the "others" driving ability, demonstrated by non-use of indicators; acts of open hostility, such as objects being thrown at their vehicles; and other vehicles slowing their progress (O'Brien, Tay & Watson 2002, p.309).

¹⁴⁵ Percentages refer to the percentage of the 1,601 drivers surveyed who identified the particular trigger to be 'frustrating'.

Each of the surveys discussed above focus on events that irritate or anger drivers. There is very little data in the Australian context that goes a step further, looking at triggers that result in violence. The only survey that comes close was conducted by the Victorian Community Council Against Violence (VCCAV) (1999). In this survey, perpetrators were asked what driving behaviours were likely to prompt 'mild road rage'.¹⁴⁶ 'Reckless driving' was the most likely, with 69% of perpetrators citing it as a trigger for 'mild road rage'. This was followed by drivers failing to indicate when changing lanes (48%); drivers failing to indicate when turning (29%); drivers not giving way (19%); slow driving, or people who are slow to move away from a green light (18%); speeding (13%); people who drive too close behind for no reason (8%); a lack of driver courtesy (7%); and drivers who fail to stop at red lights (6%).

By comparison, when perpetrators were asked about the triggers for 'severe road rage',¹⁴⁷ the most common response was a lack of indication when changing lanes (39%). Other triggers noted by the VCCAV were incompetent drivers/breaking rules (16%); reckless/aggressive driving (7%); and a lack of courtesy (6%). Victims had different views about the perceived causes of 'severe road rage', nominating driving too slowly as the most common trigger (26%). Other triggers of 'severe road rage' from the victim's perspective were changing lanes/pulling into traffic (15%), tooting the other driver (11%) and overtaking (6%).

EOS Gallup Europe

While the precise proportion of those who find particular behaviours annoying may differ from place to place, it appears that similar types of driving behaviour annoy drivers around the world. This can be seen in the results of the EOS Gallup Europe survey of 13,673 citizens conducted in 23 countries. Table 11.1 below shows the proportion of respondents who claimed to be 'very irritated' by the specified behaviours (EOS Gallup Europe 2003).¹⁴⁸

146 'Mild road rage' was defined as comprising the less serious behaviours that fall under the umbrella of 'road rage', such as shouting abuse, making obscene gestures, flicking lights on and off, giving a prolonged blast of the horn, tailgating and braking or slowing suddenly (VCCAV 1999).

147 'Severe road rage' was defined as comprising the more serious behaviours that fall under the umbrella of 'road rage', such as following another vehicle, swerving in front of a vehicle, trying to run a vehicle off the road, attempting to stop a vehicle, approaching a vehicle, damaging a vehicle and assaulting or trying to assault a driver or passenger of a vehicle (VCCAV 1999).

148 Respondents were asked whether they were 'very irritated', 'mildly irritated' or 'not irritated at all' by the specified behaviours.

Table 11.1: Percentage of respondents who reported being 'very irritated' by the specified behaviours

	Australia	USA	EU	Argentina	Japan
Drive in the right-hand lane when the left-hand lane is free	74%	16%	38%	50%	13%
When the road narrows, insert oneself at the last moment	65%	37%	41%	53%	53%
Remain in the right-hand lane as long as possible and at the last moment, cut across all lanes of circulation to the exit	62%	60%	58%	50%	35%
In the absence of road markings, driving in the middle of the road, when if one drove on the left, there would be space for two cars	60%	28%	41%	55%	30%
Change lanes without indicating	58%	34%	58%	65%	61%
When there is a sudden slow down, overtake in the emergency lane	51%	46%	55%	50%	46%
Overtake a queue of vehicles to cut in at the front	45%	56%	59%	55%	62%
Use a mobile telephone	33%	37%	50%	50%	37%
Double parking when there is a parking space nearby	29%	55%	71%	68%	74%
Leave the main headlights on when crossing another vehicle or when following another vehicle closely	14%	60%	67%	68%	48%

Source: Based on data from EOS Gallup Europe 2003.

From this table it can be seen that there are some variations between events which make people angry in Australia and in other parts of the world. Driving in the overtaking (right-hand) lane when the left-hand lane is free, for example, seems to result in a significantly higher proportion of Australians being 'very irritated' than it does Japanese or Americans. Yet it does still lead to significant irritation among Argentinians and Europeans. In addition, a further 36% of United States respondents and 33% of Japanese respondents feel 'mildly irritated' by such behaviour.

Despite such variations, in general it appears that it is the same kind of behaviours that irritate drivers around the world – with only minor variations reported for most of the triggering events outlined above. In fact, a number of behaviours, such as overtaking in the emergency lane or cutting in at the front of a queue, seem to elicit remarkably similar emotional reactions around the world. Unfortunately, the EOS Gallup Europe survey did not look at which of these triggers were most likely to lead to violent reactions.

The Driver Anger Scale

This general similarity (with some small differences) between events which anger people in Australia and overseas has also been shown in the development and use of the Driver Anger Scale (DAS). This was a scale developed by Jerry Deffenbacher, Eugene Oetting and Rebekah Lynch in the United States in 1994, to measure the amount of anger drivers feel in particular situations. They interviewed 1,526 college students about the things that angered them while

driving, compiling a list of 53 common situations. The subjects were then asked to imagine that each situation described was actually happening to them, and to rate the amount of anger that would be provoked on a five-point scale. Responses were analysed and the following 33 items, clustered into six subscales, were found to be the most reliable sources of anger (derived from Deffenbacher, Lynch & Oetting 1994).

Cluster 1: Hostile Gestures

- ◆ Someone makes an obscene gesture toward you about your driving
- ◆ Someone honks at you about your driving
- ◆ Someone yells at you about your driving

Cluster 2: Illegal Driving

- ◆ Someone is driving too fast for the road conditions
- ◆ Someone is weaving in and out of traffic
- ◆ Someone runs a red light or stop sign
- ◆ Someone is driving way over the speed limit

Cluster 3: Police Presence

- ◆ You see a police car watching traffic from a hidden position
- ◆ You pass a radar speed trap
- ◆ A police officer pulls you over
- ◆ A police car is driving in traffic close to you

Cluster 4: Slow Driving

- ◆ Someone in front of you does not start up when the light turns green
- ◆ A pedestrian walks slowly across the middle of the street slowing you
- ◆ Someone is driving too slowly in the passing lane and holding up traffic
- ◆ Someone is driving slower than reasonable for the traffic flow
- ◆ A slow vehicle on a mountain road will not pull over and let people by
- ◆ Someone is slow in parking and holding up traffic

Cluster 5: Discourtesy

- ◆ Someone is driving right up on your back bumper
- ◆ Someone cuts in right in front of you on the freeway
- ◆ Someone cuts in and takes the parking spot you have been waiting for
- ◆ Someone backs right out in front of you without looking
- ◆ Someone coming toward you does not dim their headlights at night
- ◆ At night someone is driving right behind you with bright lights on
- ◆ Someone speeds up when you try to pass them

- ◆ Someone pulls out right in front of you when there is no-one behind you
- ◆ A bicyclist is riding in the middle of the lane and slowing traffic

Cluster 6: Traffic Obstruction

- ◆ You are stuck in a traffic jam
- ◆ You hit a deep pothole that was not marked
- ◆ You are driving behind a truck which has material flapping around in the back
- ◆ You are driving behind a vehicle that is smoking badly or giving off diesel fumes
- ◆ A truck kicks up sand or gravel on the car you are driving
- ◆ You are driving behind a large truck and you cannot see around it
- ◆ You encounter road construction and detours.

While this list of events that trigger anger is more extensive than those reported in the surveys detailed above, many of the same actions – such as tailgating, cutting in and slow driving – feature once again. Most of these events were also found to anger drivers in the United Kingdom when Lajunen, Parker and Stradling (1998) tested the validity of the DAS in the British context (by testing it on 270 British drivers). Interestingly, however, they did find some variation between events that angered drivers in Britain and the United States. For example, they found that each of the items in the 'police presence' cluster only elicited slight anger in the United Kingdom, as did the situation in which a person is slow in parking and holds up traffic. Similarly, while driving behind a large truck which obstructs one's view angered drivers in the United States, it only evoked slight anger in British drivers.

These differences led the researchers to develop a new Driver Anger Scale specifically for the United Kingdom (the UK DAS). This scale eliminated each of these items which only elicited slight anger, resulting in a 27-item scale. Re-analysis of the items that angered British motorists resulted in revised clustering of the items as well. Instead of the six clusters outlined above, in the British context the data fell more neatly into three categories of behaviour which result in anger:

- ◆ Progress Impeded. This category incorporates the items from the discourtesy and slow driving subscales in which the actions of another road user force the respondent to reduce their speed and/or wait unnecessarily;
- ◆ Reckless Driving. This category combines the elements from the discourtesy and illegal driving subscales which measure anger aroused by breaches of road rules and other dangerous or ill-mannered driving; and

- ◆ **Direct Hostility.** This category contains the items that measure anger at others' rude gestures and direct aggression, and at behaviour which appears to question one's competence as a driver.

Of these categories, 'reckless driving' was found to evoke the most anger among the motorists surveyed. The same result has been found in subsequent surveys using the UK DAS (see, for example, Lajunen & Parker 2001).

The Driver Anger Scale in Australia

Little work has been done to test the validity of the DAS in the Australian context. The Committee found only one survey of Australian drivers that had been completed using the DAS survey instrument (O'Brien, Tay & Watson 2002). This survey was conducted on just 166 drivers. The participants were chosen for convenience, and included associates of the researcher and students from the Queensland University of Technology. As such, the results should be treated with some caution.

In general, this survey found that Australian drivers fell somewhere between American and British drivers in terms of the types of situation that elicit anger and the amount of anger experienced. This can be seen in Table 11.2 below, which contains a comparison of the mean responses to the DAS subscales obtained in the surveys conducted in each of the three countries. In relation to acts of discourteous driving, for example, while respondents in the United States almost reached the level of feeling 'very angry', Australian drivers only felt 'fairly angry'. British drivers, by contrast, did not even feel that angry. Similar results can be seen for each of the subscales.

Table 11.2: Australian, UK and US mean values of driver anger subscales¹⁴⁹

Subscale	Australian Mean	US Mean	UK Mean
Discourtesy	3.1	3.9	2.7
Traffic Obstructions	2.3	3.3	2.0
Hostile Gestures	2.8	3.2	2.3
Slow Driving	2.4	3.2	2.0
Police Presence	1.9	3.0	1.4
Illegal Driving	2.6	2.7	2.3

Sources: Based largely on O'Brien, Tay & Watson 2002, p.309. Also: US mean – Deffenbacher, Lynch & Oetting 1994; UK mean – Lajunen, Parker & Stradling 1998.

Table 11.2 shows that, on average, acts of discourtesy most anger drivers from all three countries. Hostile gestures and illegal driving are the next behaviours most likely to cause anger in Australia and Britain. By comparison, drivers in the United States seem to find traffic obstructions more infuriating, followed by slow driving and hostile gestures. In fact the American drivers surveyed by

¹⁴⁹ Each of the subscales are scored on a five-point Likert scale, in which an answer of '1' corresponds with being not at all angry, '2' with being a little angry, '3' with being fairly angry, '4' with being very angry and '5' with being extremely angry. A mean of '2.3' therefore indicates that, on average, respondents felt more than a little bit angry, but would not be classified as 'fairly' angry.

Deffenbacher, Lynch and Oetting (1994) claimed that the presence of police caused more anger than illegal driving. This is in contrast to Australian and British drivers, who found the presence of police to be least likely to incite anger of all of the scenarios presented.

Unlike British motorists, however, it seems that Australian drivers do feel more than slight anger at those items included within the 'police presence' category. While this anger does not reach the levels of anger experienced by American drivers in such circumstances – with Australian drivers more closely resembling British drivers in this context – this result does suggest that police cars and speed cameras may well trigger anger, and possibly even Road Violence, in Australia. This was borne out in O'Brien, Tay and Watson's (2002) qualitative study of 25 Australian drivers, in which it was found that three of the 56 types of incident that elicited feelings of frustration or anger involved the presence of police. It has also been seen in some of the reports of motorists vandalising speed cameras and attacking their operators (see, for example, *The Age* 2004; *The Australian* 2004).

In terms of specific situations, Table 11.3 below contains a comparison of the mean amounts of anger Australian and British drivers reported feeling in relation to the items on the DAS. As can be seen, for drivers from both countries, having someone 'steal' a parking space elicits the highest level of anger, followed by tailgating. Although the precise order differs slightly, for both countries the next three most anger-inducing situations are: having someone back out in front of you without looking, having someone cut in front of you on the freeway, and having someone fail to turn off their high beams when driving behind you. In fact, the ranking of each of the items is remarkably similar between drivers from both countries, with only limited differences.¹⁵⁰

150 Some of these differences are discussed in more detail in Chapter 15.

Table 11.3: Australian and UK mean values of driver anger scale items

Driving Anger Scale Items	Australian Mean	UK Mean
Someone cuts in and takes the parking spot you have been waiting for	3.77	3.10
Someone is driving very close to your rear bumper	3.38	3.09
Someone backs right out in front of you without looking	3.19	2.72
Someone cuts in right in front of you on the motorway	3.15	2.91
At night someone is driving right behind you with bright lights on	3.11	2.67
Someone coming towards you does not dim their headlights at night	2.99	2.46
Someone speeds up when you try to pass them	2.98	2.60
Someone makes an obscene gesture towards you about your driving	2.91	2.51
Someone pulls out right in front of you when there is no-one behind you	2.90	2.48
Someone is driving too slowly in the outside lane, and holding up traffic	2.87	2.47
Someone shouts at you about your driving	2.85	2.22
Someone runs a red light or stop sign	2.83	2.41
A slow vehicle on a winding road will not pull over and let people pass	2.79	2.33
You are driving behind vehicle that is smoking badly or giving off diesel fumes	2.72	2.26
Someone is driving too fast for the road conditions	2.68	2.26
A truck kicks up sand or gravel on the car you are driving	2.68	2.10
Someone is driving more slowly than is reasonable for the traffic flow	2.66	2.17
A cyclist is riding in the middle of the lane and slowing traffic	2.61	2.06
Someone is weaving in and out of traffic	2.53	2.33
Someone beeps at you about your driving	2.53	2.07
Someone is driving well above the speed limit	2.41	2.06
You are stuck in a traffic jam	2.34	1.98
You hit a deep pothole that was not marked	2.26	2.64
You are driving behind a truck which has material flapping around in the back	2.10	1.77
A pedestrian walks slowly across the middle of the street, slowing you down	2.10	1.74
You see a police car watching traffic from a hidden position	2.09	1.24
A police officer pulls you over	2.02	1.48
Someone is slow in parking and holds up traffic	1.95	1.49
Someone in front of you does not move off straight away when the light turns to green	1.92	1.70
You are driving behind a large truck and you cannot see around it	1.86	1.46
You pass a radar speed trap	1.84	1.40
You encounter road construction and detours	1.79	1.81
A police car is driving in traffic close to you	1.48	1.33

Sources: Based on the following: Australian mean – O'Brien, Tay & Watson 2002, p.308; UK mean – Lajunen, Parker & Stradling 1998, p.110.

The Driver Reaction Scale

Although the Driver Anger Scale (DAS) is useful in identifying those matters that can lead to driver anger, it does not seek to measure the ways in which drivers respond to such situations. As discussed throughout this Report, people do not respond to anger uniformly. While some may express their anger, others may suppress it. Of those who express it, there are a variety of ways in which this can be done. They may mumble to themselves, toot their horn, or engage in physical violence.

In order to assess whether those matters that lead to driver anger were also likely to lead to particular types of reaction, Lajunen and Parker (2001) developed the Driver Reaction Scale (DRS). This scale uses the same scenarios used in the DAS, but instead of asking respondents to indicate their level of anger, it investigates their likely reactions. These are measured on a seven-point scale: no reaction (1); beep horn and/or flash lights (2); gesture at the other road user (3); swear at and/or verbally abuse the other road user (4); drive close to/follow the other road user (5); stop your vehicle and get out, ready to argue (6); get out of car, prepared to engage physically with the other road user (7).

Table 11.4 below presents the results from 270 British motorists surveyed by Lajunen and Parker (2001). The first column provides the mean levels of anger, measured using the DAS. The second column provides the mean levels of reaction, measured using the DRS.

Table 11.4: Mean values for driver anger scale and driver reaction scale items

Item	Anger Mean (Rank)	Reaction Mean (Rank)
Someone cuts in and takes the parking spot you have been waiting for	3.10 (1)	2.96 (1)
Someone is driving very close to your rear bumper	3.09 (2)	2.08 (6)
Someone cuts in right in front of you on the motorway	2.91 (3)	2.11 (5)
Someone backs right out in front of you without looking	2.72 (4)	2.26 (3)
At night someone is driving right behind you with bright lights on	2.67 (5)	1.94 (9)
Someone speeds up when you try to pass them	2.60 (6)	1.89 (11)
Someone makes an obscene gesture towards you about your driving	2.51 (7)	2.35 (2)
Someone pulls out right in front of you when there is no-one behind you	2.48 (8)	2.03 (7)
Someone is driving too slowly in the outside lane, and holding up traffic	2.47 (9)	2.00 (8)
Someone coming towards you does not dim their headlights at night	2.46 (10)	1.89 (11)
Someone runs a red light or stop sign	2.41 (11)	1.43 (18)
A slow vehicle on a winding road will not pull over and let people pass	2.33 (12)	1.68 (14)
Someone is weaving in and out of traffic	2.33 (13)	1.32 (20)
Someone is driving too fast for the road conditions	2.26 (14)	1.36 (19)
Someone shouts at you about your driving	2.22 (15)	2.19 (4)
Someone is driving more slowly than is reasonable for the traffic flow	2.17 (16)	1.59 (16)
Someone beeps at you about your driving	2.07 (17)	1.94 (9)
A cyclist is riding in the middle of the lane and slowing traffic	2.06 (18)	1.64 (15)
Someone is driving well above the speed limit	2.06 (19)	1.23 (21)
A pedestrian walks slowly across the middle of the street, slowing you down	1.74 (20)	1.44 (17)
Someone in front of you does not move off straight away when the light turns to green	1.70 (21)	1.69 (13)

Source: Based on Lajunen & Parker 2001, p.247.

A number of comments can be made about these results. Firstly, as noted above, there is a distinction between those events that result in anger and those that lead to an aggressive response. This can be seen if the two most anger-inducing

events are examined. While drivers experience similar amounts of anger when they have their car parking spaces taken and when they are tailgated, people are much more likely to react aggressively to the former. In fact, drivers are more likely to react more aggressively to having other cars back in front of them or cut in front of them, or to having other road users make obscene gestures at them or yell at them, than they are to tailgating – despite the fact that tailgating makes them more angry.

This disparity between events that anger drivers and those to which they are likely to react aggressively can be seen in relation to a number of the items. For example, while being the recipient of an obscene gesture ranks seventh on the list of angering events, it is the second most likely event to elicit an aggressive response. Similarly, while having someone beep at you about your driving ranks a lowly 17th on the list of anger-inducing events, it ranks ninth on the list of events likely to result in an aggressive reaction. Conversely, while having someone speed up when you attempt to pass them is the sixth most angering event, it is less likely to be responded to with aggression than less angering incidents, such as having someone pull out in front of you without looking.

When these items are grouped into the three clusters identified by Lajunen, Parker and Stradling (1998), interesting results emerge, as seen in Table 11.5 below. While the category of ‘reckless driving’, on average, elicits the greatest amount of anger, it is less likely to result in an ‘aggressive’ reaction than are either of the other two categories. Although the category of ‘direct hostility’ arouses the least amount of anger, this category is most likely to result in an ‘aggressive’ response. This reinforces the Committee’s view that it is not ‘triggering events’ themselves which cause Road Violence but factors such as the perpetrator’s beliefs and cultural values. It is these factors which most likely influence the decision to react more ‘aggressively’ to acts of ‘direct hostility’ than to acts of ‘reckless driving’, even though the latter may result in higher levels of anger.

Table 11.5 — Means for UK driver anger and driver reaction subscales

Subscale	Anger Mean	Reaction Mean
Reckless Driving	2.55	1.75
Progress Impeded	2.29	1.89
Direct Hostility	2.26	2.15

Source: Based on Lajunen & Parker 2001, p.249.

Despite these differences, however, a correlation was found between the emotion of anger and the likelihood of an ‘aggressive’ response, as noted in Chapter 10. In other words, those events that resulted in anger *were* more likely to lead to an ‘aggressive’ reaction, even if an ‘aggressive’ response does not always eventuate. However, the strength of this correlation varied between items. For example, a fairly high correlation (0.50) was found between the likelihood that someone pulling out in front of you would result in anger, and

that this situation would lead to an 'aggressive' reaction. That is, people in such circumstances were likely to both feel angry and react aggressively. By contrast, a relatively low (yet still significant) correlation (0.24) was found between feeling angry about people driving too fast for the road conditions, and responding aggressively to such a situation. While people made angry by such an event are still more likely to react aggressively than those who don't feel anger, that likelihood is not as strong as in the previous example.

Similar results were found in Parker, Lajunen and Summala's survey of motorists in the United Kingdom, the Netherlands and Finland, with the authors concluding that 'fast, reckless driving attracts the fewest reactions, while inconsiderate driving attracts the most' (2002, p.233). In this survey, the five events most likely to elicit a reaction were: someone coming towards you does not dim their headlights at night; at night someone is driving behind you with bright lights on; someone cuts in and takes the parking spot you have been waiting for; someone speeds up when you try to pass them; and someone cuts right in front of you on the motorway.

It is important to note that none of the triggers in either of the surveys detailed above were, on average, likely to result in Road Violence. For example, in Lajunen and Parker (2001) the mean response to even the most angering event – having a car parking spot taken – was only to swear at and/or verbally abuse the other road user. For most of the other triggers, the mean 'aggressive' response was to beep one's horn or flash one's lights at the other driver, or perhaps to gesture at them. In some circumstances, this may not even be intended to be aggressive. Drivers who flash their headlights at other motorists who have failed to turn off their high beams may simply wish to communicate this fact to them. This is not to deny the possibility that such acts may be aggressive, or that violence may result from any of these circumstances. It is not, however, possible to conclude from this survey that particular events are more likely to trigger violence than others.

Driving Violence Index

Ward, Waterman and Joint (1998) also sought to examine the relationship between the anger triggered by the items in the DAS and the level of reaction to these items. To do this, they developed the Driving Violence Index (DVI). The DVI is conducted in two stages. Firstly, respondents are provided with a list of eight responses, which they are asked to rank according to how violent they are considered to be. The eight responses are:

- ◆ Felt angry, but not acted aggressively
- ◆ Flashed your lights
- ◆ Sounded your horn
- ◆ Used verbal abuse
- ◆ Made aggressive or rude gestures

- ◆ Aggressive tailgating (driving very close to the car in front)
- ◆ Deliberately obstruct another vehicle
- ◆ Physically assaulted another road user.

Respondents are then provided with the list of scenarios from a shortened version of the DAS,¹⁵¹ and asked which of the behavioural responses (if any) have been committed in such circumstances. To score the index, each response item assumes its rank value to produce an ordinal scale specific to each individual. So if an individual ranked ‘used verbal abuse’ as the fourth most violent response of those listed above, any time they noted having verbally abused a road user in relation to one of the DAS scenarios a score of four would be given. If another individual saw the use of verbal abuse as the fifth most violent response, for that individual verbally abusing other drivers a score of five would be given. Multiple responses to each item are allowed, but only the score with the highest ranking is included in the final calculation. The index is then represented by the mean score for all valid events.¹⁵²

Table 11.6: Mean of driver violence (DVI) and anger (DAS) for each traffic event¹⁵³

Item	DVI Mean (Rank)	DAS Mean (Rank)
Someone backs out right in front of you without looking	2.4 (1)	3.3 (1)
A driver merges ahead of you at the last moment from a closed lane	1.9 (2)	3.0 (4)
A driver makes an obscene gesture towards you about your driving	1.8 (3)	2.9 (5)
Someone speeds up when you try to overtake them	1.5 (4)	3.2 (2)
Someone beeps at you about your driving	1.4 (5)	2.5 (7)
A cyclist is riding in the middle of the road and slowing traffic	1.4 (6)	2.4 (8)
Someone jumps a red light or stop sign	1.3 (7)	2.9 (5)
Someone is weaving in and out of traffic	1.3 (7)	3.2 (2)
A slow vehicle on a steep hill will not pull over and let people by	1.0 (9)	2.4 (8)
A lorry (or bus) kicks up sand or gravel on the car you are driving	0.8 (10)	2.3 (10)
Someone is slow in parking and holding up traffic	0.6 (11)	1.8 (12)
You pass a radar speed trap	0.4 (12)	1.8 (12)
You are driving behind a large lorry (or bus) and cannot see around it	0.4 (12)	1.7 (15)
You are stuck in a traffic jam	0.4 (12)	1.9 (11)
A police car pulls you over	0.3 (15)	1.8 (12)

Source: Based on Ward, Waterman & Joint 1998, p.158.

Ward, Waterman and Joint (1998) surveyed 362 British drivers using the DVI and the short form of the DAS. Table 11.6 above provides the mean results. It can be seen from this table that the three events which elicited the most anger

151 When the DAS was developed, along with the full 33-item version, a short 14-item version was also developed. It was this version, supplemented by one additional question (‘a driver merges ahead of you at the last moment from a closed lane’) which was used by Ward et al.

152 A score of zero was given if the respondent had never committed any of the responses for an event. Events that the respondent had not encountered were considered as missing data.

153 The DVI is scored from low/no response (0) to high violence (8). The DAS is scored from low anger (1) to high anger (5).

among those surveyed were having someone back out right in front without looking, having someone speed up when being overtaken, and seeing someone weave in and out of traffic. While having someone back out in front also resulted in the most 'violent' reaction, situations in which drivers merge at the last minute, and where they make obscene gestures, were more likely to lead to more 'violent' responses than the other two most angering events.

The authors surmised that this difference – which is also reflected in the other variations between anger and response that can be seen in Table 11.6 – is due to the different nature of the events:

The most violent responses were reported for events characterised by (i) *active constraint* whereby another road user engaged in an action which constrained the progress of the driver (e.g., 'Someone backs out right in front of you without looking'), and (ii) *confrontation* whereby the actions of another road user conveys a physical threat or condemnation of driving ability ('A driver makes an obscene gesture towards you about your driving.'). These most violent traffic contexts represent conditions wherein the goals of the driver are impeded or there is a perceived threat to the safety or ego of the driver. There is also the identification of a culpable source responsible for the impediment and threat. The least violent scenarios represent traffic contexts in which either an impediment results from the *inaction* of another road user (*passive constraint*) such that culpability can not be determined (e.g., You are stuck in a traffic jam), or the actions of authorities (*enforcement*) for which culpability is not relevant. In the least violent contexts, aggression is inhibited in the absence of the identification of a source to blame and in the presence of prohibitive social (and legal) norms (Ward, Waterman & Joint 1998, p.162).

In general, the levels of driver anger reported by the motorists surveyed ranged from low to moderate. There were, however, 'extreme cases for most events that indicated the highest levels of anger. This suggests that whereas only a (small) proportion of drivers may become extremely angry, most types of traffic event can elicit extreme anger in some drivers' (Ward, Waterman & Joint 1998, p.162).

By comparison, the mean levels of 'violence' reported on the DVI were very low. There was, in fact, no aggressive behaviour exhibited in most instances (74%). The most common response category was to become angered but not aggress (27.4%). This was followed by verbal abuse and aggressive or rude gestures (12.9%) and flashing lights or sounding the horn (10.6%). Only 1.8 per cent of respondents admitted having tailgated or deliberately obstructed other road users in response to any of the items, while just one driver (<0.4%) admitted to having physically assaulted someone. This led the authors to conclude that 'the level of violence exhibited in traffic is typically very low and primarily intended to communicate anger rather than control or harm other road users' (Ward, Waterman & Joint 1998, p.163).

Media data

The media in Victoria have identified a very similar range of triggers that precipitate incidents of Road Violence and Road Hostility. For example, in the VCCAV's analysis of 68 incidents of 'road rage' reported in *The Age* and *Herald Sun* in 1997, they found the following triggers to have been reported:

- failing to give way;
- jumping a car park queue;
- speeding;
- tooting;
- driving too slowly;
- changing lanes;
- overtaking;
- abusing;
- gesturing;
- tailgating;
- blocking in a car;
- small accident (eg scraping bumper bar);
- braking suddenly; and
- looking at other driver while waiting at traffic lights (VCCAV 1999, p.28).

Similarly, in the newspaper articles from *The Age* and *Herald Sun* analysed by the Committee (see Chapter 6), it was reported that the 55 incidents of Road Violence were triggered by people:

- ◆ Blocking traffic;
- ◆ Insulting, abusing or making obscene gestures at other road users;
- ◆ Tooting their horns or flashing their lights;
- ◆ Cutting in;
- ◆ Changing lanes improperly;
- ◆ Failing to let others change lanes or merge;
- ◆ Attempting to overtake;
- ◆ Crashing or having near collisions;
- ◆ Braking suddenly;
- ◆ Speeding;
- ◆ Throwing objects; and
- ◆ Failing to properly negotiate roundabouts.

Police data

Police data could potentially be a very rich source of information concerning triggers for Road Violence. This is because most of the incidents reported to the police are those which have resulted in violence. A tally of the events which triggered these incidents would not, therefore, suffer from the same shortcoming that most of the data presented above suffers from – the inability to differentiate between those triggers which lead to anger and those which result in violence.

Unfortunately, as discussed in Chapter 5, such information is not readily available. If it is recorded at all, it will be in the narratives of the incidents. Obtaining this information from the relevant files is a very time-consuming and expensive process – one which the Committee has been unable to conduct in the course of the current Inquiry, apart from one sample month (1 March 2004 to 31 March 2004).

As discussed in Chapter 5, there were 62 incidents during this month that Victoria Police classified as involving 'road user violence'. Of these, 61 fitted the Committee's definition of Road Violence, with the other incident falling within the Committee's category of Road Hostility. Table 11.7 below gives a brief categorisation of the triggering events that led to these 61 incidents. In some instances the narrative did not contain sufficient detail to enable the trigger to be identified,¹⁵⁴ in which case these incidents are recorded as having occurred due to 'no apparent reason'. Of course, some of these cases could have had some earlier trigger that was not disclosed in the police narrative.

Table 11.7: Principal triggering events present in LEAP narratives involving Road User Violence in March 2004

Category of Trigger – altercation following:	Number of Incidents	Percentage
Cutting in / overtaking	28	46
Other incident arising out of the driving environment	8	13
Minor collision	5	8
Tailgating	5	8
No apparent reason	5	8
Dispute over parking space	4	7
Slow driving / sudden braking	4	7
Sounding horn	2	7
Total	61	100

Source: LEAP Road User Violence Narratives, provided by Victoria Police, Statistical Services Division.

Generally, overtaking and the related problem of cutting in were the most frequently encountered triggers with an even distribution of the principal other categories of trigger. This fact has relevance for some of the road design and

154 In these cases, the narrative simply states that the defendant commenced an altercation with the victim, which led to an assault or act of property damage taking place.

engineering solutions (see Chapter 17) which aim to clarify the rules on lane usage, particularly on high-speed roads.

The University of Western Australia Crime Research Centre (1997) has analysed a far greater number of police narratives in its report on 'road rage'. While triggering events were not the focus of this report, some were mentioned in passing:

From the [police] narratives we have been able to identify a number of typical sites of conflict, such as intersections, traffic lights, car parks: a number of behaviours which spark aggression, such as cutting in, tailgating, slow driving, halting traffic, lacking ambition and being too inhibited or cautious – particularly when turning right: some forms of driver communication likely to enrage, such as gesturing, swearing, remonstrating: [and] some incidents which are particularly likely to lead to serious injury, such as road crashes (University of Western Australia Crime Research Centre 1997, pp.51–2).

When re-analysing these data, Harding et al. (1998) identified five of the most common triggers for 'road rage':

- ◆ Encounters with slow drivers;
- ◆ Other drivers cutting in or overtaking;
- ◆ Stereotyped sex roles – attributions of driving incompetence by males in relation to females;
- ◆ Accidents between vehicles; and
- ◆ Competition for parking space.

A range of triggers for 'road rage' were also identified by police in Antwerp, Belgium, when they examined 'road rage' incidents that occurred between July 1997 and June 1998. Of the 299 incidents examined, 14 per cent were triggered by disputes over the priority of pedestrians; 11 per cent resulted from problems involving lane changes; 9 per cent involved obstruction of traffic; 7 per cent were triggered by crashes; and a further 7 per cent arose from disputes over parking.¹⁵⁵

It can be seen from this data that many of the same triggers discussed above, such as slow driving, cutting in and disputes over parking, are mentioned once again. These common triggers are examined in the following section.

Summary of data: 10 common triggers for Road Violence

From the data presented in this chapter it can be seen that there are a variety of events which can trigger an emotional response in drivers, and a subsequent violent reaction. O'Brien, Tay & Watson (2002), for example, found 56 such events in their survey of 25 Australians. Presumably this list would have been

155 'Road Rage in Belgium: an overview of facts and actions', submitted to the Committee by Mr Ludo Kluppels, Policy Coordinator, Belgian Road Safety Institute, in conversation with the Committee, Brussels, 7 July 2004. Mr Kluppels noted in conversation with the Committee that in 20% of cases the complainant could not remember what triggered the incident.

even longer had they interviewed more subjects. Despite this diversity of precursors to Road Violence, however, there are particular behaviours that seem to feature high on many reported lists of triggering events. Ten of the most common 'triggers' are examined briefly below.

'Stealing' car parking spaces

Many of the surveys discussed above found having a parking spot one is waiting for 'stolen' by another driver to be the event most likely to elicit the greatest amount of anger (see, for example, Lajunen, Parker & Stradling 1998; Lajunen & Parker 2001; O'Brien, Tay & Watson 2002). In Lajunen and Parker (2001), it was also found to be the event most likely to result in an 'aggressive' reaction. Similar results have been found in other surveys. In Parker, Lajunen and Summala's (2002) survey of motorists in the UK, Netherlands and Finland, for example, only 6 per cent of those interviewed reported that having a car parking space taken would not make them angry at all.

Cutting in and pulling out

When Parkinson asked 64 undergraduate psychology students to describe the traffic events that most angered them, he found that 'most instances of driving anger were in response to other drivers cutting in or pulling out in front of the participant' (2001, p.516). Both of these behaviours – cutting in closely and pulling out in front of other drivers – also featured high on the behaviours triggering angry responses and 'aggressive' or 'violent' reactions in the surveys conducted by Lajunen and Parker (2001) and Ward, Waterman and Joint (1998). Victoria appears to be no different in this respect, with 46 per cent of the incidents of 'road user violence' reported to Victoria Police in March 2004 (see above) being triggered by drivers either being cut off or overtaken. Similarly, in O'Brien, Tay and Watson's (2002) interview of 25 Australian drivers about behaviours that frustrate or irritate them, the most common response was also reported to be 'cutting in'. The same result was found in a survey conducted by Market Opinion Research in the United States in 1996, with being 'cut off' found to be the greatest driving irritant (cited in Willis 1997).

Tailgating

Being tailgated or followed too closely is another of the most commonly cited 'causes' of irritation or anger. This behaviour topped the Royal Automobile Association of South Australia's list of most irritating behaviours (Grennan 1996), and was the second most irritating behaviour in the 2003 AAMI *Crash Index*. Lajunen and Parker (2001) also found tailgating to be one of the two triggers that elicited the highest levels of anger among the 270 British motorists surveyed, although it ranked sixth in terms of 'aggressive' responses. Parker, Lajunen and Summala (2002) also reported tailgating to be the third most anger-inducing event, but the sixth most likely to be responded to 'aggressively'. The possibility that tailgating could trigger Road Violence was

also the focus of one of the submissions received by the Committee.¹⁵⁶

Failing to indicate

The failure of some drivers to indicate when changing lanes or turning was found to be the most irritating by the Australian drivers surveyed in the 2003 AAMI *Crash Index*, and featured second on the Royal Automobile Association of South Australia's list of most irritating behaviours (Grennan 1996). In the VCCAV's interviews with 'road rage' perpetrators, a failure to indicate was found to be the second most likely trigger for 'mild road rage', and the most likely trigger for 'severe road rage'.

Blocking traffic

In a study conducted in Michigan by EPIC-MRA, it was reported that it was 'waiting' that angered drivers the most (cited in Pavelka 1998). The need to 'wait' while driving may be caused by a number of sources, such as traffic lights, congestion or the behaviour of other drivers. It seems to be other drivers' behaviour in causing delays that incites high levels of anger. Slow driving, in particular, appears to result in anger (see, for example, AAMI 2003a). This is especially the case if the slow driver is driving in the overtaking (right-hand) lane and refuses to pass. This was found to be the most irritating event by the Australian drivers surveyed by EOS Gallup Europe (2002a), and also featured high on the lists of irritating behaviours published by AAMI (2003a) and the Royal Automobile Association of South Australia (Grennan 1996). A number of the triggers for 'road rage' identified by the University of Western Australia Crime Research Centre (1997) also involved blocking traffic, either through slow driving or being too inhibited or cautious, especially when turning right.

Insulting other road users

Surprisingly, being the recipient of obscene gestures, verbal abuse, or even simple horn honking does not seem to feature at the top of the lists of events which lead to driver anger (although moderate levels of anger are reported). However, such events do seem to often result in an 'aggressive' reaction. In Lajunen and Parker (2001), for example, while obscene gestures were only the seventh most angering event, they led to the second most 'aggressive' response. Similar results were found in Ward, Waterman and Joint (1998) and Parker, Lajunen & Summala (2002).

Preventing other road users from merging/overtaking

Being prevented by other road users from merging or from overtaking often angers drivers and also may lead to violent reactions. Failing to let another driver merge was cited as a cause of irritation by motorists surveyed by AAMI (2003a) and the Royal Automobile Association of South Australia (Grennan 1996). Drivers speeding up when they are being overtaken was the trigger resulting in the second highest amount of anger in Ward, Waterman and Joint (1998). In

156 Submission from F.C. Michie to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 9 March 2004.

that research and in Lajunen and Parker (2001), however, it was found that while drivers who speed up when being overtaken are likely to elicit moderate to high amounts of anger, other events are more likely to trigger an 'aggressive' reaction.

Failing to dip headlights

O'Brien, Tay and Watson (2002) and Lajunen and Parker (2001) found that having motorists drive behind with their high beams on, or fail to dip their headlights when approaching from the front, were common triggers of anger. Such behaviour has also been found to lead to 'aggressive' responses. For example, while Parker, Lajunen and Summala (2002) found actions such as having one's car parking space 'stolen' and tailgating to elicit higher amounts of action, having someone drive towards them without dipping their headlights was found to be the behaviour most likely to elicit a reaction. As noted above, however, this response may simply have been intended to communicate to the other driver that he or she should dim their lights, rather than being an expression of ill-will.

Having a crash or near collision

In Underwood et al's (1999) study of 104 British drivers, a correlation between driver anger and accidents was found. In this study, drivers were equipped with a tape recorder, and instructed to report their experiences of driving anger immediately after completion of the journey. It was found that of the reports of driving anger, 37 per cent were reported to occur directly after a near collision, and 48 per cent of near collisions were followed by reports of anger. While this is not surprising – anger may well be a 'normal' reaction to having a crash or a near collision – it is possible that this driver anger may lead to violence. For example, in Fong, Frost and Stansfeld's (2001) survey of 146 London drivers, 12 per cent reported having had a crash immediately prior to becoming involved in a 'road rage' incident. Similarly, when discussing the police narratives it examined, the University of Western Australia Crime Research Centre (1997) noted that road crashes were particularly likely to lead to serious cases of 'road rage'.

Cycling

In a number of submissions to the Committee, it was suggested that the presence of cyclists on the road also becomes a trigger for Road Violence.¹⁵⁷

¹⁵⁷ See, for example, Submission from Dr Jan Garrard, Senior Lecturer in Health Promotion, School of Health and Social Development, Deakin University, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 21 June 2004; Submission from Mr Russell Lindsay, Officer in Charge of the Melbourne Police Bicycle Patrol Group, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 22 June 2004; Submission from Mr Damon Rao, urbanbicyclist.org, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 18 June 2004; Submission from Mr Bart Sbeghen, Campaigns Manager, Bicycle Victoria, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 15 June 2004; Submission from Mr Paul Baxter to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 16 June 2004; Submission from Cogsgirls, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 18 June 2004; Submission from Mr David Levin Q.C., Convenor, Wigs on Wheels, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 5 August 2004.

Slow riding cyclists, for example, may be seen to be holding up traffic, leading some drivers to feel angry and possibly respond with violence. Of the situations examined by Ward, Waterman and Joint (1998), a cyclist riding in the middle of the road and slowing traffic was found to elicit the sixth most 'violent' reaction. It has been suggested, however, that it is not just the fact that bicycles are slower than cars that triggers anger or violence among some road users. For some people the mere presence of bicycles on the road, whether or not they are slowing traffic, may be sufficient to result in anger or violence, as was noted by Mr David Levin Q.C.:

Motorists seem to believe that the road is designed for cars exclusively and become angered by the fact that cyclists are on the road at all. This may be connected with the perception that as motor vehicle drivers pay vehicle taxes and cyclists do not, cyclists are not legitimate users of the road.¹⁵⁸

A typology of triggers

Suggested typologies

A number of authors have sought to group these seemingly disparate events together in a variety of ways, in order to obtain a clearer understanding of why it is *these* events which commonly lead to driver anger or Road Violence. Shinar (1998), for example, has suggested that each of these events involve a frustrating situation, behaviour or event. In making this claim, Shinar relies on the frustration-aggression hypothesis, originally proposed by Dollard et al. (1939), in which aggression is always seen to be a consequence of frustration.

This view that aggression in general, and Road Violence in particular, is always the result of frustration has been widely criticised (see, for example, Berkowitz 1993; Baron & Richardson 1994; McGarva & Steiner 2000). Lajunen and Parker, for example, argue that while the frustration-aggression hypothesis 'provides in its simplicity an appealing explanation of aggression, it is... far too sweeping in scope, ignoring the fact that human aggression is a highly complex form of behaviour' (2001, p.244). Other factors, such as being scared or provoked, may also trigger Road Violence.

Deffenbacher, Lynch and Stradling (1994) suggested a broader typology when developing the DAS. As noted above, the items in the DAS were grouped into the following six categories:

- ◆ Hostile gestures. These triggers involve road users signalling anger at or displeasure with other road users. Examples include obscene gestures, horn honking and verbal abuse.

158 Submission from Mr David Levin Q.C., Convenor, Wigs on Wheels, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 5 August 2004. See also Submission from Dr Jan Garrard, Senior Lecturer in Health Promotion, School of Health and Social Development, Deakin University, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 21 June 2004.

- ◆ Illegal driving. These triggers involve road users breaking common traffic laws. Examples include driving well above the speed limit, driving too fast for road conditions, and running red lights or stop signs.
- ◆ Police presence. These triggers involve the presence of police in driving situations. Examples include hidden police cars, being pulled over by the police, or seeing speed cameras.
- ◆ Slow driving. These triggers involve road users impeding the flow of traffic. Examples include road users who do not start when light turns green, slow pedestrians walking across the street, and driving slower than reasonable for the traffic flow.
- ◆ Discourtesy. These triggers involve road users engaging in discourteous, as opposed to illegal, behaviour. Examples include tailgating,¹⁵⁹ cutting in and stealing car-parking spaces.
- ◆ Traffic obstructions. These triggers involve events that frustrate or obstruct a road user, other than slow driving. Examples include traffic jams, unmarked deep potholes and large trucks that obstruct a road user's view.

In Lajunen, Parker and Stradling, however, it was claimed that not all of these categories evoke anger among British motorists. Survey results seemed to indicate that British motorists were only angered by situations containing an interpersonal element, rather than by impersonal situations such as road construction. 'Situations without another motorist as a deliberate actor did not evoke anger at all among British drivers' (1998, p.244). This led to the development of an alternative typology, which grouped triggers for driver anger into the following three categories:

- ◆ Progress impeded. This category includes situations in which the actions of another driver force the respondent to reduce their speed or wait unnecessarily – the dominant component being the frustration caused by another road user's behaviour, thwarting the drivers' attempt to maintain progress.
- ◆ Reckless driving: This category includes situations in which anger is aroused by breaches of the road rules, as well as ill-mannered driving. Such actions may not necessarily force the driver to change speed or direction, but may be dangerous (for example, tailgating or driving at an inappropriate speed) or disturbing (for example, driving behind another driver with high beams on). These are behaviours that may be interpreted as deliberate, and as placing the respondent – and other road users – at risk.

159 While Deffenbacher, Lynch & Stradling et al. consider tailgating to be discourteous rather than illegal, in Australia it is an offence to fail to keep a safe distance from the car in front (see Chapter 15).

- ◆ Direct hostility: This category includes situations in which anger is evoked by others' rude gestures and direct aggression, which appear to question one's competence as a driver. Examples include beeping the horn, and shouting or gesturing at other drivers.

Psychologist Arnold Nerenberg has proposed a similar categorisation of 'stimuli that provoke road rage', although he separates driving that endangers people from illegal or discourteous driving (cited in Adler 1997):

- ◆ Feeling endangered by someone else's driving;
- ◆ Resentment at being forced to slow down;
- ◆ Righteous indignation at someone who breaks the traffic rules or steals your parking space; and
- ◆ Anger at someone who commits 'road rage'.

Many of these same elements were noted by Lupton (2002), who interviewed 77 people living in Sydney to ascertain their views about 'road rage'. She found that nearly all of the people interviewed had experienced feelings of anger,

in response to incidents in which people had felt their freedom of movement to be inappropriately constrained by another driver..., where they felt that the other driver was behaving inconsiderately or rudely... or their safety was threatened in some way (Lupton 2002, p.285).

The Committee's typology

Having considered the data outlined above, as well as the typologies suggested by others working in the area, both in Australia and overseas, the Committee has reached the view that most incidents of Road Violence in Australia are precipitated by triggers that fall into one (or more) of the following four categories:

- ◆ ***Frustrating events.*** These are triggers that the perpetrator interprets as impeding their progress. Examples include slow driving, hesitant driving and failing to move when traffic lights turn green.
- ◆ ***Endangering events.*** These are triggers that the perpetrator interprets as either endangering themselves, their car or other road users. Examples include crashes, near collisions and driving at excessively high speeds.
- ◆ ***Discourteous and/or hostile events.*** These are triggers that the perpetrator interprets as being inconsiderate, rude or provocative. This may be due to breaching generally accepted notions of courteous driving (for example, failing to let a car merge), or may be an instance of direct hostility (for example, making an obscene gesture).
- ◆ ***Violating events.*** These are triggers that the perpetrator interprets as being in violation of the rules of the road, but which are not necessarily frustrating, dangerous or discourteous. These triggers may involve illegal conduct (for example, talking on a mobile telephone while driving) or

breaches of informal road rules (for example, cycling on a road considered to be the 'proper' domain of cars).

These categories are not mutually exclusive; a particular triggering event may fall within more than one of the categories. Having the car parking space one has been waiting for 'stolen', for example, may be interpreted as both discourteous and frustrating. Being tailgated may be seen as both dangerous and hostile. In rare cases, an action may even fall within all four categories. For example, the situation in which Driver X deliberately brakes in front of Driver Y may be interpreted by Driver Y as being hostile, dangerous, frustrating and in violation of road rules.

While the overwhelming majority of acts of Road Violence are likely to be precipitated by events that fall within one of the categories outlined above, it is possible that some triggering events will not fall within any of these categories. One example would be an incident of Road Violence committed simply because the perpetrator did not like police. As seen above, there is some evidence that Australian drivers may be angered by the presence of police. There is, however, little evidence to suggest that this anger commonly leads to violence. The Committee does not believe it is worthwhile including a separate category for 'police presence' in the absence of such evidence.

It is important to point out, once again, that it is the interpretation of these triggers, rather than the triggers themselves, that is of importance here. Acts such as 'slow driving' are not implicitly frustrating. Rather, the frustration arises because of factors such as an individual's desire to get to their destination quickly and a culture that prioritises speed on the roads over safety. Similarly, there is no natural response to frustrating events. It is person-related, situational, car-related and cultural factors which influence both the interpretation of these triggers and the way in which people react to them. These are discussed in the following chapters.

Conclusion

When questioned about driving events that irritate or anger them, motorists in Australia and the United States identified over 50 common situations (Deffenbacher, Lynch & Oetting 1994; O'Brien, Tay & Watson 2002). It is likely that many of these events occasionally result in violence. This chapter has examined the available data concerning these 'triggering events', looking at the extent to which these events anger drivers and lead to violent reactions. While vast in number, it was concluded that most of these triggers fall within four categories: frustrating events, endangering events, hostile or discourteous events, and violating events. The following chapters will look at why it is that people interpret events in these ways, and the reasons why they may choose to react with violence.

12. Person-Related Factors

Introduction

In one of the earliest and most cited studies in the field of road safety, Tillman and Hobbs concluded that 'a man drives as he lives' (1949, p.329). Tillman and Hobbs were investigating factors that influence the likelihood of road crashes, and their statement encompassed the view that 'certain personal characteristics of drivers make them more or less likely to be involved in crashes' (Grey, Triggs & Howarth 1989, p.45). In particular, individuals with high crash rates were found to be aggressive in other aspects of their lives, as well as to have an inability to tolerate authority.

The idea that personal characteristics affect driving outcomes has subsequently been extended beyond an influence on road crashes. It is now often suggested that all driver behaviour is influenced by such characteristics. In her study on 'road rage', for example, Brewer suggested that 'driver behaviour is underpinned by psychological (age, gender, health, attitudes and feelings) and sociological (beliefs, values, occupation) characteristics of individuals' (1998, p.495). This chapter examines the role played by these person-related factors in the commission of acts of Road Violence.

Enduring traits and transient states

Researchers have also explored personological variables or characteristics of drivers in order to identify certain personality types or profiles that typify the aggressive driver. Personality types (e.g., the Type A or coronary-prone behavior type) may exacerbate the experience of stress and contribute to aggressive driving behavior. The tendency to drive aggressively thus may be inherent in a person much like a personality trait, or may be more transient and dependent on a given mood and the day's circumstances. For example, it may be the case that the typical aggressive driver is a generally hostile individual who perceives the world and its inhabitants negatively across situations. Or, on the other hand, the average aggressive driver may be a busy person in a hurry to complete a task. This latter person may emit aggressive behaviors subsequent to a frustrating stimuli or a thwarted goal-directed activity (Galovski & Blanchard 2004, p.117).

From the quote above, it can be seen that there are two main categories of person-related factors: enduring traits and transient states. Enduring traits are traits that persist over time, generally changing very slowly, if at all. They include an individual's personality, as well as their beliefs, attitudes, values and goals. Also included are a person's gender¹⁶⁰ and age, as well as other physiological and psychological factors, such as whether they suffer from a mental illness. The influence these enduring traits have on the perpetration of acts of Road Violence is examined in the first part of this chapter.

Transient states are aspects of a person's character that vary more rapidly. They include an individual's mood at a particular time, their levels of stress, and whether they are under the effects of drugs or alcohol. These transient states are investigated in the second part of this chapter.

Enduring traits

Personality

One of the most commonly cited causes of Road Violence is the perpetrator's personality. It is often suggested, for example, that Road Violence is committed by people who are angry, aggressive or hostile in all aspects of their lives (Lawton & Nutter 2002; Miles & Johnson 2003). According to this theory, individuals have particular 'traits which dispose them to behave regularly and persistently in a variety of situations' (Tasca 2000, pp.17–18), including on the road. For instance, people who are quick to become angry in response to slight insults off the road are seen to be likely to respond in the same way to perceived hostility on the road. Similarly, people who tend to react aggressively when they feel angry at home may also react aggressively when they become angry while driving.

The National Committee on Violence noted this link between personality factors and violence in general:

An individual's personality is a fairly enduring characteristic. The taciturn child is unlikely to become an excitable adult. So it is that the best predictor of future aggression is past aggressive behaviour. Longitudinal studies have observed that aggressive preschoolers tend to grow into aggressive adolescents, who in turn are more likely to become aggressive adults. While situational factors are not entirely unimportant in explaining aggressive behaviour, there are enduring consistencies in the motivation of many aggressive people, and in the ways in which they react to the events of everyday life (National Committee on Violence 1990, p.71).

Personality traits can influence driver behaviour in a number of ways.¹⁶¹

160 As noted in Chapter 10, a number of factors do not fit simply within just one of the categories of person-related, situational, car-related and cultural factors. The influence of gender on driver behaviour, for example, is likely to be due to a combination of biological factors (such as hormones) as well as cultural factors (such as cultural constructions of masculinity).

161 For a review of the way in which personality traits influence driving behaviours in general, see Matthews, Dorn & Glendon (1991).

Firstly, they can influence the way a person interprets a situation; for example, a person who is very narcissistic may be especially likely to view another person's driving behaviour as a personal insult. Secondly, they may influence an individual's emotional response to triggering events. People who are hot-tempered, for instance, may be more likely to become angry when confronted by a particular 'triggering event'. Thirdly, personality traits may affect the response to incidents occurring on the road. Risk-taking people may engage in risky or selfish driving to overcome an obstacle, while aggressive people may respond with violence.

Researchers examined a range of different aspects of an individual's personality to ascertain the relationship between these characteristics and the individual's driving behaviour. In the context of Road Violence, Mr Wayne Warburton suggested to the Committee that the following personality variables may be relevant:

- Hostility
- Impulsivity vs. control
- Type A personality (driven, ambitious, time-urgent, anxious, stressed)
- Aggressiveness
- Sense of exaggerated entitlement...
- Risk-taking personality
- Quick to anger/hot tempered
- Outward anger expression
- Need for power/control
- Narcissism
- Overconfidence/Arrogance
- High levels of Emotionality/Neuroticism
- Disagreeableness
- Inflexibility.¹⁶²

An overview of personality variables seen to have the greatest influences on the commission of acts of Road Violence is presented below.¹⁶³

Trait anger

It has been suggested that Road Violence is often committed by people with a predisposition to become easily angered (see, for example, Lawton & Nutter 2002; Miles & Johnson 2003). Individuals with such a predisposition are seen to be more likely to become angry at the behaviour of other road users, and to

¹⁶² Wayne Warburton, Doctoral Student, Department of Psychology, Macquarie University, in conversation with the Committee, Sydney, 17 June 2004. References have been excluded.

¹⁶³ The National Committee on Violence notes that 'personality traits can have a physiological or neurological basis. They can be muted or amplified by family, peer group, or cultural influences' (1990, p.72). The impact of culture on personality is examined in Chapter 15.

react with violence to their anger, as was suggested by Mr Colin Jordan in his submission to the Committee:

The available research provides an insight into characteristics of perpetrators of road rage, and beliefs about the types of driving behaviours that may cause road rage. From this research we can speculate that individuals who have high levels and expression of anger will be more likely to express their anger on the roads.¹⁶⁴

The terminology that is often used to describe this personality variable is 'trait anger'. Deffenbacher, Lynch & Oetting define trait anger as follows:

Trait anger reflects a broad predisposition to experience anger more frequently and intensely across situations (i.e. the tendency to become more easily angered by affronts, insults, injustices, and frustrations, to react with more anger, and to experience more negative physical social, vocational, and psychological consequences) (Deffenbacher, Lynch & Oetting 1994, p.84).

This can be contrasted with 'state anger', a term which describes a person's feelings of anger at a particular time, rather than their underlying predisposition to such anger.

While many researchers have suggested a link between trait anger and Road Violence, little evidence has been provided substantiating this connection. Assertions of the relationship between trait anger and Road Violence seem to be based on the common-sense view that if people have a predisposition to become *angry* frequently, they are more likely to act *violently* as well. Miles and Johnson, for example, argue that:

Trait anger may well be one of the ... psychological components included within the construct of road rage. Deffenbacher (1992) found that individuals with higher trait anger scores reported greater intensity and frequency of daily anger across a wider range of provocative situations than did persons low in trait anger. Most drivers would respond to someone cutting into their lane with resignation, or with brief anger, while "road ragers" would respond with more dysfunctional and more dangerous behavior (Miles & Johnson 2003, pp.158–59).

While little evidence has been provided showing a link between trait anger and Road Violence, some attempts have been made to show that the people who become angriest on the roads are the same people who become angry off the road. Lawton & Nutter (2002), for example, conducted an Internet survey in which respondents were provided with a sample of vignettes describing on and off-road situations that could result in anger. While 11 per cent of those surveyed reported higher levels of anger in driving than non-driving situations,

164 Submission from Mr Colin Jordan, Managing Director and CEO, RACV, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 18 June 2004.

75 per cent showed similar levels of anger in both situations. The remaining 14 per cent reported higher levels of anger in the non-driving situation.

Similar results were found in a survey of drivers in Edinburgh conducted by Stradling in 1997 (cited in Byrne 2000). Two-thirds of those surveyed exhibited similar behaviour both on and off the road, with one-third found to be quick to anger both on and off the road, and a further one-third found to be placid both on and off the road. Of the remaining one-third of those surveyed, half were generally angry off the road but controlled themselves on the road, while the other half were not generally angry off the road, but often became angry when driving.

These results suggest that trait anger does contribute to the decision to commit acts of Road Violence. It seems likely that many people who are quick to anger in their daily lives will be similarly quick to respond to triggering events on the road with anger. Given the correlation between anger and violence noted in Chapter 10, it is quite likely that a proportion of these people will act violently. However, the evidence also indicates that not all people who become angry on the roads are generally angry people – people who are low in trait anger may also occasionally become angered by triggering events. In some situations these people may also commit acts of violence. In addition, as noted earlier in this Report, not all acts of Road Violence result from feelings of anger, further limiting the influence of this personality variable.

Trait driving anger

While little research has been conducted into the link between trait anger and driver behaviour, many studies have been undertaken examining the relationship between the related concept of 'trait *driving* anger' and people's conduct while driving. While trait anger refers to an individual's predisposition to become angry generally, 'trait driving anger refers to a person's general propensity to become angered frequently and intensely *when driving* (ie. trait driving anger reflects a context-specific tendency to become angry when driving)' (Deffenbacher et al. 2003a, p.702, Committee's emphasis).

In other words, it is suggested that some individuals have an underlying predisposition to become angry on the roads, even though they may not ordinarily be angry people. Again, this needs to be differentiated from 'state driving anger', which refers to the anger felt in relation to specific driving events, rather than the propensity to become angry while driving.

Trait driving anger is generally measured using the Driver Anger Scale (DAS).¹⁶⁵ An individual's responses to the scenarios are tallied, resulting in an

165 For more information about the Driver Anger Scale, see Chapter 11. DePasquale et al. (2001) have developed an alternative assessment tool to identify individuals with the greatest propensity to become angry with others while driving, known as the Propensity for Angry Driving Scale (PADS). This scale has not, however, been as widely used as the Driver Anger Scale.

overall score which is seen to represent his or her level of trait driving anger (see Deffenbacher, Lynch & Oetting 1994, 2001). Respondents are then classified as 'high anger' or 'low anger' drivers according to their scores.

In a number of studies, Deffenbacher and his colleagues have identified the presence of people with high trait driving anger (Deffenbacher, Lynch & Oetting 1994, 2001; Deffenbacher et al. 2000; Deffenbacher et al. 2002a; Deffenbacher et al. 2002b; Deffenbacher et al. 2003a; Deffenbacher et al. 2003b; Deffenbacher et al. 2003c). Many of these individuals are also generally angry people, that is, there is a correlation between trait driving anger and general trait anger (see Deffenbacher et al. 2003c). This correlation, however, is not so strong as to suggest that anger behind the wheel should be subsumed within the category of general trait anger. A number of people appear to suffer from high trait driving anger (becoming frequently angry while driving), but are not angry people off the road.

These high anger drivers have been found to become angry more frequently than other drivers and in a wider range of situations. This has been tested by having respondents fill out the DAS (to determine which drivers are 'high' or 'low' anger drivers), as well as complete daily driving logs or diaries over a specified period of time. In these they record the number of times in a day they felt angry while driving, as well as the events that led to the greatest amount of driving anger on that day and the intensity of that anger (see, for example Deffenbacher et al. 2000; Deffenbacher et al. 2003c). The logs of high anger drivers are then compared with the logs of low anger drivers, to see the extent to which their underlying trait driving anger influences their feelings of anger while driving.

Deffenbacher et al. (2003c) found that high anger drivers became angry 2.4 times more often when driving than low anger drivers. They also reported greater anger during day-to-day driving in three commonly occurring situations (during normal traffic, during peak hour traffic and when another driver yells at them about their driving), as well as when their progress was impeded on a driving simulator. Similar results were found in Deffenbacher et al. (2000). In that study, the results obtained from three days of driving logs were extrapolated to ascertain the difference in the frequency with which high and low anger drivers would experience anger over a year. It was found that low anger drivers would experience 210 episodes of anger if they drove 300 days a year, while high anger drivers would experience 678 such episodes.

Many of these studies have also found a link between trait driving anger and 'driving-related aggression' (see, for example, Deffenbacher et al. 2000; Deffenbacher et al. 2002b; Deffenbacher et al. 2003a; Deffenbacher et al. 2003c). This relationship was discovered by asking respondents to identify in their daily driving logs how frequently they committed any of six specified 'aggressive' behaviours, which ranged from cursing to becoming involved in a physical fight, and comparing the responses of high and low anger drivers.

Deffenbacher et al. (2003c) found that, over a three-month period, high anger drivers committed 2.4–3.6 times as many aggressive acts as low anger drivers. This difference in aggression was, however, strongly influenced by contextual variables. For example, in uncongested road conditions no difference was found between high and low anger drivers, with both groups reporting low levels of aggression. Tendencies towards verbal aggression increased for both groups of drivers when their progress was impeded, but significantly more so for high anger drivers. By comparison, tendencies towards physical aggression in such circumstances increased by a small but significant amount for high anger drivers, but did not increase at all for low anger drivers. Similar results were reported in Deffenbacher et al. (2000). The results obtained from three days of driving logs were once again extrapolated over the course of a year. Assuming the respondents drove for 300 days a year, it was found that low anger drivers would commit 142 aggressive behaviours, while high anger drivers would commit 604 aggressive behaviours.

These results appear to indicate that there is a group of people who are predisposed to becoming angry on the roads, even if they are not ordinarily angry people. These people become angry more frequently, and in more circumstances. They also appear to be more likely to engage in acts of Road Hostility or Road Violence. This will, however, depend on the circumstances, with situational factors also playing a role. In addition, while such drivers are more likely to behave violently or with hostility, they are not the only people who will act in this way. The results outlined above show that low anger drivers also commit such acts, albeit with less frequency. Trait driving anger, like general trait anger, should therefore be considered to be an influencing factor, but not a prerequisite for Road Violence.

Aggression and hostility

In the previous sections, it was suggested that certain people may have a predisposition to become angry, and that this can influence their decision to act violently. Other authors have focussed more directly on people's aggressive tendencies, suggesting that particular individuals have a propensity to act with hostility or violence, regardless of whether they feel angry (see, for example Wiesenthal, Hennessy & Gibson 2000). These people are seen to be likely candidates for the commission of acts of Road Violence (as well as also committing violent acts off the road).

While it is commonly asserted that some people are more susceptible than others to 'losing their tempers' both on and off the road (see, for example, Joint 1995; NRMA 2002), the Committee could find no studies directly linking the personality traits of hostility or aggressiveness with Road Violence. There is, however, a vast amount of evidence in other areas supporting the claim that it is predominantly people with a history of committing acts of violence, and who may be seen to have aggressive or hostile personalities, who commit violent acts in a range of situations (see, for example, National

Committee on Violence 1990). It is likely that this would also hold true in the context of Road Violence. A hostile or aggressive personality would therefore appear to be an influencing factor in some cases of Road Violence.

It should be noted that while the decision to act violently may, in some cases, be due to people having an aggressive or hostile personality, this decision may also be due to people following cultural 'scripts', according to which violence or aggression is seen to be the appropriate response to particular circumstances. The notion of 'scripts' is explored in more detail in Chapter 15.

Impulsiveness

Another personality trait that may influence the decision to act violently on the road is impulsiveness. The National Committee on Violence noted the relationship between acting impulsively and committing acts of violence, stating that 'people vary in their inclination to consider the future consequences of their actions. There are those who act on the spur of the moment, and others who carefully calculate alternative courses of action' (1990, p.72). It is suggested that those who do not give due consideration to the consequences of their acts are more likely to act violently.

Again, no studies have shown a direct link between impulsiveness and Road Violence. There have, however, been studies linking impulsiveness to traffic offending in general. For example, in Williams, Henderson and Mills (1974), motorists convicted of serious traffic offences in Hobart were found to be significantly more impulsive than the control subjects. While traffic offences differ greatly from acts of violence, it is possible that a similar relationship would be found between impulsiveness and Road Violence. This is especially the case given that more severe consequences are likely to follow a conviction for an act of Road Violence than for a traffic offence. Those who consider the consequences of their actions may therefore be more likely to be dissuaded from acting violently.

Controlled orientation

It has also been suggested that the extent to which an individual regulates his or her behaviour based on external factors (such as the approval of others or pressures to perform) can influence the likelihood that he or she will commit acts of Road Violence (Brewer 1998; Knee, Neighbors & Vietor 2001). Knee, Neighbors and Vietor, for example, argue that:

It would seem that becoming angry with drivers and responding aggressively may... be a function of how one regulates emotions and behaviours according to autonomy and control. Those who are higher in controlled orientation, with their self-esteem based in large part on living up to interpersonal or intrapsychic expectations, are more likely to interpret events and contexts as controlling and coercive, and to react according to a pressured, ego-involved regulatory style than those who are less control oriented (Knee, Neighbors & Vietor 2001, p.892).

The idea here is that some people have a 'controlled orientation', while others have an 'autonomy orientation'. The behaviour of the former group is influenced by external pressures, and tends to be defensive, with 'controlled' people frequently interpreting others' actions to be threatening. People who are high in controlled orientation are also seen to be quicker to react to threats (Deci & Ryan 1991). The behaviour of the latter group is instead motivated by the individual's own interests and choices, and 'autonomous' people tend to be less defensive than 'controlled' people.

The relationship between having a controlled orientation and driver anger and Road Hostility was tested by Knee, Neighbors and Vietor (2001). They surveyed 109 college students in Texas and found that a controlled orientation was associated with feeling more driver anger. This was especially the case for those who felt angry at slow driving, traffic obstructions and police presence. A controlled orientation was also associated with hostile driving behaviours, such as making obscene gestures, intentional tailgating and speeding up when being overtaken. This relationship was, however, entirely mediated by driver anger; when anger was held constant, there was no relationship between controlled orientation and Road Hostility. In other words, while a controlled orientation can lead more readily to feelings of anger, once an individual is angry, the type of orientation does not seem to affect their response.

It seems, therefore, that people with a controlled orientation may be more likely to commit acts of Road Violence, in so far as such acts frequently result from driver anger. However, the influence of a controlled orientation is limited, as not all Road Violence results from driver anger and 'controlled' people do not seem more likely than others to act violently in the absence of such anger.

Other relevant personality characteristics

A number of other personality characteristics may be linked with Road Violence, including:

- ◆ **Anxiety.** Brewer (1998) suggests that an individual's levels of anxiety may help determine his or her response to the demands of driving, potentially modifying perception, thinking, reaction patterns and performance. This may lead anxious people to 'respond inappropriately' to triggering events, including acting with violence.
- ◆ **Insecurity.** The National Committee on Violence argues that 'insecure individuals, those with low self-esteem, are more likely to perceive hostility in others and to respond with provocation' (1990, p.71). This may apply equally in both on and off-road situations.
- ◆ **Lack of empathy/perspective-taking.** Some people have suggested that an inability to be able to consider things from other people's point of view increases the chances of violence. Olweus (1988), for example, suggests that a lack of empathy is a more significant correlate of

aggressive behaviour than feelings of anxiety or insecurity. Limited evidence for the relationship between Road Violence and a lack of empathy was found in Parkinson (2001), with those who scored high on empathy scoring low on 'driving aggression'.

- ◆ **Low frustration tolerance.** In his submission to the Committee, Mr Michael Burt, Chief Executive Officer of the Victorian Institute of Forensic Mental Health, stated that in the course of their work with 'road rage' offenders, Forensicare clinicians have 'become aware that the underlying presenting issues in cases of road rage are most usually anger and a low level of frustration tolerance'.¹⁶⁶
- ◆ **Narcissism.** It is possible that people who have an excessive interest or admiration for themselves may interpret the behaviour of other drivers as a personal affront. Such an interpretation may lead to a greater likelihood of retaliation (Wright, Gaulton & Miller 1997; NRMA 2002).
- ◆ **Neuroticism.** A link between driver stress, aggression and neuroticism was found in Matthews, Dorn and Glendon (1991), with a follow-up study finding that neuroticism is associated with relatively ineffectual coping strategies (Dorn & Matthews 1992). Subjects who were found to be highly neurotic reported significantly greater incidences of aggressive and confrontational strategies. This may lead to Road Violence.
- ◆ **Type A behaviour pattern.** Miles and Johnson have suggested that 'one psychological element that may be related to aggressive driving behaviours is type-A behaviour pattern' (2003, p.150). People who are classified as 'type A' are seen to be 'hard driving and competitive, possess underlying elements of hostility and aggressiveness, and feel a sense of impatience and time urgency' (Miles & Johnson 2003, p.150). Each of these attributes may contribute to the likelihood that a person will engage in acts of Road Violence. While no studies have connected type A behaviour specifically to Road Violence, Miles and Johnson (2003) found evidence that repeat traffic violators exhibit this type of personality. Boyce and Geller (2002) also found that type A personality was a significant predictor of speeding and tailgating.

Although limited evidence has been provided for the relationship between Road Violence and each of these personality traits, it seems likely that in particular instances each of these elements of an individual's character may influence his or her decision to act violently. However, while an individual's personality may well play a role in the commission of acts of Road Violence, it is not determinative. It has been found that such traits rarely explain more than 25 per cent of the variance in individual social behaviour (Argyle 1983).

166 Submission from Mr Michael Burt, Chief Executive Officer, Victorian Institute of Forensic Mental Health, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 8 April 2004.

It is the combination of personality and other person-related, situational, car-related and cultural factors that leads to Road Violence.

Beliefs, attitudes and values

Another factor that clearly plays a role in the decision to commit acts of Road Violence is an individual's beliefs, attitudes and values. Each of these can influence the way triggering events are interpreted, as well as responses to such events, as was noted by Dr David Indermaur:

Anger is itself a response that occurs as a product of the pre-established beliefs and expectations of the individual. The way we think about ourselves and other road users and what are appropriate responses to driving situations shapes not only behaviour but also the emotion (anger) that many believe arises spontaneously (Indermaur 1998, p.4).

A wide variety of beliefs and attitudes may be of relevance. For instance, in conversations with the Committee, Mr Wayne Warburton identified as potentially important beliefs about power, honour, control, territory, personal rights and entitlements, others' rights and entitlements and the validity of aggressive responses.¹⁶⁷

Many of these same beliefs and attitudes were also identified by the University of Western Australia Crime Research Centre, which concluded that:

At the individual level, the genesis and prevention of driving related violence should be viewed... with other forms of interpersonal violence as largely a function of the beliefs and attitudes of the perpetrator (University of Western Australia Crime Research Centre 1997, p.20).

In his book *Steering Clear of Highway Madness* (1996), Dr John Larson identified five main beliefs that he sees as resulting in driver anger or Road Violence:¹⁶⁸

- ◆ A belief that it is necessary to drive to one's destination as quickly as possible, or within a self-prescribed amount of time. 'Anger results when the rate of speed or time schedule cannot be accomplished. Whoever or whatever is deemed responsible for bringing about the delay becomes the object of rage' (Larson 1996, p.39).
- ◆ A belief that the way to gain self-esteem and status is to beat other vehicles in a self-created contest. 'Anger results when the other driver appears to be winning or actually does win the contest' that has been created in the perpetrator's mind (Larson 1996, pp.39-40).
- ◆ A belief that one loses self-esteem or status by giving in and allowing a demanding driver to have his or her way. 'Anger results when the other

¹⁶⁷ Wayne Warburton, Doctoral Student, Department of Psychology, Macquarie University, in conversation with the Committee, Sydney, 17 June 2004.

¹⁶⁸ In conversations with the Committee, Mr Ludo Kluppels, Policy Coordinator for the Belgian Road Safety Institute (BRSI), noted that the BRSI agreed with Dr Larson that these five beliefs underlie the commission of many acts of Road Violence (Mr Ludo Kluppels, Policy Coordinator, Belgian Road Safety Institute, in conversation with the Committee, Brussels, 7 July 2004).

driver persists, escalates his efforts, or actually succeeds in achieving his objective' (Larson 1996, p.40).

- ◆ A belief that drivers, vehicle and driving behaviour should measure up to certain self-created standards, and that those who fail to live up to these standards should not be allowed on the road. Anger results when an infraction of these standards is observed.¹⁶⁹
- ◆ A belief that it is appropriate 'to punish other drivers whose motoring threatens, annoys, inconveniences or fails to measure up to his self-created standards' (Larson 1996, p.40). While the previous four beliefs are seen to underlie the development of driver anger, this belief relates to the way in which drivers respond to triggering events. Larson argues that it is those who hold this belief, in conjunction with one of the previous four beliefs, who are likely to commit acts of 'road rage'.

Some evidence has been found for the influence of these beliefs on driver behaviour. For example, Harding et al's examination of Western Australian police data found that the stereotyped view that women are 'incompetent drivers' often motivated acts of 'road rage':

A number of case narratives show male drivers assaulting females who they believe have transgressed the tacit (masculine) rules of the road – in particular, failure to move decisively into traffic. In such situations, male feelings about females or feminists as such not infrequently emerge (Harding et al. 1998, p.232).

This would seem to coincide with the fourth belief identified by Larson, with 'female drivers' falling short of the self-created standards expected by many male drivers.

In relation to values, Crimmins and Callahan suggest that:

the tendency toward road rage arises not only from what we endure in life, but also from what we want out of life, our values. Road rage in any form, from rudeness to violence, is a violation of expected restraint, a breach of proper social behavior. People who value the absence of restraint more frequently exhibit road rage (Crimmins & Callahan 2003, p.5).

To test this notion, Crimmins and Callahan analysed the results of a general life style survey conducted annually in the United States between 1997 and 2000. This survey asked respondents a number of questions about their beliefs and values, as well as their behaviour. One of the questions included in this period was whether respondents had, in the past 12 months, given 'the finger' to someone while driving. Crimmins and Callahan sought to discover whether there was a correlation between the answer to this question and the values held by the 13,300 respondents.

169 Larson suggests that 'common elements which conflict with the arbitrary standards may include speed, gender of driver, lane changing, make of car, automobile decorations, age of driver, attitudes of other drivers, or the consequences of highway construction' (1996, p.40).

After controlling for age, gender and education, they found that the expected frequency of giving someone 'the finger' while driving was 38 per cent higher among people who agreed with either of the following two statements: 'I would try anything once' and 'I like the feeling of speed'. They also found the expected frequency of giving someone 'the finger' to be 32 per cent higher among people who disagreed with the statement 'religion is an important part of my life', or who agreed with any of the following statements: 'People should live together before marriage', 'I am in favour of the legalisation of abortion', 'I am in favour of the legalisation of marijuana', and 'I am in favour of the legalisation of doctor assisted suicide'. From these results, they conclude that:

Road rage is not just the result of impetuous youthfulness, gender, or lack of education. Road rage is the result of how we feel about life. Yes, a feeling of pent up pressure does increase the tendency to anger on the road as has been hypothesized. But at least as important as pent up pressure is the value we place on freedom from restraint and how we want to be perceived by others. Road rage reflects our values (Crimmins & Callahan 2003, p.7).

Apart from this study, no other studies have directly sought to examine the relationship between beliefs, attitudes or values and Road Violence. It does, however, seem fairly obvious that these factors will play an important role in an individual's decision to act violently on the road. As stated throughout this Report, a choice is made to use violence, and this choice will clearly be based to some extent on an individual's views about the appropriate way to act on the roads.

It is important to remember, however, that people are not born with their beliefs, attitudes or values. They are developed over the course of a lifetime, being influenced by a range of sources, such as family, friends and the media, as well as by the life experiences of the individual. In many cases an individual's beliefs and attitudes will reflect widely held cultural values. Some of the main influencing cultural values, and the way in which these values are transmitted, provide the focus of Chapter 15.

Physiological factors

The previous sections of this chapter have focussed on some of the psychological characteristics that may influence the decision to act violently on the road. It also seems likely that physiological factors play a role.

Physical ability

At the simplest level it seems probable that a person's physical capabilities will affect the way they behave. A strong male may, for instance, be more willing to engage in a physical confrontation with another driver than a weaker male, who may fear suffering injury. Such a disparity in strength may be one of the reasons behind the fact that it appears to be predominantly males who engage in Road Violence (cf Road Hostility or Selfish Driving) (see Chapter 8).

While issues of physical strength may have some influence, a lack of such strength will not always mitigate against the commission of violent acts on the road. This is because those lacking such strength are still able to use the car as a weapon, levelling the playing field. In this case, physiological factors will have influenced the choice of weapon, but not the decision to perpetrate Road Violence (National Committee on Violence 1990).

Evolutionary instinct

Physical ability is not the only physiological factor that may be of relevance. A number of other elements of human biology have also been seen to underlie violent behaviour both on and off the road. Road Violence has been seen by some, for example, to be the consequence of the evolutionary 'fight or flight' mechanism that has developed over the ages (see, for example, Connell & Joint 1996; Byrne 2000; Australian Academy of Science 2003). According to this argument,

The use of violence to address a perceived injustice or to defend one's wellbeing is probably as old as the human species itself; to some extent such reactions are an evolutionary defence mechanism designed to increase the chance of survival (Australian Academy of Science 2003, p.3).

Those who support this theory posit that people are 'biologically predisposed to behave in a fashion that can be labelled as "aggression" under defined circumstances of experience and in the presence of particular environmental factors' (Brain 1981, p.619). Certain physiological responses are seen to be triggered, for example by events recognised as dangerous:

In prehistoric times threats might have been posed by a hungry man-eating animal or by an attack from a rival tribe. These days it might be, for example, a negligent driver on the road who is perceived to threaten our wellbeing or status. We see the danger and our brain (subconsciously) triggers a chemical chain reaction.

The limbic system, a network of neurons in the brain, is involved with emotions such as fear and rage. One part of the limbic system, the amygdala, appears to be responsible for interpreting sensory information (eg, seeing a negligent driver) and sending appropriate messages to the hypothalamus. The hypothalamus releases neurotransmitters that stimulate the adrenal medullae – parts of the adrenal glands situated at the top of the kidneys – to release the hormones adrenaline and noradrenaline into the bloodstream (Australian Academy of Science 2003, p.4).

The release of these hormones has a number of physical effects, such as making the heart beat faster, raising the blood pressure, and stimulating the conversion of glycogen to glucose in the liver, allowing the delivery of more energy to the muscles. This prepares the body for either confronting the danger or escaping from it.

While no systematic attempts have been made to ascertain the extent to which such factors influence the incidence of Road Violence, they may contribute in

some cases. It is possible, for example, that once a person has interpreted an act as being dangerous, physiological factors will help override a person's usual inhibitions against violence. Such factors will rarely, however, be the sole cause of Road Violence. In most circumstances people are not suddenly overcome by a primal, physical urge to act violently which cannot be controlled. Unlike animals, humans have 'mediating processes such as judgment and choice that interrupt automatic responses' (Slovenko 2001, p.535). Violence is a choice, not a programmed reaction.¹⁷⁰

Neurological factors

While it will usually be the case that a person chooses to react violently to a situation that has been interpreted as frustrating, dangerous or provocative, in a few cases violence may be the result of brain pathology. Certain types of brain injury, for example, can result in uncontrollable rage, which may be played out on the road (Kowalski 1998).

Little research appears to have been done linking neurological factors to Road Violence, or even to road safety in general. Grey, Triggs and Howarth, however, note that, anecdotally,

It would seem unlikely that brain diseases play a major role in the occurrence of aggressive behaviour which results in road crashes, however it may be implicated in a very small number. Maletzky (1973) describes the episodic dyscontrol syndrome. Each of the subjects examined by Maletzky had a history characterised by episodes of violence. Subjects frequently used their vehicles aggressively and admitted to using a car as a weapon or to release tension. The cause of this syndrome, if it exists as a separate disease, is not clear. However, it serves to illustrate that a range of possibly organic factors can influence driving behaviour. Moyer (1981), reports on brain tumours that cause aggressive outbursts if located in a particular part of the brain. Sweet, Ervin and Mark (1969, cited in Moyer, 1981) describe one patient who had displayed hyper-irritability for a number of years. He began to have extremely destructive rages and began to drive his car recklessly. After removal of a tumour from his temporal lobe, these symptoms disappeared to be replaced by more stable and placid behaviour patterns (Grey, Triggs & Howarth 1989, p.23).

In recent years, some attempts have been made to discover whether 'road rage' may be caused by 'Intermittent Explosive Disorder' (IED), a disorder that may result in part from a deficiency of the neurotransmitter serotonin in the frontal lobe of the brain (Coccaro 2000; Galovski, Blanchard & Veazay 2002).¹⁷¹ Emil

170 This point was also made by Grey, Triggs & Howarth when examining the influence of biology on 'aggressive driving'. While agreeing that there is a biological basis to aggressive behaviour in humans, they also argued that 'there can be little doubt that there is [also] a substantial learning component (at least in the ways and situations in which aggression is expressed) to aggressive behaviour' (1989, p.63).

171 Intermittent Explosive Disorder is described by the DSM-IV as one of the impulse control disorders whose essential feature is 'the occurrence of discrete episodes of failure to resist aggressive impulses in serious assaultive acts or destruction of property' (American Psychiatric Association 1994, p.609).

Cocarro, director of clinical neuroscience and psychopharmacology research at the University of Chicago, believes that 1–3 per cent of the population may suffer from IED, which makes them prone to sudden outbreaks of anger:

One school of thought is that serotonin behaves as an inhibitor in the frontal lobe of the brain, putting the brakes on aggression. Imagine someone has just done something to annoy you. The subcortical structures of your brain are pushing you to react aggressively, but the frontal part of the brain steps in as a mediator and asks, do you really want to punch this guy? That inhibition is occurring even before you are aware of it, and gives you time to consider a more reasonable response. But if the serotonin system doesn't function very well, when the lower centres are stimulated and select the drive for aggression, then the braking mechanism is not so good and the frontal cortex fails to intervene in time (Cocarro, quoted in Byrne 2000, p.39).

In Galovski, Blanchard and Veazay (2002), structured psychiatric interviews were administered to 20 court-referred 'aggressive drivers',¹⁷² 10 self-referred 'aggressive drivers' and 30 'non-aggressive driving' controls. They found that 35 per cent of the court-referred drivers, and 30 per cent of the self-referred drivers met the criteria for IED, which was significantly greater than the proportion of non-aggressive drivers who met the criteria. This led them to conclude that IED may well explain the exceptionally high levels of aggression that some people exhibit for little or no apparent reason.

This finding coincides with much earlier research that linked brain functioning with violence. Mark and Ervin (1970), for example, found that 'an appreciable percentage of the relatively few individuals guilty of repeated personal violence are to be found in the 5–10 per cent of the population whose brains do not function in a perfectly normal way' (cited in National Committee on Violence 1990, p.65). Mednick et al. (1982) also found a link between abnormal patterns of electrical activity in the brain, concluding that between 25 per cent and 50 per cent of violent offenders manifest such abnormalities (as measured by electroencephalograph (EEG) readings). Nachson & Denno (1987) reported a high incidence of brain damage in violent offenders, while Lidberg, Tuck and Asberg (1985) observed a relationship between chemical imbalances in the brain and violent behaviour.

Having examined much of this research, the National Committee on Violence (1990) suggested that a disproportionate number of violent offenders do suffer some sort of brain dysfunction. It reiterated Nachson and Denno's (1987) caution, however, that in many cases this association is likely to be indirect rather than direct; brain dysfunction may adversely affect a persons' intelligence, learning ability, impulse control, perception of the world or ability to cope with frustrating events, which may result in violent actions. The National Committee concluded that:

172 These people had been convicted of the following offences: assault, menacing, harassment, reckless endangerment, disorderly conduct, reckless driving and speeding.

It seems probable that the association between neurological dysfunction and aggressive behaviour is mediated by psychological processes and environmental factors. These provide the link between neurological and social explanations (National Committee on Violence 1990, p.65).

This persuasive argument indicates that although in rare incidents brain functioning may directly cause them to commit acts of Road Violence, in most cases, even if there is some kind of brain dysfunction, this will not be the sole cause of such violence. It will be the interaction of this dysfunction with cultural, situational or car-related factors that will lead to the decision to act violently.

Mental illness

In evidence given to the Committee, Dr Andrew Carroll, Assistant Clinical Director of the Victorian Institute of Forensic Mental Health ('Forensicare'), suggested that, of the totality of 'road rage' offenders, there is probably 'a small but significant number who have a mental illness which is not being properly treated – either a depressive disorder or perhaps a delusional disorder'.¹⁷³ Mr Wayne Warburton made a similar suggestion:

Mental illness is an important [cause] that people do not talk about a great deal, but if you have bipolar disorder and you are on a manic phase, you are going to feel invulnerable. You have no sense of consequence, no worries about taking risks. People who are schizophrenic or are having a psychotic episode are going to feel paranoid on the roads. They may have urges to aggress or voices telling them to aggress on the roads. People who are depressed: there is a lot of discussion about how many deaths on the road are actually suicide... That is one area of interest because little more than one per cent of the population has schizophrenia, around two per cent bipolar disorder and so on, and a much larger number with depression, so the influence of mental illnesses on road rage is a very fruitful area for future research.¹⁷⁴

While neither Dr Carroll nor Mr Warburton were basing the link between Road Violence and mental illness on specific evidence, it is likely that in suggesting such a connection they were relying on the fact that many studies have found a relationship between some mental illnesses and violence in general.¹⁷⁵

Consistent links between violence and mental illness have been well documented. Recent studies confirm that violent behaviour is more likely to be exhibited by individuals with psychiatric disturbance, in particular those with substance and alcohol abuse and dependence, and anti-social personality disorder. Diagnoses such as schizophrenia, mood disorders and anxiety disorders

173 Dr Andrew Carroll, Assistant Clinical Director, Victorian Institute of Forensic Mental Health ('Forensicare'), Evidence given at the Public Hearing of the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 22 June 2004.

174 Mr Wayne Warburton, Doctoral Student, Department of Psychology, Macquarie University, in conversation with the Committee, Sydney, 17 June 2004.

175 For an overview of a number of these studies, see National Committee on Violence (1990, pp.74–6). For an overview of the links between mental illness and road crashes, see Grey, Triggs & Howarth (1989).

have a less powerful effect although these diagnoses do show an increased risk of violence compared to the general population (Asnis et al. 1997). Evidence from the Epidemiological Catchment Area Surveys shows that those reporting violent behaviour tend to be male, and of low socio-economic status, with more than half meeting DSM-III criteria for one or more psychiatric disorders (Swanson et al. 1990). Subjects with alcohol and drug use disorders were twice as likely to report violent behaviour. Psychiatric comorbidity is also a significant risk factor, although which specific diagnoses are comorbid still requires clarification (Swanson et al. 1990) (Fong, Frost & Stansfeld 2001, p.278).

Given this relationship between violence in general and some mental illnesses,¹⁷⁶ it seems reasonable to hypothesise that there may be a similar association between Road Violence and mental illness. Some studies have sought to examine this connection. Fong, Frost and Stansfeld (2001), for example, surveyed a group of London drivers about their 'road rage' experiences, as well as administering the Clinical Interview Schedule-revised version (CIS-R). The CIS-R is a survey instrument that measures people's psychiatric morbidity. The score generated is taken to indicate the severity of minor psychiatric disorder.

They found that people who admitted to having physically or verbally responded in anger to another driver's behaviour within the past five years scored significantly higher than the control group on the CIS-R. They did not, however, find an excess of personality disorder among this group of perpetrators. They conclude that 'road rage may be indicative of a broader level of psychiatric and social dysfunction' which makes perpetrators 'more susceptible to provocation and to losing their temper in driving situations' (Fong, Frost & Stansfeld 2001, pp.284–5).

In the study in which Galovski, Blanchard and Veazay (2002) examined the relationship between 'aggressive driving' and IED (see above), they also sought to discover whether 'aggressive drivers' had any other diagnosable psychopathologies. They found that:

aggressive drivers as a group, whether court- or self-referred, are highly likely to meet the criteria for diagnosable psychopathology; they have a high likelihood of meeting the criteria for some current or past Axis I disorder¹⁷⁷

176 The Committee believes it is vital to emphasise the fact that it is only some mental illnesses that are linked with violence. It is important to make this fact clear, to avoid further discrimination and stigmatisation of the many mentally ill people who exhibit no violent tendencies.

177 An Axis I disorder is a clinical disorder. Some of the Axis I disorders found among the 'aggressive drivers' interviewed by Galovski, Blanchard & Veazay (2002) were alcohol or substance abuse or dependence, generalised anxiety disorder, major depressive disorder, post-traumatic stress disorder, obsessive compulsive disorder, specific phobia, panic disorder, somatization disorder and social phobia.

(80%) and for one or more current Axis II disorders (40%).¹⁷⁸ Notable among the Axis I disorders are past alcohol or substance abuse or dependence (47%), current alcohol or drug abuse (20%) and current IED (33%); in all three of these, the aggressive drivers were more likely to be positive than the controls. This was also the case in antisocial personality disorder and borderline personality disorder. Thus, as a group, aggressive drivers are likely to be impulsive and angry as well as likely to abuse alcohol or other substances (Galovski, Blanchard & Veazay 2002, p.649).

It seems likely, given these results as well as the general link found between mental illness and violence, that some perpetrators of Road Violence do suffer from such illnesses. It is important to note, however, that while there may be a statistical correlation between people who are mentally ill and those who commit such acts of violence, mental illness 'is not by itself a powerful explanatory factor, and in any event is rare' (National Committee on Violence 1990, p.76). In other words, it is possible that a mentally ill person may commit an act of Road Violence despite being mentally ill, not because of the illness. Cases where the mental illness is the cause of the violence will be unusual.

Gender

The data presented in Chapter 8 indicated that while men and women may both commit acts of Road Hostility or Selfish Driving, it is overwhelmingly men who are the perpetrators of Road Violence. This coincides with data concerning other crimes of violence, which are also largely committed by men. While this disparity is likely to be due in part to the way in which masculinity is played out in Australian culture (see Chapter 15), it seems probable that there is a biological basis as well. This was the conclusion of the National Committee on Violence (1990). It noted that in Australia, men are at least 10 times more likely than women to be charged with violent offences, and stated that:

While this might represent a certain degree of selectivity in the operation of the criminal justice system, it strains credulity to suggest that this differential does not represent real sex-based differences in violent behaviour, especially when it is characteristic of Western societies generally, and is probably a universal phenomenon; Maccoby and Jacklin (1974) observe that males are more aggressive than females in all societies from which reliable information is available, and that in general, sex differences in temperament and aggressive behaviour appear too early in life to be solely attributable to socialisation (National Committee on Violence 1990, p.67).

178 Axis II disorders include personality disorders and mental retardation. Some of the Axis II disorders found among the 'aggressive drivers' interviewed by Galovski, Blanchard & Veazay (2002) were antisocial personality disorder, borderline personality disorder, paranoid personality disorder, narcissistic personality disorder, avoidant personality disorder, obsessive-compulsive personality disorder and histrionic personality disorder.

In the current context, these gender differences may be manifested in two main ways. Firstly, it is possible that women and men will interpret triggering events differently. What frustrates or angers women may differ from what frustrates or angers men. Secondly, men and women may respond to triggering events with distinct reactions. While men may, for example, outwardly express their anger, women may be more likely to mumble to themselves.

Evidential support for the first of these propositions is mixed, as can be seen in the results of a series of surveys conducted in the United States by Deffenbacher and his colleagues. Deffenbacher, Lynch and Oetting (1994) found a small but significant difference between what makes male and female drivers angry. Women were found to be more angered than men about acts of illegal driving, such as other drivers speeding or running stop signs, and about traffic obstructions, such as road repairs.¹⁷⁹ Men, on the other hand, were more likely than women to become angry about the presence of authority figures (such as police) being on the road, as well as about slow driving.

Slightly different results were found in a subsequent survey undertaken by Deffenbacher et al. (2000). While men were once again found to be more angered than women by slow drivers, in this survey they were also found to become angrier than women about discourteous drivers. This was not a result found in the 1994 survey. The earlier finding that women were more angered than men by acts of illegal driving and traffic obstructions was also not replicated in this survey. In general, there were found to be more non-significant than significant gender differences, with any effects from gender found to be quite small.

In Deffenbacher et al. (2003a; 2003b) no gender effects were found in relation to any anger measure – men and women became equally angry about each of the situations examined. This finding, combined with the fact that only small differences had been discovered in previous surveys, led Deffenbacher et al. (2003a; 2003b) to conclude that gender does not play a vital role in relation to driver anger.

Similarly mixed results have been found in surveys conducted in the United Kingdom. Parker, Lajunen and Summala (2002), for example, found that the men surveyed were more likely than women to become angry about traffic events that impede their progress, while the women surveyed became angrier than men about acts of reckless driving and direct hostility. By contrast, Lajunen and Parker (2001) found both men and women to be equally angered by acts of reckless driving, although women were again more angered by direct hostility than impeded progress, whereas men found having their progress blocked to be more angering than being the recipient of hostile acts.

179 Brewer (1998) also found women to report feeling angrier than men about illegal driving and traffic obstructions. Men were more likely to be angered by people cutting in on them or not dimming their headlights.

While it is unclear whether men and women are angered by different triggering events, it appears that they experience similar amounts of anger overall. That is, while men may be more angered by slow drivers, and women more angered by acts of direct hostility, when driver anger as a whole is considered, men and women appear to be equally angered by the complete range of triggering events. Each of the surveys discussed above found this to be the case.

The evidence for the second proposition outlined above – that men and women may respond to triggering events with distinct reactions – seems fairly clear. Although men and women appear to experience similar amounts of anger on the road, men are far more likely than women to express this anger with violence, as seen in Chapter 8. This has been shown in a number of studies, which found men and women to be equally angry but to respond differently to that anger. Parker, Lajunen and Summala (2002), for example, found that despite men and women reporting equivalent amounts of anger overall, men were more likely to react aggressively in relation to having their progress impeded and in response to acts of inconsiderate and impatient driving. Deffenbacher et al. also found that ‘although men and women did not differ in the tendency to experience anger while driving, they differed in terms of men being more aggressive’ (2003c, p.346).

This confirmed previous survey findings of Deffenbacher and his colleagues. In Deffenbacher et al. (2002b), for example, it was found that while men and women were equally likely to express their anger through verbal aggression, or through using their vehicles to express anger, men were significantly more likely to express their anger through direct physical aggression. Deffenbacher et al. (2003b) also found men to use greater personal physical aggressive expression than women. In Lupton’s (2002) interviews with Australian drivers about their experiences of ‘road rage’, she also found a strong gender difference in the way anger is manifested, with very few women externally expressing their anger. Lawton and Nutter (2002) also found that men were more likely than women to outwardly express their anger, although this was not a significant difference.

These findings coincide with more general research, which has usually found men to be more overtly aggressive than women, despite similarities in the feelings of anger reported (see, for example, Archer 1989; Buss & Perry 1992; Baron & Richardson 1994). It has been suggested that this link between gender and violence may partly result from the influence of hormones.¹⁸⁰ Some researchers have, for example, found a relationship between levels of plasma testosterone (a male hormone) and aggressive behaviour in human males (see, for example, Olweus 1988; Burrowes, Hales & Arrington 1988). Evidence regarding the relationship between violence and testosterone is, however, inconclusive (National Committee on Violence 1990). Even researchers who

180 In the VCCAV’s (1997) survey of Australian drivers, of the 61% of people who believed that men drive more aggressively than women, 52% believed this is due to factors such as hormones or genetics.

have posited this relationship tend to concede that testosterone is only one out of many possible causal factors operating on the decision to act violently (Olweus 1988).

While in some cases the presence of elevated levels of testosterone may lead certain men to have a predisposition to act aggressively, such individuals will generally have the capacity to choose not to act upon any violent impulses experienced. Testosterone does not *cause* an individual to commit acts of Road Violence. The decision to act violently is more likely to be influenced by cultural values and beliefs about the acceptability of using violence to resolve problems, perhaps combined with the influence of hormones, than by biological determinants alone.

Age

The data examined in Chapter 8 indicated that most acts of Road Violence were not just committed by men, but by *young* men in particular, indicating that age may also play a role in the causation of such acts of violence. As with gender, this once again reflects findings in relation to the commission of acts of violence generally:

Whilst aggressiveness is a trait which can endure over the course of one's life, violence tends to be the province of the young. With some exceptions, most acts of criminal violence are perpetrated by persons, indeed by males, between the ages of 15 and 30. Although this may to some extent reflect the influence of culture and socialisation, it no doubt indicates a biological basis as well (National Committee on Violence 1990, p.68).

The relationship between age and Road Violence seems fairly clear, with virtually every study examined by the Committee indicating that the commission of acts of violence (as well as acts of Road Hostility and Selfish Driving) decreases with age (see, for example, Bowles & Overberg 1999; Victorian Community Council Against Violence 1999; Wiesenthal, Hennessy & Gibson 2000; Miller et al. 2002; Asbridge, Smart & Mann 2003). A similar relationship has been found between age and driver anger (see, for example, Lajunen, Parker & Stradling 1998), although one study did find that anger at reckless driving increased with age (Parker, Lajunen & Sunnala 2002). The consistency of these results has led some authors to claim that age is the most important factor in the causation of Road Violence, Road Hostility and Selfish Driving (see, for example, Dukes 2001).

The relationship between age and violence, while clearly established, is not easy to explain. As noted in the quote above, it is likely to be due to a combination of cultural and biological factors. Feelings of rebellion, hostility and alienation are some of the factors that have been seen to lie behind the high incidence of Road Violence, Road Hostility and Selfish Driving committed by young people (Grey, Triggs & Howarth 1989; Johnson 1997). Others have cited the 'exuberance of youth, feelings of invincibility and the need for expression of

proWess' as underlying young people's seemingly aberrant behaviour on the road (Mooren 1997, n.p.). In conversations with the Committee, Dr Soames Job suggested that young male drivers are involved in Road Violence to a larger extent than others because of the 'issue of rights'. He notes that when most people first get their licence, at age 17 or 18, this is often:

the very first occasion where they are, to the full extent of the law in a social sense and in an interaction sense, treated as equal with everyone else. If you think about your average 17 or 18-year-old, they are in an educational institution – either they are finishing high school or they are at TAFE or they are at university – or they are probably at a relatively junior level in their workplace.

In all of those instances, in all of those locations and in all of those social circumstances the people they interact with who are older than them own a position of authority over them. But once they get in the car and they drive out on the road, the give way sign and the stop sign and the speed limit and everything else applies to the older driver as much as it does to them. It is the very first time we, as a society, in a subtle social sense – not in the strict legal rights sense, but in a social interaction sense – accord equal rights to people in that age group.

If someone older than them cuts them off in the traffic stream, you have affronted the very first occasion of their kind of passage to adulthood. That is a more significant social incident than it is to your average 40-year-old driver. That is part of the reason why this group sees these power incidents and the skill component of their driving as very important and their rights on the road – and that they be respected for those rights – as very important.¹⁸¹

It is likely that each of these factors, along with a lack of driving experience, and inadequate mechanisms for coping with the emotions that arise while driving, provide the foundation for the correlation between age and Road Violence.

Transient states

The factors examined so far have been what the Committee has called 'enduring traits'. These are elements of a person's nature that change slowly, if at all. While these traits form the 'core' of an individual's character, they are not the only person-related factors influencing behaviour. Other more transient states, such as a person's mood or stress level, can also play a role. While these states may be more fleeting, varying from day to day or even from moment to moment, their influence can be just as great as the more long-lasting traits.

¹⁸¹ Dr Soames Job, General Manager, Road Safety Strategy, Road Traffic Authority of New South Wales, in conversation with the Committee, Sydney, 17 June 2004.

Before looking at the main transient states that can affect a person's decision to act violently, it is necessary to examine briefly the way in which these states can be affected by external stressors in an individual's life.

Role of external stressors

Incidents of Road Violence are sometimes viewed to be 'the cumulative result of a series of stressors in the motorist's life. The traffic incident that turns violent is often "the straw that broke the camel's back"' (Mizell 1997, p.2). According to this theory, there is usually something else occurring in the perpetrator's life that provides the impetus for the violence. They may, for example, have had a bad day at work or may be having difficulties at home. Alternatively, they may be running late for a meeting or involved in some crisis, such as conveying a sick person to hospital.

A number of people have suggested that Road Violence, Road Hostility and Selfish Driving may be becoming more prevalent¹⁸² because of the increasing pressures and demands placed on individuals in modern society. For example, the Motorcycle Riders' Association Australia, in its submission to the Committee, argued that one of the causes of Road Violence is an 'increasingly time-poor society, due to longer working hours and longer travel times'.¹⁸³ A similar point was made by Stuster in his recent evaluation of two 'aggressive driving' programs in the United States:

Some people drive aggressively because they have too much to do and are "running late" for work, school, their next meeting, lesson, soccer game, or other appointment. There does, indeed, appear to be more to do with each passing year. It is reported that the average mother now spends more than an hour making five trips and driving 29 miles during a typical day. Many of the stops are to drop off or pick up children or elderly parents who cannot drive themselves. The endless series of errands and obligations of modern life weighs more heavily and/or more frequently on some individuals than on others, and can contribute to a pattern of aggressive driving (Stuster 2004, p.5).

'The ever-increasing non-driving pressures and frustrations that people in our ever more complex society experience' was also one of the factors most commonly mentioned by participants in a focus group on 'aggressive driving' conducted by Wark (2001, p.4). Asbridge, Smart and Mann (2003) saw these pressures as a possible cause of the higher incidence of 'road rage' in urban areas of Canada, where the demands of modern society are at their greatest.¹⁸⁴ Smart, Mann and Stoduto (2003) have also suggested that the increased

182 As noted in Chapters 3-6, the evidence concerning the increased prevalence of Road Violence, Road Hostility and Selfish Driving is inconclusive. These comments actually relate to the *perceived* increase in prevalence.

183 Submission from Motorcycle Riders' Association Australia, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 21 June 2004.

184 Alternatively, they suggest that the greater prevalence of 'road rage' in urban areas could be due to the fact that residents in large urban centres come into contact with more vehicles and drivers, increasing the chances of 'road rage' (Asbridge, Smart & Mann 2003).

pressures and stresses of life in Toronto may be why 'road rage' perpetration and victimisation is significantly greater in Ontario than elsewhere in Canada.¹⁸⁵

These pressures may be even greater for those who work on the roads. The University of Western Australia Crime Research Centre (1997), for example, notes that some professions, such as dispatch riders, earn more money for completing their travel quickly. This can lead to a very aggressive driving culture, and the use of violence against those who frustrate this goal.

Shinar attributes much of the increase in present day stress levels to the development of instant communications and global competition, which have 'made time more valuable than ever before – and its loss, equally more frustrating than ever before' (1998, p.42).

The pressured urban lifestyle of the late 1990s, (coupled with the spreading instantaneous communications that act to compress time), is such that we are under constant pressure to perform under an ever-increasing time and work pressure. In this environment, weekday driving is one of the last blocks of perceived 'wasted' time (and we try to eliminate that by working behind the wheel as much as possible – with cellular phones and dictating machines). Thus, it is likely that the increased value of lost time is causing us to be much more aggressive on the road than ever before, especially during the working days in work-related travel (Shinar 1998, p.157).

In his submission to the Committee, Mr Matthew Worrall made a similar point:

The nature of modern technology ensures an increase in anger and frustration. As most drivers use computers, and the Internet, we find psychological temporal effects of this occurring in other aspects of life. Human personal subjective experience of 'time' has changed and been compromised. The computer user has almost instant access to gigantic stores of knowledge and has almost instant access to representational communication with others. Alas, physical access to other humans takes longer and longer in time – the car journey to visit the other humans consumes (and therefore 'wastes') precious time. The relationship between the journey and the destination has been upset and skewed, both literally and metaphorically. The psychological duties, and benefits, of 'the journey' has been neglected and gambled away in the concentration on the 'goal', resulting in increasing frustration and insecurity. The instinctual physical expression of frustration is anger and violence.¹⁸⁶

While these external stressors may play a role in the causation of Road Violence, it is an indirect role. External events do not directly *cause* individuals

185 Smart, Mann & Stoduto (2003) also postulate that this may be due to there being more opportunities to be blocked or frustrated by other drivers due to congestion in Ontario, as well as being due to greater driving exposure.

186 Submission from Mr Matthew Worrall to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 26 February 2004.

to commit acts of Road Violence. The importance of external stressors arises because of their potential influence on an individual's state of mind. A bad day at work, for example, may put an individual in a poor mood. It is the person's mood that directly affects his or her behaviour, not the day at work. Similarly, while an individual's marriage breakdown may affect his or her driving behaviour, it does so indirectly, due to the levels of stress that individual is feeling and the effects this can have on concentration and judgment. The marriage breakdown itself is not to blame. In both of these examples the external events are mediated by the effect they have on the relevant individual. In many cases this effect may be to create a 'reservoir of anger, hostility, or frustration that is released by the triggering incident' (Mizell 1997, p.5), although the precise effect external events have on individuals can vary widely.

One consequence of seeing the role of such stressors to be mediated by the effect they have on the individuals concerned is that the decision to act violently is still considered to be the responsibility of the perpetrator, rather than being 'caused' by external events. The New South Wales Police Service made this point clearly:

It seems to be the current practice to categorise human behaviours into separate areas and then explain those behaviours as being due to certain external influences. To the lay person this could be seen as an effort to shift responsibility away from the individual and onto external causes. These efforts to generalise incidents of anti-social behaviour tend to legitimise those behaviours as though they were an accepted concept. The Police Service does not support this stance and rejects suggestions that these concepts lessen the responsibility of an individual for their actions (New South Wales Police Service, quoted in Victorian Community Council Against Violence 1999, p.20).

Mood and stress

It is often suggested that many cases of Road Violence are simply the result of a person being in a bad mood, or feeling particularly stressed, and displacing the associated feelings of anger or frustration onto other road users (see, for example Joint 1995; Johnson 1997; Mizell 1997; NRMA 2002). Brennan (1995), for example, asks:

Is the anger and aggression found in these situations perhaps displaced from another area? You might already be angry because your babysitter has just cancelled or the bank has refused that loan you badly needed. You then project this onto a hapless victim who quite unintentionally discovers the need to turn right rather than left and suddenly moves over, forcing you to brake (Brennan 1995, p.21).

A person's mood and stress levels may be influenced by external events, as outlined above. They may also be influenced by a range of other factors, such as a person's physical or mental health, whether or not they are fatigued, or even by aspects of the act of driving itself (see Chapter 14). From a common-sense

perspective, it seems likely that a driver's mood and levels of stress will influence the way people drive, as well as the way in which triggering events are interpreted and responded to. For example, a person in a bad mood is likely to become angry more readily at what may otherwise be considered a trivial act and vent their anger at other drivers, either via an act of Road Hostility or Road Violence. Similarly, a person who is under time pressure may perceive minor inconveniences to be highly frustrating, engaging in Selfish Driving, Road Hostility or even Road Violence in order to overcome any obstacles.

Some evidence has been found for the impact of mood and stress on driving behaviour generally. Joint, for example, notes that:

The AA Foundation for Road Safety Research carried out a major study designed to explore some of the lifestyle factors associated with drivers previously identified as "safe" or "unsafe" drivers... [The] study revealed that one of the main factors influencing driver behavior was mood. A greater number of unsafe drivers were affected by mood to a much larger extent than the safe drivers. It was suggested that this may be due to the fact that, for many of the unsafe drivers, the act of car driving is regarded as an expressive, rather than practical, activity. Being in a bad mood appears to have an adverse effect on driving behavior and this effect appears to be most pronounced among unsafe drivers (Joint 1995, p.4).

Similar results have been found in a number of other studies. McMurray (1970), for example, found that people had a higher crash rate immediately prior to getting divorced than either long before or long after the divorce. Selzer and Vinokur (1974) also found drivers to be more likely to be involved in crashes if there was a history of a recent quarrel or recent social stress. This may be due to the fact that stress has been found to affect driver concentration levels (Mathews, Dorn & Glendon 1991). Some conflicting results have, however, also been found. Isherwood, Adam and Hornblow (1982), for example, found that life event stress has little if any effect on crashes.

A number of studies have also sought to examine the relationship of mood and stress to feelings of driver anger, as well as acts of Road Hostility and Selfish Driving. In an early study of 'driver stress', Gulian et al. (1989b) found that negative moods felt at work or at home aggravate the severity of stress felt while driving. In another study, Gulian et al. (1989a) found that 42 to 75 per cent of responses to this driver stress (which they found to be also influenced by factors such as an individual's personality and incidents that occur while driving) involved 'aggressive driving behaviours'.

By contrast, Parkinson (2001) surveyed 113 people in England about their on-road and off-road experiences of anger, including questions relating to how they were feeling prior to those experiences. He found that mood was not as influential in causing anger in on-road situations as it was in off-road situations. While those surveyed did consider the 'pace and pressures of life off the road' to be more than moderately influential in the causation of driver

anger, other results obtained in this survey led Parkinson to suggest that drivers may 'perceive stress and pressure to be influencing their driving behaviour more than it actually does' (Parkinson 2001, p.523).

Crimmins and Callahan (2003) looked at the relationship between 'pent up pressure' and 'giving someone the finger while driving'. Controlling for age, gender and education, they found that the expected frequency of making such an obscene gesture was 32 per cent higher among people who agreed with at least one of the following statements: 'I feel under a great deal of pressure most of the time'; 'My opinions on things don't count very much'; or 'If I had my life to live over, I'd sure do things differently'.

Drews et al. (2003) also sought to examine the relationship between 'aggressive driving and road rage' and stress. They did this by testing 45 students on a driving simulator, offering half of the students a \$10 monetary incentive if they arrived at the end of the simulation faster than half of the prior participants. The participants systolic and diastolic blood pressure were measured before and while performing the simulated driving task, as a measure of stress.¹⁸⁷ At the end of the simulation, driver anger was also measured.

They found that both systolic and diastolic blood pressure increased significantly among males who had been offered the monetary incentive compared with males who had not been offered such an incentive. No such increase was found among female participants. These results were taken to indicate that:

Stress... is a precursor for aggressive driving/road rage as demonstrated by participants' cardiovascular reactivity. Men were vulnerable to stress... as indicated by elevated blood pressure, while women did not show a cardiovascular response. These findings are consistent with findings that aggressive driving is predominantly displayed by male drivers (Drews et al. 2003, p.197).

In the Committee's view, this conclusion is not supported by the results. While the results indicate that incentives for driving quickly may create stress, the study provides no link between that stress and either 'aggressive driving' or 'road rage'. In fact, the study found no relationship between stress levels and driver anger. Drews et al. (2003) suggest that this finding could have been due to the methodology of the study, which may not have provided sufficient conditions to induce high levels of anger. However, it is also possible that while incentives may increase stress levels, they may not increase a person's susceptibility to anger or violence on the road. These results should therefore be treated with some caution.

O'Brien, Tay and Watson (2004), however, did find a relationship between stress and driver anger. Part of their survey of 166 drivers in Queensland

187 Higher blood pressure is seen to provide an indication of greater levels of stress. For a discussion of the physiological aspects of driver anger and aggression, see Malta et al. (2001).

sought to see what effect time pressure would have on arousing anger and aggressive reactions. They found that the inclusion of a sense of time pressure (running late for a meeting) in the scenarios presented to participants resulted in the arousal of higher levels of anger, as well as an increase in the potential for a more aggressive response.

Unfortunately, there is very little evidence linking more serious acts of Road Violence to mood or stress. The one exception is a study of 284 'road rage' offenders conducted by the Belgian Road Safety Institute. This study found that in almost all cases offenders were suffering from external stress related to their work, family life or life in general at the time the offence was committed.¹⁸⁸ The precise extent to which this stress influenced their decision to act violently, however, was not measured.

This lack of evidence linking mood and stress to Road Violence was commented upon by Mr Alan Finlay in conversation with the Committee. He noted that while people's lives may be becoming busier, and stress increasing, this stress may simply act to increase the incidence of lower-level acts, such as making obscene gestures, rather than more serious acts of violence.¹⁸⁹

The Committee agrees with Mr Finlay that the role played by mood and stress in the commission of acts of Road Violence is unclear. The evidence above seems to indicate that these transient states can affect driver behaviour in general, and are likely to play a role in relation to acts of Road Hostility and Selfish Driving. It seems probable, however, that the decision to act violently is influenced to a greater extent by an individual's more enduring traits, such as their personality, as well as their experiences in using violence to resolve problems. This is not to deny the influence of mood and stress in relation to acts of Road Violence. A person who is already predisposed to violence may become more likely to act violently when in a bad mood or when feeling stressed. In most cases, however, it seems unlikely that a person who is not so predisposed will choose to react to a trigger with violence simply because of their mood at the time.

Alcohol

Alcohol consumption

The National Committee on Violence notes that 'the association of alcohol and violence has been observed in human society for millenia' (1990, p.86). It goes on to state that it has been 'generally accepted that alcohol consumption causes these undesirable consequences, whether directly through the pharmacological properties of alcohol, or indirectly by its disinhibiting effects'. Although the precise nature of the relationship between

188 Mr Ludo Kluppels, Policy Coordinator, Belgian Road Safety Institute, in conversation with the Committee, Brussels, 7 July 2004.

189 Mr Alan Finlay, NRMA Motoring and Services, in conversation with the Committee, Sydney, 17 June 2004.

alcohol and violence is complex,¹⁹⁰ the fact that there is such a link has been borne out in a large number of studies (see, for example, Pernanen 1991; Ito, Miller & Pollock 1996; Wells, Graham & West 2000).

This relationship between alcohol abuse and violence in general has led a number of authors to speculate that there may also be a similar connection between the specific act of Road Violence and alcohol consumption (see, for example, Fong, Frost & Stansfeld 2001; Mann et al. 2004; Yu, Evans & Perfetti 2004).¹⁹¹ Fong, Frost & Stansfeld, for example, note that ‘alcohol has a disinhibitory effect, and can unleash aggressive behaviour’, querying whether alcohol could ‘unleash the aggression in road rage, as it does for other forms of violence such as suicide, homicide and domestic violence’ (2001, p.279).

In making this suggestion, reference is also occasionally made to data linking alcohol to impaired driving behaviour, and the increased crash risk that results (see, for example, Fong, Frost & Stansfeld 2001). In addition, it is sometimes noted that incidents of Road Violence most commonly involve young males (Smart & Mann 2002b; Mann et al. 2004) – the same people most likely to be impaired drivers and to be involved in alcohol-related violence off the road (Donovan 1993; Macdonald & Mann 1996).

In light of the relationship between alcohol consumption, violence and driving behaviour in general, it is surprising to find that there are very few data supporting the speculation that alcohol use and Road Violence are connected. Only two studies have found such a link, with the findings in both studies being far from conclusive due to methodological concerns. One of these studies (Batten, Penn & Bloom 2000) examined five cases in which Road Violence had resulted in death. Alcohol was found to play a role in four of these cases. Unfortunately, the small size of this sample precludes generalising from these results. In addition, in none of the cases was the relevant blood alcohol content found to be very high.

In the other study (Rathbone & Huckabee 1999), 40 law enforcement agencies in the United States responded to a survey about ‘road rage’ incidents occurring within their jurisdiction. Of the 80 incidents identified, alcohol or drugs were reported to ‘be a factor’ in 12 cases.¹⁹² Again, the size of this sample

190 The relationship between alcohol use and violence seems, for example, to be mediated by factors such as an individual’s personality, as well as situational and cultural factors. The National Committee on Violence noted this and concluded that ‘although the relationship between alcohol and aggression is frequently observed, it is a complex relationship not necessarily related to the pharmacological properties of the substance. Instead, aggression arising in the presence of alcohol results from a highly variable interaction between what the individual brings to the situation and what the situation means to the individual’ (1990, pp. 89–90).

191 See also Submission from Ms Alison Cran, Director, Community and Cultural Services, Shire of Yarra Ranges, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 22 June 2004.

192 Drugs and alcohol did not play a role in 35 of the incidents, with the influence of drugs or alcohol being either ‘not applicable’ or ‘unknown’ in the remaining 33 cases. This led Rathbone and Huckabee to conclude that in 25.5% of the incidents where the information was known, either alcohol or drugs were reported to be a factor.

makes it difficult to draw broad conclusions. In addition, no distinction was drawn between the influence of drugs or alcohol.¹⁹³ Moreover, this data only reflects police estimates of the involvement of alcohol or drugs in the incident, rather than being taken from analysis of blood alcohol content. The actual involvement of alcohol in these incidents therefore remains unclear.

A number of other studies have found little evidence of a link between alcohol consumption and Road Violence. In Fong, Frost and Stansfeld's survey of drivers in London (2001), none of the subjects who admitted to having committed acts of 'road rage' reported drinking alcohol on the day of the incident. While it is possible this result is due to respondents wishing to avoid acknowledging the fact that they were drink-driving, this seems unlikely given the fact that they admitted to having committed acts of 'road rage' and also reported using drugs on the days in question (see below).

The New Zealand Police's analysis of 16 incidents in which car drivers exhibited either verbal or physical aggression, also found that none of the assailants were affected by alcohol (Wright, Gaulton & Miller 1997). A comparable result was found by Antwerp police when they analysed 'road rage' incidents that occurred between July 1997 and June 1998. Of the 299 incidents examined, only 3 per cent were seen to result from 'alcohol abuse'.¹⁹⁴ Given these findings, it does not seem surprising that in Smart and Mann's (2002a) analysis of newspaper reports of 'road rage' incidents in Canada, not one article mentioned the use of alcohol by the perpetrator.

It has been suggested that this lack of a relationship between Road Violence and alcohol consumption may be because most incidents of Road Violence occur during the daytime, whereas drink-driving is more common in the evening or the night (Wright, Gaulton & Miller 1997; Smart & Mann 2002b; Mann et al. 2004). In addition, it is possible that people who drink-drive want to avoid unnecessary attention, and so shy away from involvement in such incidents (Wright, Gaulton & Miller 1997). Whatever the reason, current evidence indicates that alcohol consumption does not play an important role in the commission of acts of Road Violence, although it may be a factor in some cases.¹⁹⁵

Alcohol problems

Two recent studies (Mann et al. 2004; Yu, Evans & Perfetti 2004) have sought to discover whether there is a relationship between people who suffer from alcohol problems and those who commit acts of Road Violence, Road Hostility and Selfish Driving. Unlike the research reported above, these studies did not investigate whether perpetrators of these acts were affected by alcohol at the time of the incident, but rather whether the same people who commonly

193 The relationship between other forms of drug abuse and Road Violence is discussed below.

194 Mr Ludo Kluppels, Policy Coordinator, Belgian Road Safety Institute, in conversation with the Committee, Brussels, 7 July 2004.

195 As alcohol consumption can lead to impaired driving skills, it is possible that some of the triggers for Road Violence will be committed by people who are intoxicated. This is, however, different from alcohol consumption causing Road Violence.

drink alcohol, and who can be said to have a drinking ‘problem’, act violently, selfishly or with hostility on the roads.¹⁹⁶

In hypothesising that there may be such a relationship, a large body of research is relied upon. Yu, Evans and Perfetti, for example, after noting the association between alcohol use and violence, suggest that:

Since alcohol impairs judgment, reduces intellectual functioning and affects cognitions and emotions, it may release pent-up anger and frustrations, thus inducing violence (Bushman & Cooper, 1990; Graham, Wells, & West, 1997). In addition, the research literature showed that conditions associated with chronic alcohol abuse, such as depression (Miczek, Weerts, & DeBold, 1993), sleep withdrawal (Pernanen, 1976), and paranoia (Potter-Efron & Potter-Efron, 1991) might also increase rage and violence, suggesting that alcohol abusers were likely to display violence not only while intoxicated, but also in the absence of alcohol consumption or intoxication. Under these notions, then, it was reasonable to argue that alcohol abusers and problem drinkers were not only likely to drive under the influence of alcohol (Caviola & Wuth, 2002), but were also likely to be involved in road aggression even when they were sober, due to aggression/rage inducing conditions associated with chronic alcohol use (Yu, Evans & Perfetti 2004, p.422).

In the research conducted by Mann et al. (2004), this relationship was tested by questioning 2,610 respondents in Canada about their experiences as both victims and perpetrators of specific acts of ‘road rage’.¹⁹⁷ As well, the Alcohol Use Disorders Identification Test (AUDIT), designed to detect problem drinkers at the less severe end of the spectrum, was used. For the purposes of analysis the AUDIT was divided into three subscales, measuring alcohol consumption,¹⁹⁸ alcohol dependence¹⁹⁹ and alcohol problems.²⁰⁰

196 While suffering from an alcohol problem could perhaps be considered an enduring trait rather than a transient state, it is included within the general discussion of the effects of alcohol for the sake of convenience.

197 Respondents were asked about the number of times in the past 12 months they had: (1) shouted, cursed or made rude gestures at a driver or passenger in another vehicle; (2) threatened to hurt a driver or passenger in another vehicle or threatened to damage that person’s vehicle; (3) intentionally damaged or attempted to damage another driver’s vehicle; and (4) intentionally hurt or attempted to hurt a driver or passenger in another vehicle. They were also asked how often they had been victims of the same behaviours in the past 12 months.

198 Questions measuring alcohol consumption were: (1) How often did you drink alcoholic beverages during the last 12 months? (2) On those days when you drink, how many drinks do you usually have? (3) About how often during the past 12 months would you say that you had five or more drinks at the same sitting or occasion?

199 Questions measuring alcohol dependence were: (1) How often during the last year have you found that you were not able to stop drinking once you had started? (2) How often during the last year have you needed a first alcoholic drink in the morning to get yourself going after a heavy drinking session? (3) How often during the last year have you failed to do what was normally expected from you as a result of drinking?

200 Questions measuring alcohol problems were: (1) How often during the last year have you had a feeling of guilt or remorse after drinking? (2) How often during the last year have you been unable to remember what happened the night before because you had been drinking? (3) Have you or someone else ever been injured as a result of your drinking? (4) Has a relative or friend or doctor or other health worker ever been concerned about your drinking or suggested that you cut down?

While the alcohol consumption and alcohol dependence subscales of the AUDIT were found to be only significantly correlated with 'road rage' perpetration or victimisation on a small number of measures,²⁰¹ a significant relationship was found between the alcohol problem subscale of the AUDIT and almost all forms of 'road rage' victimisation and perpetration. This led Mann et al. to suggest that 'individuals who are experiencing problems from alcohol are also those who report being perpetrators of road rage and victims of road rage' (2004, p.167).

In Yu, Evans and Perfetti (2004), the relationship between the frequency of alcohol use, alcohol problems, 'aggressive driving' and 'road rage' was tested by surveying 431 drivers from the United States who were in alcoholism treatment because of a drink driving-related reason. They were asked questions about the frequency of their involvement with 'aggressive driving'²⁰² and 'road rage'.²⁰³ They were also asked about the frequency of their alcohol consumption, and about whether they suffered from alcohol problems.²⁰⁴

As with the research of Mann et al. (2004), they found no relationship between the frequency of alcohol consumption and either 'aggressive driving' or 'road rage'. In contrast to Mann et al., however, they also found no correlation between alcohol problems and 'road rage', although a link was found between alcohol problems and 'aggressive driving'. These results led Yu, Evans and Perfetti to conclude that 'road rage' and 'aggressive driving' are more likely to be affected by specific problems, rather than by general behaviours.

Yu, Evans and Perfetti found no correlation between the frequency of alcohol use and either 'aggressive driving' or 'road rage'. However, they did find a significant relationship between drivers who commit such acts and those who admit to driving frequently even though their driving ability might have been impaired by alcohol, marijuana, cocaine or a combination of alcohol and drugs. They argued that these findings

convey a message to the alcoholism and substance abuse treatment field as well as criminal justice professionals that addressing the problem of road aggression requires special attention to persons with alcohol problems and especially those with multiple drinking driving offenses since persons who

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- 201 Alcohol consumption was only significantly correlated with shouting, cursing or making rude gestures at other road users. Alcohol dependence was only significantly correlated with being a victim of verbal abuse – and in this case it was a negative correlation (people dependent on alcohol were less likely to be victims of verbal abuse).
- 202 Participants were asked about how frequently they were involved in driving 11–20 miles above the speed limit; driving as fast as the car and road conditions allowed; speeding up at intersections when the light turned yellow; driving through stop signs; driving through red lights; making sudden stops or turns; and weaving in and out of traffic.
- 203 Participants were asked about how frequently they were involved in stepping hard on the brake when someone followed too closely; tailgating other cars; honking the horn unnecessarily; cutting other drivers off; yelling at other driver; and making obscene gestures at other drivers.
- 204 Alcohol problems were measured using the 11 diagnostic criteria from the DSM-IV (American Psychiatric Association 1994).

frequently drive impaired are likely to be involved in road aggression even when they are not under the influence of alcohol and drugs. Thus, drinking drivers who habitually drive in an aggressive manner may have a much higher chance of involvement in road rage (Yu, Evans and Perfetti 2004, p.428).

The findings from these two surveys suggest that there is probably a relationship between those who have an alcohol problem and those who engage in Selfish Driving. There may also be a relationship between alcohol problems and Road Hostility or Road Violence, although this has not been established with certainty. Even if there is such a relationship, it is not clear whether it is the respondents' alcohol problems that cause them to commit acts of Road Violence, or a common underlying cause of both their alcohol problems and their tendency to act violently, as was noted by Mann et al.:

Alcohol problems may somehow lead to road rage perpetration or victimization, or alcohol problems and road rage may share a similar causal mechanism. Problem Behaviour Theory suggests a possible underlying causal mechanism. It is conceivable that serious road ragers are individuals immersed in a more deviant lifestyle that incorporates relatively frequent rule breaking behaviour and a general disregard for legal sanctions. For these individuals, road rage is simply one manifestation of a general propensity for antisocial and criminal conduct. Gottfredson and Hirschi (1990) have argued that a single process, low self-control, is the cause for a wide range of criminal and delinquent behaviours. Individuals do not specialise in their criminal conduct, and low self-control is likely to manifest itself in a variety of ways that could include abuse of alcohol and road rage (Mann et al. 2004, p.167).

They suggest that a common underlying cause of 'road rage' and alcohol problems is more likely than alcohol problems being the cause of 'road rage'. In support of this conclusion, they argue that if alcohol use was a causal factor, a more significant relationship between road rage and the alcohol consumption subscale of the AUDIT should have been found. Such a relationship has been found in relation to alcohol use and drink-driving, collisions and injuries (see, for example, Cherpitel 1992; Cherpitel et al. 1995). They do not, however, reach a definitive conclusion about the role played by alcohol problems, raising the need for further research. The Committee agrees that additional research into the relationship between alcohol and Road Violence would be beneficial.

Other drugs

At the conclusion of their investigation into the relationship between alcohol use, 'aggressive driving' and 'road rage', Yu, Evans and Perfetti state that:

Another avenue for future research on road aggression is to compare alcohol with other drugs. Similar to alcohol consumption, drug use is associated with violent behavior (Harrison, Erickson, Adlaf, & Freeman, 2001). Thus, it is important to investigate the impact of drugs on aggressive driving and road rage

and to compare the extent to which alcohol users and drug users differ in terms of their involvement in road aggression (Yu, Evans & Perfetti 2004, p.428).

As in the case of alcohol consumption, it is suggested here that as a relationship has been established between drug use and violence in general, a similar connection may exist between the specific acts of Road Violence, Road Hostility or Selfish Driving and drug use. Ms Alison Cran, Director, Community and Cultural Services, Shire of Yarra Ranges, made this point in her submission to the Committee:

when people use amphetamines, methamphetamine-ice and GBH their behaviour becomes aggressive and they would therefore be likely to commit acts of 'road rage' when under the influence or withdrawing from the drugs.²⁰⁵

Unfortunately, very little research has been conducted into the relationship between drug use and Road Violence. Apart from Rathbone and Huckabee's (1999) finding that drugs or alcohol were 'a factor' in 12 of the 80 'road rage' incidents identified (see above), only two other studies found by the Committee have raised the issue of drug use. Fong, Frost and Stansfeld (2001) found that 14 per cent of people who admitted to having committed acts of 'road rage' were taking medication or illicit drugs on the day of the incident. This did not, however, differ from the proportion of 'road rage' victims who were taking medication or illicit drugs when attacked. 'Road rage' perpetrators were, however, significantly more likely to report having used illicit drugs in the past.

AAMI also found some evidence of a relationship between drug use and acts of Road Hostility or Road Violence:

Looking at drugs and driving, in particular the use of illicit drugs in driving, people are twice as likely to express their anger on the roads or engage in tailgating. Significantly, that was 18 per cent, compared to 9 per cent against the rest of the sample. They are twice as likely to honk their horns and more than twice as likely to be subjected to road-related physical assault.²⁰⁶

While these surveys provide limited support for the view that people who use drugs, or have previously used drugs, may be more likely to commit acts of Road Hostility or Road Violence, they provide little evidence that such acts are committed under the influence of drugs. As with those suffering from alcohol problems (see above), it may not be the case that drug use causes people to act with violence or hostility, but that similar causes underlie both their drug problems and violent behaviour.

205 Submission from Ms Alison Cran, Director, Community and Cultural Services, Shire of Yarra Ranges, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 22 June 2004.

206 Mr Frank Peppard, Manager, Corporate Affairs, AAMI, Evidence given at the Public Hearing of the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 21 June 2004.

Such a finding would seem to coincide with the general evidence concerning the relationship of drug use to violence. Despite Yu, Evans and Perfetti's assertion that 'drug use is associated with violent behavior', this is not actually the case in relation to many drugs, as was noted by the National Committee on Violence:

The association which is observed between alcohol and violent behaviour is rarely seen in the case of the most commonly abused illicit drugs (Nurco et al. 1985; Goldstein 1989). Of course, violence is a frequent occurrence in parts of the drug culture, but in Australia such violence is almost always associated with the trafficking and distribution of drugs, and their high cost, rather than with their consumption (National Committee on Violence 1990, p.90).

This is not to deny that in some cases the use of drugs may be associated with violence. The National Committee on Violence, for example, notes that a relationship has been found between the use of amphetamines and violence,²⁰⁷ as well as between acting violently using PCP (angel dust). However, a consistent correlation between violence and the use of other common drugs, such as heroin and cannabis, has not been found, although some violence may be associated with heroin withdrawal. Given the general lack of a correlation between drug use and violence, it is unlikely that drug use plays a central role in relation to acts of Road Violence.

Conclusion

This chapter has shown that there is a wide range of person-related factors that can influence an individual's decision to commit acts of Road Violence, to a greater or lesser extent. Some of these, such as a person's personality, and their attitudes and belief, are likely to play a central role in many cases. Others, such as whether a person is affected by drugs or alcohol, will probably only be of importance in a small number of incidents. It is unlikely, however, that any of these factors will be the sole cause of Road Violence. Most acts of Road Violence will arise due to the interaction of these person-related factors with situational, car-related and cultural factors. The next chapter examines some of the situational factors that may influence a person's choice to act violently.

207 For a more detailed discussion about the effect of amphetamines, see Drugs and Crime Prevention Committee (2004).

13. Situational Factors

Introduction

After analysing 16 incidents of 'road rage' in New Zealand, Wright, Gaulton & Miller concluded that acts of driving-related violence are caused by a complex interaction of triggering events and offender-related factors (such as their personality), 'compounded by environmental factors such as traffic density, weather conditions, poor light, heat and humidity, high noise levels and road features' (1997, p.6). According to this view, while it is primarily person-related factors (such as those discussed in the immediately preceding chapter) that lead to violent behaviour, any predisposition to act violently can be exacerbated by certain situational factors, such as traffic congestion. This chapter examines the role played by these situational factors in the commission of acts of Road Violence.

Situational factors and triggering events

Situational factors differ from the 'triggering events' discussed in Chapter 10, in that their effect is indirect. The influence of these factors usually arises from their impact on a driver's mood or stress levels, rather than being matters which lead to a direct reaction. People do not, for example, tend to react violently simply because they are hot. Instead, excessive heat may result in a driver feeling particularly irritable, and more likely to react violently to a specific event, such as being tailgated. It is for this reason that these situational factors are sometimes referred to as 'environmental' factors – they are a part of the environment or backdrop to the decision to act violently.

Congestion

Public perceptions

Traffic congestion is one of the most commonly cited causes of Road Violence. Numerous authors have suggested that the stress from such congestion is 'a major contributing factor to violent traffic disputes' (Mizell 1997, p.14). In one of the earliest studies of 'road rage', Joint suggested that the phenomenon began in the late 1980s, when 'drivers in the United States, apparently

frustrated by increasing congestion, began fighting and shooting each other on a regular basis' (1995, p.1), and that:

Increasing levels of congestion on the roads have undoubtedly played a role in raising tempers among drivers and may partly explain why our survey revealed that the majority of motorists feel that the behavior of drivers has changed for the worst in recent years (Joint 1995, p.3).

This view has been reiterated dozens of times (see, for example, Connell & Joint 1996; Grennan 1996; James 1997; Johnson 1997; Brewer 1998; Kowalski 1998; Pavelka 1998; Shinar 1998; Stephen 1999).²⁰⁸ In a 1999 article on 'road rage' and 'aggressive driving' in *USA Today*, over 20 highway safety experts were reported to have told the author that congestion is at the crux of such behaviour. One expert noted that 'no one gets angry when they see an empty stretch of highway' (Bowles & Overberg 1999, p.2).

Similar views were put forward by a number of members of the United States Subcommittee on Surface Transportation (1997) in their Inquiry into *Road Rage: Causes and Dangers of Aggressive Driving*. In Chairperson Petri's opening introduction, for example, he stated:

Although there are many causes of aggressive driving, a leading factor is the problem of congestion. While we're driving more – up by 35 percent since 1987 in the United States – the number of miles of roads has increased by just 1 percent. Congestion for a motorist is often the match that lights an already short fuse (United States Subcommittee on Surface Transportation 1997, p.14).

Representative Rahall agreed, arguing that:

it should be obvious to even the most casual observer that the incidence and severity of aggressive-driving-related mishaps is on the definite increase. A number of reasons are being advanced for this situation, but in my view there are two fundamental reasons: number one, the fast pace of our modern society; and, number two, the congestion which chokes our very sanity (United States Subcommittee on Surface Transportation 1997, p.15).

Role of congestion

There appear to be three separate yet related elements to this suggestion that congestion plays a vital role in the commission of acts of Road Violence. Firstly, it is argued that heavy traffic can increase driver stress, or have negative effects on a driver's mood, due to the delays it can cause (see, for example Brewer 1998; Cackowski & Nasar 2003). After observing that participants in his focus group on 'aggressive driving' commonly highlighted the dominant role played by congestion, Wark stated that 'people drive in order to reach a

208 See also Submission from Ms Fiona Campbell to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 21 June 2004; Mr Rob Hansen, Queensland Parliamentary Travelsafe Committee, in conversation with the Committee, Brisbane, 15 June 2004.

destination; the more their progress toward that destination is frustrated, the more aggression can be expected' (Wark 2001, p.4).

Secondly, it is suggested that congestion can also affect drivers' mood or levels of stress if it leads them to feel overcrowded (see, for example, Joint 1995; Wiesenthal, Hennessy & Gibson 2000; Wark 2001). In this case the issue is not the time delay caused by heavy traffic, but the simple fact of too many cars and people on the road. It is suggested that this can lead to feelings of claustrophobia, as well as competition for limited space, which in some instances will result in violent behaviour:

Classic work in social psychology has shown that people placed in competition for scarce values tend to display aggressive and denigrating behavior toward each other. Obviously, in the increasingly congested environment of the road, free space in which to drive can be considered "scarce" (Wark 2001, p.3).

In positing this link between overcrowding and violence, some authors have pointed to studies of animal behaviour (for example, Calhoun 1972; Christian 1973), showing that crowding leads to increased incidents of aggressive attacks, breakdown of social organisation and abnormal physiological functioning (Joint 1995; Connell & Joint 1996; Fong, Fost & Stansfeld 2001). While studies of the effects of crowding on humans have shown inconsistent results (Epstein & Karlin 1975; Karlin et al. 1976), it is suggested that in some cases the effects will be the same:

Studies of animal behavior have shown how rats and various primates can respond aggressively in response to overcrowding. It is reasonable to suggest that humans respond in a comparable manner (Joint 1995, p.2).

Thirdly, it is sometimes argued that increased congestion may contribute to the incidence of Road Violence by bringing together a number of people with a predisposition to act violently, and providing more opportunities for 'triggering events' to occur. De Pasquale et al. (2001), for example, note that congested highways produce an environment conducive to violence, because driving in such conditions is more likely to result in crashes and near-crashes due to tailgating and other 'aggressive driving' practices. As seen in Chapter 11, Selfish Driving practices such as cutting in or brief acts of tailgating can occasionally lead to Road Violence.

It should be noted that according to this argument, it is not really congestion itself that causes Road Violence – heavy traffic simply acts to bring a number of other triggers and causes together in the one place. Green (2002) pointed this out when commenting on a study that found increases in 'aggressive driving' in congested areas to be linear rather than geometric:

In other words, the ratio of pushy to polite motorists was about the same when traffic flowed freely as when it was congested. This might suggest that traffic jams don't cause Dr. Jekyll to become Mr. Hyde. Instead, a certain percentage of the population may always drive aggressively, and congestion

concentrates more of them at the same spot at the same time (Green 2002, pp.15–16).

Data

While it is commonly assumed that congestion is one of the main factors contributing to the incidence of Road Violence, there is little evidence to support this assumption. To some extent, this is due to the difficulty of testing the effect of congestion on road user behaviour, and of separating this effect from other influences. Smart et al., for example, note that ‘relationships between anger and road congestion ... appear to be complex and may be mediated by factors such as overall aggressiveness, gender, fatigue, or alcohol use’ (2002b, p.187).

Despite these problems, however, attempts have been made to discover the effects of congestion on driver behaviour, with mixed results.²⁰⁹ Some studies have found a relationship between heavy traffic, driver stress and Selfish Driving. Hennessy and Wiesenthal (1997), for example, called drivers on their mobile phones to question them about their driving experience. They reported that drivers in high congestion were more stressed than those in low congestion, and that ‘aggressive’ behaviours (including swearing, purposeful tailgating and horn honking) were twice as frequent in high congestion than in low congestion.

Additional support for the relationship between congestion and Selfish Driving was found in Sarkar et al’s (2000) analysis of complaints about ‘aggressive driving’ made to the California Highway Patrol. They discovered a spatial and temporal correlation between the volume of traffic on freeways and the number of complaints made, leading them to conclude that congestion is a contributing factor. Smart, Mann and Stoduto (2003) suggested that their finding regarding ‘road rage’ perpetration being greater in Ontario than elsewhere in Canada may be due to greater congestion levels in Ontario, although they also pointed to the increased pressures and stresses of life in Toronto as an alternative cause of this.

By contrast, when Underwood et al. (1999) examined driving diaries kept by 100 drivers in the United Kingdom, they found no significant correlation between the frequency of driving anger reports and traffic congestion level ratings. In other words, there was no tendency for drivers who generally reported higher congestion to also report more anger. Although they found, on a trip by trip basis, that anger was more likely to be reported on congested journeys, this finding was confounded by the fact that congested journeys were

209 Although it is possible that congestion will also affect other road users, such as cyclists or motorcyclists, this is unlikely, given their ability to filter through heavy traffic. It has been suggested, however, that this ability to filter through traffic may be one of the triggers for people committing acts of violence against motorcyclists (Ms Lee O’Mahoney, Motorcycle Riders Association Australia, Evidence given at the Public Hearing of the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 21 June 2004).

also longer in distance and time, and so provided more opportunity for anger provoking incidents to occur.

Underwood et al. found it difficult to interpret these results, especially in light of broader research suggesting that events which impede one's goals (such as congestion) generally cause anger. They suggested that:

It might be that drivers who rate their journeys as being high in traffic congestion are so used to being in such conditions that they simply tolerate them and are not angered. Many drivers accept that their route to work, for example in the morning, will contain areas of congestion and leave plenty of time to accommodate this. In this way, the traffic congestion could not be considered to be blocking goal-related activities at all and so may not provoke anger. Likewise, journeys with relatively low traffic densities might create more opportunity for potentially angering situations such as near accidents to occur by virtue of the fact that drivers can drive freely and with greater speed (Underwood et al. 1999, p.66).

Lajunen, Parker and Summala also sought to test the hypothesis that 'drivers frequently exposed to congestion and dense traffic should resort to aggressive traffic behaviour more frequently than drivers who are exposed to congestion less frequently' (1999, p.226). They did this by comparing the driving behaviour²¹⁰ of drivers in Finland (the most sparsely populated country in the European Union) with drivers in Great Britain and the Netherlands (two of the most densely populated countries in the European Union). They argued that if congestion leads to 'aggressive driving', then the British and Dutch drivers should drive 'aggressively' to the same extent, while the Finnish drivers should be less 'aggressive'.

However, they found no statistically significant relationship between the amount of exposure to congestion and acts of 'aggressive driving', with drivers from each of the three countries surveyed reporting similar levels of 'aggression' on the road:

The relationship between exposure to congestion and aggressive driver behaviour is as weak in relatively congested countries such as Great Britain and the Netherlands as in countries with a lower level of congestion like Finland (Lajunen, Parker & Summala 1999, p.232).

They also found that frequent exposure to congestion did not increase the frequency of 'aggressive driving' significantly more than frequent driving in the countryside in less congested conditions. They did, however, find a correlation

210 Driver behaviour was tested using a version of the Driver Behaviour Questionnaire (DBQ). The DBQ measures three forms of aberrant driver behaviour – lapses (such as pulling away from the lights in third gear, switching on one thing when meaning to switch on another, or taking the wrong exit), errors (such as failing to see a stop sign and narrowly avoiding a collision; failing to check rear-view mirror; or underestimating the speed of an oncoming vehicle when overtaking) and violations (such as disregarding speed limits, overtaking on the inside, and tailgating as a signal to go faster) (Stradling & Meadows 2000). Only the error and violation scales were used in this study.

between exposure to driving during peak hour in all three countries and the number of 'ordinary violations' committed. These are driving behaviours which are aimed at gaining advantage and maintaining progress – what the Committee calls Selfish Driving. No such correlation was found between driving during peak hour and 'aggressive violations' – those behaviours which involve at least some intention to indicate aggression to another road user. These results led them to conclude that:

Exposure to congestion does not significantly increase the likelihood of aggressive behaviour. Hence, the hypothesised congestion-aggression link was not supported, at least not in a general form. However, driver stress or feelings related to exposure to congestion were not recorded. In earlier studies about driver stress, it has been found that rush-hour traffic congestion is interpreted as stressful by many drivers which is also reflected in physiological stress measures like in blood pressure and heart rate. Although it is fairly clear that traffic jams increase the likelihood of frustration and negative emotions, frustration does not necessarily always lead to aggressive acts. It is more likely, according to the results of the present paper, that drivers frequently exposed to traffic jams commit ordinary traffic violations having instrumental aims. The primary aim of a driver delayed by a traffic jam is to be at his or her destination in time, not to spend time getting involved in arguments with other road users (Lajunen, Parker & Summala 1999, p.234).

In conversation with the Committee, Mr Ludo Kluppels agreed with this conclusion. He noted that when the Antwerp Police in Belgium examined 'road rage' incidents that occurred between July 1997 and June 1998, most were found to have occurred in the afternoon. As traffic in Antwerp is just as heavy in the morning, he viewed these results as an indication that congestion does not cause Road Violence.

In fact, it has been suggested that while moderate levels of congestion may sometimes contribute to the incidence of Road Violence, very heavy traffic may in fact lessen the number of people who act violently on the roads:

[Congestion] is almost certainly a factor, but heavily congested conditions both lower driver expectations and prevent escape for the truly violent. Heavy congestion may also lessen the sense of anonymity that contributes to aggression on roadways (Rathbone & Huckabee 1999, p.33).

In the Committee's view, Mr Kluppels and Lajunen, Parker and Summala are correct in asserting that congestion *per se* does not cause Road Violence. While none of the studies outlined above specifically examined the relationship between Road Violence and congestion, the results would seem to indicate that the mere presence of heavy traffic is unlikely to cause people to act violently. In some cases it may increase their feelings of anger or their stress levels, but this is more likely to be due to other factors, such as running late for a meeting or already being in a bad mood, than to the fact that the roads are congested.

Ms Fiona Campbell made this point in her submission to the Committee. Ms Campbell kept a daily record for six months of the incidents of 'road rage' incidents perpetrated against her when cycling to and from work in Sydney. While on most days she recorded at least one incident of tooting, verbal or gestured abuse, tailgating or aggressive overtaking and cutting in, she found that such incidents did not occur during the school holiday period, when there was much less congestion. She concluded from this that:

Congestion, or an 'overcrowding' stress response has merit and is supported by my observation that incidents almost disappeared during the school holiday period. However, having lived in outer London where congestion was much worse but patience far greater, I believe that it is congestion *combined* with travel time expectations. It is well known that motorists underestimate car journey travel times. But in London there is a higher acceptance of congestion caused delays.²¹¹

A similar observation was made by Wark (2001). Referring to a finding by Shinar (1998) that aggression in response to congestion seems to be more intense on weekdays than weekends, he argued that this is because the value of time on weekdays is greater, resulting in increases in the experience of frustration. 'Thus the issue is not just the degree of congestion encountered but how that congestion interacts with other aspects of the driver's life' (Wark 2001, p.5).

In the absence of external stressors or particular attitudes about the need for speed or mobility on the road, people may be quite content to sit in heavy traffic – especially if the congestion was anticipated and taken into account when planning the journey. If, on the other hand, the congestion was unexpected, or if no reason can be seen for the congested conditions, it is possible that certain people will become frustrated or even angry. However, even if people feel angry or stressed because of the time delay caused by congestion, or because of feeling overcrowded, they are unlikely to respond with violence unless they are already inclined to do so due to factors such as their personality or their history of acting violently.²¹² As Lajunen, Parker and Summala (1999) note, they are more likely to react with acts of Selfish Driving, aimed at overcoming the obstacles caused by heavy traffic, than to commit acts of violence.

211 Submission from Ms Fiona Campbell to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 21 June 2004.

212 This point was made by Dr David Indermaur, who questions the theory that congestion causes Road Violence, arguing that 'everything that I am seeing says to me that road rage is a by-product of young males' belief that they can control or will be able to control others' (Dr David Indermaur, Senior Research Fellow, Crime Research Centre, University of Western Australia, in conversation with the Drugs and Crime Prevention Committee, 21 June 2004). Mr Colin Jordan also suggests that congestion is at most 'a compounding factor, secondary to the antisocial tendencies discussed above' (Submission from Mr Colin Jordan, Managing Director and CEO, RACV, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 18 June 2004).

As discussed above, however, it is likely that more incidents of Road Violence will occur in congested traffic conditions – not because congestion *causes* Road Violence, but because of the greater concentration of cars and road users in the one location. This not only enhances the possibility that a ‘triggering event’ will arise, but also increases the chance that people who have a predisposition to act violently will encounter situations they will interpret as dangerous, frustrating, provocative or violating and choose to respond with violence. Congestion is thus a factor that should be taken into account when considering responses to Road Violence, even in the absence of conclusive evidence showing it to be a cause of such violent behaviour.

Discomfort

It is possible that feelings of discomfort may also contribute to the incidence of Road Violence. Such feelings can be caused by a variety of factors, such as excessive heat or noise. When feeling uncomfortable, a person is likely to become increasingly distressed, irritable or angry. This may result in them more readily interpreting triggering events as frustrating or provocative, and responding with violence. Some of the main sources of discomfort while driving are discussed in the following sections.

Heat

A number of studies have found a relationship between uncomfortable levels of heat and an increase in aggressive behaviour (see, for example, Baron & Ransberger 1978; Bell & Baron 1981). This has led some authors to speculate that there may also be a connection between hot weather and ‘aggressive driving’ behaviour in general (Grey, Triggs & Howarth 1989; Lowenstein 1997), and Road Violence and Hostility in particular (Connell & Joint 1996; NRMA 2002; Galovski & Blanchard 2004).²¹³

Only one study has sought to test this relationship experimentally. Kenrick and MacFarlane (1986) arranged for a driver to block an intersection in Phoenix, Arizona, on a number of occasions between April and August. The driver deliberately ignored the presence of a green light, and remained stationary, preventing the car behind from proceeding through the intersection. To gauge driver aggression, they measured the time that elapsed before drivers behind sounded their horn, the number of times they sounded the horn, and the duration of each honk. These measurements were correlated to continuous temperature readings that were also taken. A direct, linear relationship between the outside temperature and the measures of aggression was found, with people sounding their horn more quickly, more often and for longer periods of time when the temperature was at its hottest.

213 Mr Wayne Warburton, Doctoral Student, Department of Psychology, Macquarie University, in conversation with the Committee, Sydney, 17 June 2004, also noted the link between heat and aggression.

Although there are some methodological concerns with this study (such as whether horn honking is a valid measure of aggression (see Novaco 1991; McGarva & Steiner 2000; Dula & Geller 2003), it does seem likely that feeling hot can affect a person's behaviour. People who feel uncomfortable due to heat may be particularly irritable, or in a hurry to arrive at a cooler destination. This may result in both heightened emotions, as well as a greater readiness to view even minor obstacles as especially frustrating. While this may result in the commission of acts of Road Hostility, as people seek to 'let off steam', as well as in acts of Selfish Driving as people try to escape the heat, there is no evidence to suggest that it will lead to more serious acts of violence. As in the case of congestion, the decision to act violently is more likely to be influenced by person-related and cultural factors, such as an individual's attitudes and beliefs about the acceptability of using violence to overcome obstacles, than by temperature.

It should be noted that while some studies have found incidents of 'road rage' to be more common in the summer months (see, for example, Rathbone & Huckabee 1999), this was not found in the Committee's own analysis of police data, nor in the analysis of incidents reported in the media. Incidents of Road Violence were not found to be more likely in any particular months of the year. Even if there were such a relationship, it would not necessarily be due to the influence of heat. The NRMA suggests that such a relationship could arise because at other times of the year, when raining or foggy, drivers may 'have pre-expectations of less than perfect road conditions and allow longer time for their journeys and/or may be more forgiving of other road users' errors' (2002, p.4).

While it is possible that heat may be a factor in some cases of Road Violence, the Committee does not consider temperature to be a major contributor to such violence. This is especially the case given the number of cars that now have air-conditioners, reducing any impact heat may have. As more cars are fitted with air-conditioning as a standard feature, it is likely that the role played by temperature in the commission of acts of Road Violence will be even further diminished (NRMA 2002).

Noise

Background noise has also been found to influence the expression of aggression (Mueller 1983; Grey, Triggs & Howarth 1989). In particular, noise that cannot be controlled has been found to influence the intensity of aggression which has already been provoked (Connell & Joint 1996). It is suggested that this may occur because uncontrollable noise can produce stress and make concentrating more difficult (Connell & Joint 1996; Fong, Frost & Stansfeld 2001). In the road context, this may mean that a person affected by loud noise will respond to a triggering event with violence, when they may otherwise have only reacted to such an event with Road Hostility.

No studies have been conducted to test the influence of noise on Road Violence. In light of the general research outlined above, however, it is possible that noise may play a role. This may especially be the case in urban areas,

where noise from heavy traffic and loud car stereos is common (Fong, Frost & Stansfeld 2001). The sounds of road construction, horn honking and engines revving may also negatively affect a person's mood or stress levels, influencing their behaviour. However, as with heat, it is more likely that people will respond to such noises with acts of Road Hostility or Selfish Driving than with Road Violence.

As with temperature, it is likely that cars will be developed over time with features that further reduce the impact of external noise. The increasing number of cars fitted with sound systems may also minimise the impact of unwanted, uncontrollable outside noise, as drivers can drown this out with their own selection of music.

It has been suggested, however, that certain types of music, particularly 'aggressive' music, may actually contribute to the incidence of Road Violence. Mr Wayne Warburton, Doctoral Student of the Department of Psychology, Macquarie University, in conversation with the Committee, suggested that listening to aggressive music could begin the process of increasing arousal which, in conjunction with the presence of a triggering event, could lead to Road Violence.²¹⁴ Arguably, however, if there is a relationship between violent acts and such music, it is more likely that it arises from a similar underlying cause (such as personality) that leads certain people both to listen to such music and to act violently.

Mr Wayne Warburton also noted that while Connell and Joint (1996) suggest that noise only acts to enhance the intensity of aggression which has already been provoked, there is some evidence to suggest that noise can also directly cause aggression (Geen & McCown 1984).²¹⁵ In the road context, this appears to have been borne out, with Mizell (1997) reporting one incident in which a person was killed because they turned off their car alarm too slowly. Such incidents, however, seem to be rare, with the Committee finding no other similar reports of Road Violence directly caused by noise. In addition, in cases such as that reported by Mizell, noise should be considered a 'triggering event' rather than a cause. The decision to kill someone because they could not turn off their alarm quickly enough was likely to have been influenced by a range of other person-related, situational, car-related or cultural factors.

Uncomfortable cars

One other obvious source of potential discomfort, which may influence an individual's mood, is the nature of the car itself. Cramped conditions and uncomfortable seating, in particular, may lead to irritability, affecting an individual's interpretation of triggering events, as well as their reaction to those triggers. This prospect was raised by men who attended a men's responsibility group session at the Inner South Community Health Centre (see Chapter 10).

214 Mr Wayne Warburton, Doctoral Student, Department of Psychology, Macquarie University, in conversation with the Committee, Sydney, 17 June 2004.

215 *ibid.*

When questioned about the causes of 'road rage', they suggested 'poor seat comfort' as one possibility.²¹⁶

While no studies have been undertaken to test this suggestion, the Committee believes that the discomfort caused by sitting in some cars is just as likely to influence one's behaviour as the discomfort caused by heat or noise. In particular, long journeys spent in uncomfortable seats may have a severe impact on a driver or passenger's mood. However, as in the case of heat and noise, while such discomfort may lower a person's tolerance towards other road users' driving behaviour, making them more willing to engage in acts of violence, the decision to commit acts of Road Violence will be influenced much more by other factors. In addition, as cars become more comfortable, and older cars are taken off the road, the role played by this form of discomfort is likely to diminish.

Road condition, road design and road rules

Effect on mood and stress levels

It seems probable that the way in which roads are designed, and the condition of the roads driven on, will also play a part in the commission of acts of Road Violence. Brewer, for example, argues that 'physical factors such as road conditions... can have an effect on mood and perception' (1998, p.496). In making this comment, Brewer is presumably referring to the fact that the roads driven on vary greatly, and may influence an individual's state of mind. For example, driving on multi-lane freeways may stress some people, while narrow one-way streets may annoy others. The road surface (paved or dirt) and condition (well-maintained or potholed) can also affect the driving experience, as can roadside appearance:

Griswold (1984) noted that the broad or general appearance of any specific environment correlates with prosocial or antisocial behaviours. Although Griswold specifically focused on improving appearances of an environment to prevent burglary in commercial areas, his findings can be applied to highway systems. Keeping highways clean, maintaining visible boundary markers, reminding drivers to be cautious, and posting useful information in relation to destinations and exits can maintain driver faith in a working system (Burns & Katovich 2003, p.633).

Few attempts have been made to judge the impact road design and conditions have on driver mood and behaviour. The presence of unmarked potholes has been found to lead to a small amount of anger in some drivers, as has road construction (Deffenbacher, Lynch & Oetting 1994). There is also some evidence that people feel less anger, aggression and fear when exposed to vegetated, as opposed to urban, roadside videos, due to the 'calming' effects of

216 Submission from Ms Michele Wright, Family Violence Project Worker, Inner South Community Health Service, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 18 June 2004.

nature (Parsons et al. 1998). A subsequent attempt to confirm this effect through the use of a driving simulator, however, met with mixed results (Cackowski & Nasar 2003). While some support for the hypothesis that roadside scenery has a restorative effect (improving drivers' mood and decreasing stress) was obtained, results were not conclusive. This could, however, have been due to the nature of the simulation.

Although there is a lack of evidence confirming the influence road design and conditions can have on a drivers' mood, it seems clear to the Committee that in some cases these factors will have an effect. As with each of the causes outlined in this chapter, however, this impact will not lead directly to the commission of acts of Road Violence. It may predispose a driver to becoming angry or feeling frustrated, but the decision to act violently will depend on many of the other factors discussed in this Part of the Report.

Relationship with 'triggering events'

Road design may also be important insofar as it can create or reduce opportunities for particular 'triggering events' to arise (University of Western Australia Crime Research Centre 1997; Wark 2001). For example, drivers may become frustrated if they are required to endure long delays on a one-lane road on which people often turn right but need to wait for a gap in oncoming traffic before doing so. This may lead to some instances of violence being committed against the driver of the turning vehicle, especially if they are viewed as being too cautious. If right-hand turns were prohibited at that point in the road, or if the road were designed differently so as to include a turning lane, similar problems may not arise.

Ms Lyn Stewart noted this relationship between Road Violence and road design in evidence given to the Committee.²¹⁷ She argued that 'road rage can be caused by poor road planning and poor signage', providing the example of violence committed against people who do not know where they are going and change lanes suddenly or slow unnecessarily when approaching traffic lights. She suggested that signs advising motorists that they are approaching traffic lights and providing the name of the cross-road may 'stop possible road rage from occurring', as unsure drivers would have sufficient information to allow them to determine the appropriate lane in which to drive.

The importance of road design in the context of cycling was also noted in a number of submissions made to the Committee. Mr Bart Sbeghen, for example, argued that designing roads to include 'good quality bike lanes' could help reduce the incidence of violence against cyclists by making it 'easier and safer for cyclists and motorists to share the road safely'.²¹⁸ In particular,

217 Ms Lyn Stewart, Evidence given at the Public Hearing of the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 22 June 2004.

218 Submission from Mr Bart Sbeghen, Campaigns Manager, Bicycle Victoria, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 15 June 2004. See also Submission from Mr Mathew Strain to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 6 July 2004.

such lanes can reduce the possibility that drivers will become frustrated by, and act violently against, 'lower speed cyclists'.

While seeing bicycle lanes as advantageous, Mr David Levin Q.C. notes that it is also important to ensure that such lanes are properly integrated into the road network:

Too often marked bicycle lanes cease at or prior to junctions. It would be of enormous assistance to have some indication that cyclists may continue in a direct route even though some of the drivers in the left-hand lane may wish to turn left. This can be done by dotted line road markings and/or by tarmac colour changes, i.e. by indicating the cyclist's route in red coloured tarmac. This may remind the vehicle driver to slow and observe carefully any slow moving cyclist on the nearside of the vehicle. Such measures may reduce the instances of conflict and therefore reduce road rage.²¹⁹

In this submission, as well as in the evidence given by Ms Stewart, the importance of clear road markings and signage was emphasised. This was also noted by the NRMA (2002) which argues that unclear road markings can lead to conflict. A lack of clarity about road rules, particularly concerning roundabouts, has also been raised as one of the factors contributing to some incidents of Road Violence. For example, in a focus group of Canberra drivers organised by Purdon Associates Pty Ltd (1997), it was generally agreed that most drivers do not know which lane to use on multi-lane roundabouts.²²⁰ This often results in sudden lane changes or cutting across cars to reach the exit – events which can trigger Road Violence.

This is not to suggest that roundabouts themselves are a problem. The point being made is that there is a lack of understanding about how to use roundabouts. If properly understood, roundabouts may in fact be preferable to traffic lights, insofar as they require motorists to interact with each other, negotiating their passage in a less rigid and rule-bound fashion. In Chapter 11 it was suggested that one of the four types of triggers for Road Violence is a situation that is interpreted as 'violating' the road rules. It is likely that such situations anger people because of the heavily rule-bound traffic culture that exists in Australia. Under such a system, a person who breaches the rules may be considered to have gained an unfair advantage, and should be 'taught a lesson'. If driving were instead to be considered a more cooperative and flexible activity, people may be more willing to focus on ways to better negotiate the driving experience, rather than treating minor breaches of the rules with intolerance.

219 Submission from Mr David Levin Q.C., Convenor, Wigs on Wheels, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 5 August 2004.

220 In evidence provided to the Committee, Dr Malcolm Vick also noted a strong sense among police and road safety agencies that people do not know how to use roundabouts properly (Dr Malcolm Vick, School of Education, James Cook University, Townsville, in conversation with the Drugs and Crime Prevention Committee, 22 June 2004).

At present, however, it appears that roundabouts create particular problems for road users. Mr David Levin Q.C. also cites roundabouts as one of the most troubling road features for cyclists, with motorists often unaware of cyclists' rights.²²¹ A general lack of awareness of the way in which road rules apply to cyclists was raised in a number of other submissions to the Committee.²²² Cogsgirls, for example, argue that:

In most cases, road rage behaviour is unfounded, stemming from the motorists lack of understanding relating to the rights of cyclists on the road rather than mistakes made by the cyclists. In particular, motorists seem generally unaware that cyclists are allowed to ride two-abreast, and also often appear to be of the view that cyclists should move over or give way to allow motorists to pass. Another commonly held view amongst motorists is that cyclists are obliged to use cycle paths, where cycle paths are provided, and to not ride on the road.²²³

Ms Fiona Campbell also noted this general lack of awareness about the road rules relating to cycling, explicitly linking this lack of knowledge to acts of Road Violence:

Drivers have a poor knowledge of road rules, especially the rules for bicycles. A 2001 Sydney study²²⁴ confirmed results of an earlier RTA study: that most drivers think cyclists should not be able to ride on main roads (without cycle tracks) during peak hours. It also found that only 19% of Sydney drivers know that cyclists are allowed to ride two abreast. Importantly, it found a significant association between lower levels of road rule knowledge and poor attitudes towards cyclists. Those of us who ride bicycles know only too well that it is very often the mistaken belief of drivers that we are in the wrong that leads them to feel justified in verbally and/or physically intimidating us, sometimes with tragic consequences. Educating drivers on the rights of (and in respect for) all road users would make a valuable contribution to safety.²²⁵

It seems to the Committee that this lack of clarity concerning certain road rules, as well as unclear road markings and poor road design, will be significant contributing factors in some cases of Road Violence. This is not to suggest that these matters are the sole cause of such violence. As stated

221 Submission from Mr David Levin Q.C., Convenor, Wigs on Wheels, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 5 August 2004.

222 Submission from Cogsgirls to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 18 June 2004; Submission from Mr Bart Sbeghen, Campaigns Manager, Bicycle Victoria, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 15 June 2004; Submission from Ms Fiona Campbell to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 21 June 2004.

223 Submission from Cogsgirls to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 18 June 2004.

224 Rissel, Campbell, Ashley & Jackson 2002, 'Driver road rule knowledge and attitudes towards cyclists', *Australian Journal of Primary Health*, vol. 8, no. 2.

225 Submission from Ms Fiona Campbell to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 21 June 2004.

throughout this Report, violence is a conscious choice made by its perpetrators. However, it seems likely that in some cases at least, this choice will be influenced by the way in which roads are designed and the knowledge of those who use them.

Necessity for car use

It has been found that areas in which the car is the only viable form of transport are the same areas which have the highest incidence of deaths caused by 'aggressive driving' (NRMA 2002). While to some extent this will be due to a greater number of cars on the road in such areas (raising the likelihood of an 'aggressive driving' death), it may also be due to the fact that people who do not feel like driving may be required to do so. This means it will be more likely that people who are already feeling angry or violent due to off-road circumstances will get into their cars if they need to go somewhere, and may 'take out' their anger on other road users in incidents of Road Violence or Road Hostility.

By contrast, those areas with low 'aggressive driving' death rates were found to be those with high public transport use and/or many people walking or cycling to work, to the shops or to school (NRMA 2002). Not only do such activities lessen the number of cars on the road, reducing the likelihood of Road Violence, but they can also provide a general 'calming' effect on a neighbourhood. It is suggested that this can encourage community interaction, reducing not just acts of Road Violence but also crime in general (Litman 1999).

The Committee was unable to find any studies that examined the extent to which the availability of alternative means of transportation affects the incidence of Road Violence. However, it seems self-evident that designing areas to provide people with options about the means of travel would also reduce the number of cars on the road and thereby prevent some incidents from occurring. The overall design of the areas in which people live should therefore also be considered a factor that influences the commission of Road Violence acts.

Inhibiting factors

Throughout this chapter the focus has been on situational factors that might influence the decision to act violently on the roads. There are also some situational factors that might inhibit such a decision. People who may otherwise be willing to commit acts of Road Violence may be dissuaded from doing so due to the presence of such factors. Some of the primary inhibiting factors are discussed below.

Police presence

In evidence given before the United States Subcommittee on Surface Transportation's Inquiry into *Road rage: Causes and dangers of aggressive driving*,

Ricardo Martinez, Administrator of the National Highway Traffic Safety Administration (NHTSA), suggested that 'the definition of a good driver is someone who just saw the police pull over someone else' (United States Subcommittee on Surface Transportation 1997). What he was alluding to was the fact that drivers alter their behaviour in the presence of police, something he had experienced earlier that morning:

It was terrible coming to work today, and all of the sudden there was a police officer on a motorcycle coming through, and people were about as nice as you could be to each other for about 2 minutes as he went through, and then all of a sudden reverted back to the "all against all" attitude (United States Subcommittee on Surface Transportation 1997).

Mr Martinez suggests that a reduction in traffic law enforcement over the past two decades in the United States is one of the main causes of 'aggressive driving'. Similarly, Lonero sees the reduction in traffic enforcement across North America as underlying the (perceived) increase in 'aggressive driving', with police presence seen to have an 'inhibiting effect' on such driving (2000, p.4). Bill Kelley, Deputy Commissioner of the California Highway Patrol, suggests that due to this lack of traffic law enforcement with regard to 'aggressive driving' behaviour:

The driving populace now contains large numbers who believe they can flaunt law and common sense, operate on their own terms and ignore the potential consequences (Kelley 1998, p.22).

In each of these cases it is contended that to some extent drivers make a rational decision about the way they drive, taking into account some of the consequences of their behaviour. In particular, they do not wish to suffer the penalties applicable if found guilty of breaching traffic regulations. They therefore drive more carefully when they believe there is a risk of apprehension by the police. Conversely, when the risk of being caught seems low they feel free to engage in acts of Selfish Driving.

It seems equally likely, if not more so, that people will not wish to suffer the more severe consequences of being convicted of a criminal offence, which may be the result if police observe them committing more serious acts of Road Violence. It is therefore probable that the presence of police will also act to prevent people from engaging in acts of driving-related violence.

Presence of witnesses

In much the same way that police presence may inhibit acts of Road Violence, the presence of witnesses may also prevent some acts from occurring. This is an example of 'natural surveillance' as a recognised situational crime prevention measure. This may especially be the case if the potential perpetrator believes there is a likelihood that witnesses will intervene, or that the witnesses will report the matter to the police and be able to identify them in such a way as to result in a probable conviction. This will depend on the circumstances of

the incident. For example, it is more likely that the presence of witnesses will inhibit people from acting with severe violence due to an increased probability that the incident will be reported to the police. In most cases the presence of witnesses is unlikely to prevent more minor acts of Road Hostility or Selfish Driving from taking place.

Presence of passengers

It is possible that having other people in the car may inhibit some acts of Road Violence. The NRMA cited evidence that 'driving alone increases the chance of someone driving aggressively and becoming enraged' (2002, p.7). This may be due to the fact that a driver may not feel comfortable expressing his or her anger in the presence of a passenger, or because the passenger persuades them not to act violently. Alternatively, the distraction of having a passenger in the car may prevent a driver from focussing on 'triggering events' to such an extent as to result in violence.

It seems likely, however, that the inhibiting effect of passengers will depend on factors such as the personality of the potential perpetrator, the nature of the passengers, and the relationship between the driver and the passengers. There is some evidence to suggest, for example, that people with a controlled orientation (see Chapter 12) become angered while driving regardless of the presence of passengers. By contrast, those with an autonomous orientation exhibit less driver anger when there are children in the car than they do when driving by themselves or in the presence of adult passengers (Knee, Neighbors & Vietor 2001). It is suggested that this may be due to the supportive and protective care-giving style associated with having an autonomous orientation, leading people to modulate their emotions in the presence of children.

In some cases the presence of passengers in the car may actually increase the likelihood of Selfish Driving, Road Hostility or Road Violence. For example, in conversation with the Committee, Dr Barry Watson noted that the Centre for Accident Research and Road Safety–Queensland (CARRS-Q) had conducted a study on whether having peers in the car affects 'aggressive driving' by young people. They found some evidence supporting an increase in 'aggressive driving' in such circumstances.²²⁶ Presumably this is due to the influence of factors such as peer group pressure and the need by some young people to establish 'self-esteem' by undertaking risky behaviours (see Chapter 15).

It is also possible that it may, in fact, be the passengers themselves who instigate acts of Road Violence, or who are the intended recipients. In Mr Russell Stevens' submission to the Committee, for example, he outlined an incident of Road Violence in which he and his girlfriend were involved.

We were involved in a violent road rage incident which was reported to Police in October last year. During this particular incident, which was the defendant's

²²⁶ Dr Barry Watson, Centre for Accident Research and Road Safety – Queensland (CARRS-Q), in conversation with the Committee, Brisbane, 15 June 2004.

fault, unknown to us, the defendant followed our vehicle for approx. 5 kilometres. While we were stationary at the corner of Williams and Toorak Roads during peak hour, the defendant punched his fist through my partner's open driver's side window, to get at me, hitting my girlfriend in the mouth. The argument escalated as my partner tried to explain his driving mistake, and that of the vehicle before his, and then we were all out of the vehicle. The defendant chased me and smashed the passenger window of our vehicle.²²⁷

In this incident, while Mr Stevens' girlfriend was the driver, it appears that Mr Stevens, the passenger, was the main target of the violence.

The role played by passengers in the commission of acts of Road Violence therefore seems equivocal. In some cases it is likely that they will inhibit violence from taking place, while in other cases they may aggravate the possibility.

Nature of the victim

People who have been angered by 'triggering events' and who are ready to react with violence may be prevented from doing so due to the nature of the victim. For example, discovering that a potential victim is female or elderly may dissuade some perpetrators from acting violently. Alternatively, others may be inhibited from committing Road Violence against a strong-looking male for fear of retaliation.

Some support for this hypothesis came from a survey of 166 university staff and students conducted in Queensland (O'Brien, Tay & Watson 2004) which found that 'triggering events' committed by young men resulted in greater levels of anger than similar events committed by either young or elderly women. People were also found to be more likely to retaliate against young men or women than they were against elderly women, presumably due to it being less socially acceptable to commit acts of violence against the elderly. There was, however, no difference found in the likelihood of retaliation between young men and young women, with offenders equally likely to act with violence against either party when angered.²²⁸

The type of car driven by the person committing the 'triggering event' may also prevent some acts of Road Violence, with some evidence suggesting that driver aggression is inhibited by 'high status' vehicles (McGarva & Steiner 2000). McGarva and Steiner suggest this is due to a fear that drivers of expensive vehicles may hold a position of power, possibly resulting in detrimental consequences for those who commit acts of violence against them. It may also be due to other factors, such as a fear that those who drive such vehicles can

227 Submission from Mr Russell Stevens to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 5 August 2004.

228 It was also found that 'triggering events' committed by anonymous offenders aroused more anger than when the same events were committed by elderly women, and were more likely to receive an aggressive reaction than when such events were performed by either young or elderly women. O'Brien, Tay & Watson (2002) suggest this indicates that in the absence of identifying characteristics drivers will assume offenders are young men.

afford to legally retaliate, an assumption that drivers of 'low status' vehicles are likely to be young men, or an increased level of respect held for those who are wealthy.

In each of these cases, the inhibiting effect will be influenced by person-related and cultural factors as well. While one person may, for example, hold the attitude that women should not be the target of violent actions, others may not be so chivalrous. This may particularly be the case if the perpetrator is a woman. Similarly, while some people may value wealth, and be inhibited by the 'high status' of the car, others may hold the opposite view, being more likely to retaliate against expensive vehicles and their drivers. The impact of the victim's nature is therefore very dependent upon the circumstances of the incident, and will not have a uniform effect.

Conclusion

This chapter has examined the role played by situational factors in the causation of Road Violence. While some of these factors, such as congestion, are commonly cited as leading to such violence, they appear to be subsidiary to more important person-related and cultural factors. This is not to deny that they may play a part in influencing a person's decision to act violently, but a person's personality, attitude and values will have a greater influence on this decision. Road design, however, seems to be a significant contributor to the likelihood of violent acts being committed and should be considered when designing strategies to address the problem of Road Violence.

14. Car-Related Factors

Introduction

In an article in the *Boston Herald* in January 1996, Teitell noted that some therapists in the United States were speculating that 'road rage' was caused by 'Mr. Hyde Syndrome', which causes ordinary, gentle 'Dr Jekylls' to turn into violent monsters when they enter the 'private bubble of space inside their own automobiles' (Teitell 1996, p.35). Since then, a number of other authors have suggested that there is something 'about getting into a car that turns a decent, upright citizen into a raving maniac' (Byrne 2000, p.38; see also Grennan 1996; Maiuro 1998; Pavelka 1998). This theory is disputed by those who see the perpetrators of Road Violence to be largely the same people who act violently in other areas of their lives (see, for example, University of Western Australia Crime Research Centre 1997; Wright, Gaulton & Miller 1997; Elliott 1999). However, it is possible that there are certain aspects of the car itself that play a part in causing the modern phenomenon of Road Violence.²²⁹ These car-related factors provide the focus of this chapter.

Communication difficulties

As seen in Chapter 11, most incidents of Road Violence occur when road users interpret events as being frustrating, dangerous, provocative or in violation of the rules of the road, and chooses to express their displeasure with violence. It has been argued that in many cases this may occur because of the difficulties road users have in unambiguously communicating with each other (see, for example, Connell & Joint 1996; Byrne 2000; Parkinson 2001; Australian Academy of Science 2003). In particular, limited avenues for potential perpetrators to express their displeasure with the other party in a way that can be properly acknowledged and a lack of clear channels for people to apologise for their conduct or explain their behaviour, have been posited as possible underlying factors in Road Violence.

²²⁹ Although this chapter specifically examines 'car'-related factors, most of these factors are equally applicable to those who drive other enclosed vehicles, such as trucks. Many of the factors are not relevant, however, to road users who are not cocooned by a vehicle, such as cyclists or motorcyclists.

The precise role played by these communication difficulties was comprehensively examined by Parkinson in a passage the Committee believes is worth reproducing in full:

There are obvious differences in the possibilities for interpersonal communication in driving and other situations. In the face-to-face interactions which represent a common context for everyday anger, emotional presentations serve the communicative function of calling the other person to account before their offence causes further harm or leads to physical retaliations. For example, expressive aspects of anger (including facial position and movement, gestures, posture, tone of voice, as well as speech content) tend to convey directly the associated evaluation and encourage the other person to adopt either a corresponding or antagonistic stance. An on-line process of verbal and non-verbal negotiation may often lead to changed interpretations and resolution of the initial conflict before any violent acts are committed (e.g. one person backs down, or both reach a compromise position). This negotiation process is facilitated by the fact that our anger is usually directed at people with whom we are relatively familiar, making it easier to understand their position and to see past any idiosyncrasies in their self-presentational style.

However, when targets of anger seem not to register the communication, or apparently fail to accept the implied interpretation of their conduct, the angry person is likely to give added emphasis to any expressed disapproval, and to start replacing warnings and threats about sanctions with actual hostile acts... Thus, unless the other party starts to back down, it becomes increasingly likely that the action will be followed through. According to this analysis, then, anger depends not only on the appraised seriousness of the offence or the apparent malicious intent behind it, but also on the perceived resistance of intended addressees to receipt and comprehension of the emotional communication.

In the case of irritations experienced while driving, the usual interpersonal negotiation process is particularly likely to be undermined. Because of the distance between drivers, the relatively high volume of car engine noise, and the fact that there are competing demands on other drivers' attention, it is often very difficult to accurately convey any unambiguous message to its intended recipient in the first place. Even if the initial communication does get across, feedback concerning its interpretation from the other party is likely to be limited. Furthermore, the usual absence of any established relationship between parties increases the potential for misunderstanding of any transmitted information. These factors in combination plausibly lead to an increased probability of anger escalating on the road. Because other drivers often remain unaware of one's anger for longer periods, and because it is necessary to give extra emphasis to any expression of anger to get through to them, a higher intensity of emotion is often reached before any acknowledgement or apology is received (Parkinson 2001, pp.508–9).

As the above quote reveals, there are at least four interrelated elements to this argument. Firstly, the physical distance between road users makes it difficult to obtain full information about an event. In particular, it makes it difficult to know whether an action was intentional or accidental, and whether the person who committed the act is apologetic or unrepentant. In many cases the only information available to a driver will be the physical act they have observed, such as another driver cutting closely in front of them. They will have no data concerning the reasons for this behaviour. Although there may be some innocent explanation, without such information 'every silly act of driving could be interpreted by an angry driver as aggressive and insulting and thus provoke an aggressive response' (Australian Academy of Science 2003, p.3). This will especially be the case if the driver is already predisposed to anger or aggression, due to person-related, situational or cultural factors.

This can be compared with face-to-face situations, which may be equally as irritating, but where 'full status information' can help alleviate any problems. For example, when one supermarket shopper blocks another's path with their trolley this is unlikely to result in a violent confrontation because the person's facial expression will usually convey the fact that he or she did not intend to do it and are apologetic for having done so (Byrne 2000). While some people may still act violently in such circumstances, in most cases the availability of such information will be sufficient to defuse any tension.

Secondly, the interpretation of 'triggering events' as intentionally provocative rather than accidental can be aided by the fact that most road users are unknown to each other. While people may be predisposed to give their friends or acquaintances the benefit of the doubt for behaviour that may otherwise lead to frustration or anger, this may not be the case for strangers. In the lack of a pre-existing relationship between parties, and in the absence of full status information, it may be assumed that the behaviour of other road users is deliberately hostile.²³⁰

Thirdly, it is suggested that some problems arise because of the difficulty drivers have in communicating their anger or frustration at other road users' behaviour. As drivers are enclosed within the steel frame of a car, and surrounded by noisy traffic, the possibilities for communicating such emotions are restricted. While it may be possible to gesture or yell disapproval, or honk one's horn or flash one's headlights, this behaviour may not be seen or heard by the intended recipient. Even if such behaviour is noticed, it may be misunderstood. The recipient may not, for example, know what they have done wrong, or not believe they have done anything wrong, interpreting the behaviour as unjustified hostility. The distance between the road users prevents such miscommunication from being easily clarified.

230 This possibility may be exacerbated by the perpetrator's personality, as well as by his or her beliefs and attitudes. If, for example, the perpetrator has a narcissistic personality, the likelihood of interpreting other road users' behaviour as a personal insult may be increased (see Chapter 12).

This difficulty in conveying displeasure can increase the possibility that incidents will escalate to violence, because some road users may believe that the only way to get their message across is by acting violently. Lower level acts of Road Hostility may not be seen as sufficient. Alternatively, the failure of the other party to notice non-violent attempts to communicate anger or frustration may be interpreted as further evidence of discourtesy or hostility, leading to even greater levels of anger. This may once again result in an escalation of anger to Road Violence.

Finally, the isolated nature of cars can also make it difficult to apologise for errors made while driving. Unlike most other social situations, where it is easy to say sorry for one's mistakes – often immediately defusing any tension – the physical distance separating cars can make this difficult.²³¹ This can enhance the likelihood that a driver will react to 'triggering events' with violence:

The problem of feedback in the driving environment is ... important; if it is relatively difficult to communicate to another driver that an unfortunate manoeuvre was the result of a mistake on your part, his decision as to whether or not your action was deliberate and personally aggressive is internally generated – you are uniquely reliant on the margin with which he gives the benefit of the doubt, the extent to which he feels generally aggrieved, and therefore his predisposition to being aggressive (Connell & Joint 1996, p.8).

Dr Arnold Nerenberg has suggested that 65 per cent of 'road ragers' would not commit such acts if an apology was forthcoming (cited in Pavelka 1998). While this may be an exaggeration, it seems likely that the failure to receive an adequate apology for 'triggering events' may lead some drivers to experience heightened anger at the discourtesy of the other road user, which may increase the likelihood they will choose to retaliate with violence.

In the only study that has sought to examine the impact of communication difficulties on driver behaviour (Parkinson 2001), some support was found for the arguments outlined above, with participants rating difficulties in communicating with other road users as an influential cause of driving anger. The intensity of anger increased when drivers seemed slow to receive or acknowledge attempts to communicate. These results were seen to be 'consistent with the proposed influence of problems of interpersonal emotion transmission on anger while driving' (Parkinson 2001, p.522).

Although this only provides scant evidence for the relationship between communication difficulties and Road Violence, the Committee believes that it is possible there is such a correlation. It seems highly probable that some incidents of Road Violence will be influenced by communication difficulties. It also appears likely that certain incidents of violence could be defused if road users were able to communicate with each other more easily. As with each of

231 While hand gestures can be used, there is no universally accepted 'sorry' sign. This raises the possibility that any attempt to communicate in such a way may, in fact, be misinterpreted as an obscene gesture, increasing the likelihood of violent retaliation (Connell & Joint 1996).

the other causes examined in this Report, however, communication difficulties should not be considered the sole reason for the commission of acts of Road Violence. Other person-related, cultural and situational factors also play a vital role.

Anonymity of perpetrators

As well as providing a barrier to communication, the structure of many vehicles also offers drivers a relative sense of anonymity. It has been argued that this contributes to the incidence of Road Violence, as drivers feel freer to engage in acts of violence than they do in other circumstances, where they may be more readily identified.

It is often suggested that the physical barrier of the vehicle's structure and the relatively great interpersonal distance increases perceived anonymity and engenders a deindividuated sense of insulation from the consequences of action and expression (e.g. Lowenstein, 1997; cf Diener, 1980). These considerations may lead to disinhibition of hostile impulses that might otherwise be regulated, including those that arise from stresses and pressures unrelated to the current driving situation. In other words, the protective cocoon of one's own familiar vehicle may seem to permit venting frustrations in an unrestrained manner. Furthermore, since interactions with other drivers are less likely to be repeated than interactions with people we meet in many everyday situations, social sanctions against hostility may be correspondingly lower (Parkinson 2001, p.509).

The notion that feeling anonymous can influence the decision to act violently is not new. Zimbardo (1969), for example, saw anonymity to be central to many acts of aggression, a hypothesis that has been borne out in numerous psychological studies (for an overview of some of these studies see Wiesenthal & Janovjak 1992). These studies generally contend that many humans have a tendency to act aggressively. To counter the inappropriate use of violence, 'society creates external forces to inhibit aggressive behavior, and individuals learn through socialization to internalize these prohibitions' (Novaco 1998, p.3). These constraints can, however, be weakened in certain circumstances, increasing the likelihood of violent behaviour.

Some settings encourage this erosion of self-control, and roadways are one of them – as are certain types of bars or pubs, crowded urban neighborhoods, and hotly contested football or soccer matches. Generally, people lose self-restraint when they are not mindful of who they are and of their place in a rule governed society. A highway, especially at night, provides anonymity and the opportunity to escape. Expectations of punishment are diminished, and aggressive impulses are more readily expressed. The chance to "get away with it" can release aggression that would otherwise have been held in check (Novaco 1998, p.3).

This idea that the anonymity offered by the structure of cars, as well the ease with which perpetrators can usually escape from the scene of violence (by driving away), has been widely cited as one of the main factors influencing the decision to act violently on the road (see, for example, Ellison et al. 1995; James 1997; University of Western Australia Crime Research Centre 1997; Dean 1998; Pavelka 1998; Shinar 1998; Callahan 1999; McGarva & Steiner 2000; Wark 2001). In her submission to the Committee, for example, Ms Josella Rye suggests that 'Road rage is merely bad manners and selfishness, made possible because of the anonymity of a car'.²³² Brewer similarly comments that 'Drivers feel anonymous in their vehicles and consequently behave differently in a driving context compared to a non-driving one' (1998, p.496), while Johnson argues that 'cars offer the promise of retaliation without consequence' (1997, p.10). In conversation with the Committee, Dr Malcolm Vick suggested that these feelings of anonymity may be behind the seeming increase in acts of Road Hostility committed by women, who may otherwise feel constrained by social mores (see also Lawton & Nutter 2002).²³³

Despite the frequency with which such assertions are made, the Committee found only two studies that have sought to directly test the relationship between anonymity and driver behaviour. Wiesenthal and Janovjak (1992) examined the relationship between having tinted windows and/or personalised numberplates, and breaking road rules. They hypothesised that as tinted windows make it especially difficult to observe drivers from outside, this may act to increase feelings of anonymity and negatively affect driving behaviour. Conversely, they hypothesised that having a personalised numberplate may reduce feelings of anonymity, leading drivers to be more law-abiding. They sought to test these hypotheses by observing drivers in Ontario and seeking to discover whether there were differential rates of not stopping at stop signs, speeding and failing to indicate between those cars with tinted windows and/or personalised numberplates, and those without.

Wiesenthal and Janovjak (1992) found that the frequency of traffic rule violations was greater for those subjects with tinted windows. They were less likely to stop at stop signs, and also drove faster when leaving an intersection than drivers of cars without tinted windows. They suggest these results were due to a general disinhibition of aggression arising from an increased feeling of anonymity.²³⁴ The effect of personalised numberplates was not as large,

232 Submission from Ms Josella Rye to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 16 June 2004. See also Submission from Ms Fiona Campbell to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 21 June 2004; Mr Wayne Warburton, Doctoral Student, Department of Psychology, Macquarie University, in conversation with the Committee, Sydney, 17 June 2004.

233 Dr Malcolm Vick, School of Education, James Cook University, Townsville, in conversation with the Drugs and Crime Prevention Committee, 22 June 2004.

234 Wiesenthal and Janovjak (1992) note that it is possible this result could also be due to the nature of people who choose to drive cars with tinted windows, rather than being an effect of the anonymity offered by the tinted windows.

although drivers of vehicles with such numberplates were more likely to indicate in high volume traffic. This may have been due to drivers in such circumstances feeling as if they were more readily identifiable, providing a greater impetus to drive in a law-abiding fashion.

Ellison et al. (1995) sought to discover whether there was a correlation between anonymity and 'aggressive driving behaviour' by examining the relationship between driving with the top of a convertible up or down and the frequency and extent of horn honking. They predicted that people who had the top of the car up would feel more anonymous, and so would honk their horn at those who block their passage more readily than those with the top of the car down. They also looked at whether wearing sunglasses would affect a driver's horn honking behaviour, due to the feelings of anonymity this may induce.

This study was conducted on 63 subjects in the Baltimore and Washington metropolitan areas. A car was intentionally driven so as to arrive at an intersection just as the traffic light changed to red. When the light turned green, the driver did not move for 12 seconds, and gave no indication of having seen the light change. A passenger in the car calculated the time that elapsed between the light turning green and the driver of the car behind honking their horn. They also measured the duration and frequency of the horn honks.

They found that the anonymity offered by having the top of the car up did affect horn honking behaviour. Subjects in the anonymous condition exhibited significantly shorter horn-honking latencies, longer horn-honking durations, and more frequent horn-honks in the 12-second time period. By contrast, wearing sunglasses had no noticeable effect on horn honking, nor did any of the other variables measured, such as the sex or age of the driver. These results were found to be consistent with previous findings that anonymity facilitates aggression:

It appears that an enclosed automobile may provide the occupant with a sense of anonymity which, in turn, serves to facilitate aggressive behavior. Lowering the top of the vehicle appears to be sufficient to significantly delay the onset of aggression (Ellison et al. 1995, p.271).

Neither of these studies specifically examined whether feeling anonymous can influence the decision to act violently on the roads. They do, however, seem to indicate that the enclosed nature of the car can provide a sufficient sense of anonymity so as to overcome some of the usual inhibitions against aggressive behaviour. It is likely that in some cases this will result in acts of violence being committed, particularly those acts of Road Violence which can be committed without leaving the safety of the car. It is important to note, however, that this sense of anonymity is not causing the violence to occur. Not all people act violently on the roads, even if they believe they are unidentifiable. The decision to act violently is still a choice that is made by the perpetrator and will

be influenced to a greater extent by factors such as their personality and history of using violence to resolve problems. The role played by anonymity is simply a facilitating one, making it easier for a potential perpetrator to choose a violent response.

It should also be 'remembered that the anonymity afforded by vehicles is not absolute'.²³⁵ It is always possible that people can be identified by friends or acquaintances who recognise their vehicle or who see them through the window. In addition, 'identification of numberplates in an investigation of an aggressive and dangerous act, road rage incident or any other offence associated with it, can usually identify the perpetrator of an offence'.²³⁶

Anonymity of victims

The physical structure of cars not only affords anonymity to potential perpetrators, but can also hide the identity of potential victims. There are a number of ways in which this may act to increase the incidence of Road Violence. Firstly, factors that may otherwise prevent people from committing acts of violence may not operate as effectively. For example, while a particular individual may ordinarily believe it is wrong to act violently against women, they may be willing to engage in violence against an anonymous road user, even if there is a chance they will turn out to be female. Similar social prohibitions against committing violence against the elderly may also be overcome if the identity of the victim is unknown.

Secondly, in the absence of identifying information about the driver of the other vehicle, people may come to be identified *with* their vehicles. That is, instead of thinking of another driver as a 'mother of young children... on her way to visit her dying father in hospital', they may simply be thought of as a 'blue Fiesta... being driven by a total waster' (Byrne 2000, p.38). This may lead to reduced inhibitions against acting violently in such circumstances. This will especially be the case if pejorative views held about certain vehicles come to be associated with the driver of such vehicles and the reasons for their driving behaviour:

Often aggressive drivers will "deduce" the motivation of the other driver from the make of his car...BMW's, pickup trucks, sports cars, or off-road vehicles may be given aggressive motivations.... Thus aggressive drivers react to the "personality" they associate with the make and model of the vehicle, not the person inside it (Dr John Larson, quoted in Fumento 1998, p.13).

Thirdly, as discussed above, it is easier to project blame or attribute intentionality for 'triggering events' onto an unknown person who cannot be seen than it is when the person is known, or their facial expression can be seen (Byrne 2000).

235 Submission from Ms Christine Nixon, Chief Commissioner, Victoria Police, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 30 June 2004.

236 *ibid.*

This can lead to people more readily interpreting triggers as hostile or provocative and feeling inclined to react violently. Dr Arnold Nerenberg suggests such feelings may be exacerbated by a 'deep psychological urge to release aggression against an anonymous other' (quoted in Adler 1997, p.70).

Some support for the notion that the anonymity of victims can affect the decision to act violently on the roads was found in O'Brien, Tay and Watson's (2004) survey of 166 university staff and students in Queensland. They found that 'triggering events' committed by anonymous 'offenders' aroused more anger than when the same events were committed by people who could be seen to be elderly women. Those surveyed were also found to be more likely to react aggressively against triggers committed by anonymous 'offenders' than against those identifiable as young or elderly women. This indicated to the authors that without identifying characteristics, drivers will assume 'offenders' are young men. As there are less prohibitions in our society against acting violently against young men, this may result in an increased incidence of Road Violence.

Although this evidence is less than overwhelming, it seems likely that the anonymity of victims will, in some cases, contribute to the commission of acts of Road Violence. This will only be the case, however, in a select number of cases. Where perpetrators were already willing to act with violence they may not have done so had they known the victim's identity, or where they had a prejudice against drivers of particular vehicle types they may well have overcome their violent urge had they been able to identify the person driving.

Power of the car

In a vivid description of the act of driving, Ferguson contends that:

Driving is a curious combination of public and private acts. A car isolates a driver from the world even as it carries him through it. The sensation of personal power is intoxicating. Sealed in your little pod, you control the climate with the touch of a button, from Arctic tundra to equatorial tropic. The cabin is virtually soundproof. Your 'pilot's chair' has more positions than a Barcalounger. You can't listen to that old Sammy Davis Jr. tape at home because your kids will think you're a dweeb, but in the car, the audience roars as you belt out I've Gotta Be Me. Coffee steams from the cup holder, a bag of Beer Nuts sits open at your side, and God knows you're safe. The safety belt is strapped snugly across your body, and if that fails, the air bag will save your life – if it doesn't decapitate you. Little bells and lights go off if you make a mistake: don't forget to buckle up! Change your oil, you sleepyhead! The illusions – of power, of anonymity, of self-containment – pile up. You are the master of your domain. Actually driving the car is the last thing you need to worry about. So you can pick your nose, break wind, fantasize to your heart's content. Who's to know? (Ferguson 1998, p.65).

What is being referred to in this passage is the sense of freedom, power and mastery that can come from driving modern cars. Isolated from the rest of the world, protected by a shell of 'metal armour' (Mizell 1997, p.15), with a capacity for great speed and mobility, some drivers may feel completely in control of their surroundings. It has been suggested that these feelings may act to increase the incidence of Road Violence in a range of ways.

Lupton, for example, has suggested that feelings of freedom inspired by driving cars with a capacity for great speed and mobility – feelings which are reinforced by car advertising – may contribute to the frustration some people feel while driving, and may influence their decision to act violently:

It is in the context of the cultural and psychodynamic meanings around the car, as well as its technical capacity for speed, that the risks that people may take when driving may be positioned, as well as the associated frustrations. The pleasure of mastery of the machine, of speed, the sense of power and liberation that movement in the car may bring is conducive to travelling above the speed limit, for example, and other reckless driving actions, such as running red lights or travelling too close to others' vehicles. The car may invoke powerful aggressive feelings because of its very power, its capacity for speed and mobility and its sexualised meanings and its phallic nature as a thrusting, potent extension of the self. Once we "get going" while driving and develop a momentum and rhythm of speed, it seems like an imposition to have to stop or slow down. When the cause of our need to slow down or stop is another person, a person whom we consider to be behaving inappropriately, he or she may become the target of our frustration and anger (Lupton 1999, p.63).

According to this theory, the nature of the car can lead some people to feel that their journeys should be as uninhibited as possible. Any barriers to their smooth progress can therefore become potential 'triggering events'. This may be the case even if the barriers result from the law-abiding actions of another driver – such behaviour may be interpreted as frustrating simply because it conflicts with the feelings of freedom offered by the car. Reinhardt-Rutland (1996) has speculated that this problem will become worse as cars become more powerful and comfortable. This is because driving is very dependent on visual perception, but that perception can be distorted by the driving experience. For example, when a driver has been proceeding at high speed for an extended period of time, and slows down, for a while everything will appear to be much slower than it actually is. He suggests that:

such perceptual problems are likely to become increasingly important as cars become more comfortable; whereas an average family saloon of 20 years ago would readily convey to the driver by its noisiness and choppy ride that it was travelling at, say, 50 mph, the quietness and smooth ride of modern cars means that a speed of 80 mph is not detectable by these means. This problem is exacerbated by the masking of car noise by in-car entertainment systems.

Unless the driver monitors the speedometer regularly... other law-abiding drivers will seem to be travelling at perversely slow speeds.

This may lead to an increased incidence of Road Violence being committed against drivers who are obeying the speed limit, as their behaviour may be viewed to be unjustifiably frustrating.

In addition, these feelings of freedom offered by the car, which for many people will already be an illusion due to the reality of living in densely populated areas with heavy congestion,²³⁷ are likely to become even more frustrated as the number of cars increases and the opportunities for driving in an uninhibited fashion diminish. This may also result in people 'taking out their frustrations' on other road users by acting violently.

As well as offering a sense of freedom, many modern cars, especially the increasingly common four-wheel drives, may 'act to inflate feelings of power, even of omnipotence' (University of Western Australia Crime Research Centre 1997, p.14). It is suggested that this sense of mastery may also lie behind some acts of Road Violence, especially when it clashes with the realities of daily urban driving:

The fantasies are shaped not only by the comforts of the cars but by their sheer tonnage as well. The organization man of the 1950s might have been satisfied with a workadaddy DeSoto; in the 1970s the aspiring hipster could relieve his mid-life crisis with an Italian sports car the size of a Shriner go-cart. Affluent Americans of the 1990s – so responsible at home, so productive in the workplace – want a car designed for war. With its four-wheel drive and tons of torque and booster-rocket horsepower, today's sports-utility vehicle would have come in handy at the Battle of the Bulge. On the road its driver faces no obstacle more menacing than a pothole, but he knows that if he wants, he can swing off the highway and climb a sand dune, ford a raging river, grind deep into a trackless wilderness. Of course, he never does. He has to drive the kids to soccer practice. But the unused capacity hums beneath the pedals at his feet and feeds the fantasy. Watch him roar past you on the road, and see the set of his jaw and the squint of his eye. This is not some corporate paper pusher at the wheel; this is no sensitive dad who does the laundry. This is Patton leading the Third Army. This is Chuck Yeager breaking the sound barrier. Disrupt his fantasy at your peril (Ferguson 1998, p.65).

There are actually two elements underlying this argument. Firstly, it is contended that those who feel a sense of power due to the nature of the car are more likely to become angered or frustrated by those who 'get in their way'. Secondly, the power of the car may contribute to the likelihood that the driver will react violently, due to the feelings of invincibility and protection the car may offer, as well as the capacity to quickly flee the scene. This can lead people to 'feel unconstrained to act in an anti-social manner because they feel they

237 Submission from Mr Matthew Worrall to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 26 February 2004.

will not be called to account for their behaviour' (University of Western Australia Crime Research Centre 1997, p.14).

Galovski and Blanchard suggest that the likelihood of a violent response may be further exacerbated by the fact that the nature of the car provides an easy 'outlet for frustration and aggression'. They state that:

In this respect, the car can be likened to a weapon. Because the majority of the adult population owns a car, the automobile is not often considered in a dangerous sense. Deaths on the roadways are termed 'accidents.' People do not think of 'arming themselves' when getting in their vehicles. Without the association of aggression and the car, people tend to minimize the potential ramifications of driving aggressively. The car thus affords the public with a societally accepted, rather anonymous means of expressing frustration and anger in the form of aggressive driving (Galovski & Blanchard 2004, p.117).

It has also been hypothesised that the nature of modern cars increases the incidence of Selfish Driving:

With vehicles becoming more performance-enhanced and fortified, 'aggressive driving' entails less risk for the driver. More protection, more power, better braking and better handling create a greater sense of safety that then enables aggression to proceed at a reduced sense of personal cost for engagement (Novaco 1998, p.3).

As seen in Chapter 11, acts of Selfish Driving may become triggers for Road Violence. It is therefore possible that an increase in the incidence of driving selfishly may lead to a concomitant increase in the incidence of violence on the road.

Although no studies have been conducted examining the influence these feelings of freedom and power have on driver behaviour, the Committee believes it is likely that they play a part in the commission of some acts of Road Violence. While in a few cases they may provide the main motivating impetus for the perpetration of such acts, in most cases it is likely they will act in combination with other factors. This was the conclusion of Jack Levin, a sociologist at Northeastern University's Program for the Study of Violence, when he stated that:

There is a real illusion of anonymity combined with potency because you have a machine you can command... Top it off with the stress of work and people perhaps feeling insecure there, or with troubles at home, and it can make for a dangerous combination (quoted in Ferguson 1998, p.65).

Territoriality

As early as 1971, Whitlock speculated that some of the violence occurring on the road may be due to people defending the 'territory' of their car. According to his hypothesis, humans have an innate drive for aggression, which was

originally used to defend their homes. Over time, this drive for aggression has come to be used in defence of any property that is considered to be of great importance – including the car. Whitlock suggested this is particularly the case in relation to those for whom the car plays a central role in their lives, such as young male drivers (see also Klein 1972; Grey, Triggs & Howarth 1989). For these drivers, who often own little else of significant value, the car can become a ‘symbol of power and prestige, a part of one’s territory to be defended by aggressive displays whenever its integrity is threatened or breached’ (Whitlock 1971, p.133).

This idea that people consider the car to be part of their territory, as well as being a status symbol and a reflection of personal identity, was developed by Marsh and Collett (1986, 1987). Galovski and Blanchard describe this notion as cars being:

an outlet for social and individual expression. Car sports, car magazines, drive-in movies and restaurants, colors, shapes, sizes, and models across the last century are reflective of economic, political, societal values, and trends at any given historical cross-section of time. As such, not only is the car a symbol of status, but it is an extension of our personalities and values (Galovski & Blanchard 2004, p.117).

Galovski and Blanchard (2004) also argue that the greater the identification with the automobile, and the greater the feelings of territoriality, the more likely it would be that people would aggressively defend the car from any perceived ‘invasion’.

In recent years other authors have also attributed the phenomenon of Road Violence to this concept of territoriality (Joint 1995; Lowenstein 1997; Novaco 1998; Fraine, Smith & Zinkiewicz 2000; Fong, Frost & Stansfeld 2001; Miles & Johnson 2003). Novaco, for example, argues that:

The automobile is ... highly territorialized, as a property to be defended and as a personal space zone that should not be encroached. Aggression is easily elicited by the perceived need to defend the car for what it is and what it symbolizes (Novaco 1998, p.3).

Fong, Frost and Stansfeld similarly point to territorial beliefs and values (along with the protection, power, mobility and autonomy offered by cars) as underlying many acts of Road Violence, when they answer the question ‘what is it specifically about vehicles that provides an environment within which drivers feel able to display their hostility perhaps more freely than in other situations?’:

The car is an extension of personal space, often people’s second most valuable possession, their main access to freedom, and a statement of self through the choice of vehicle, colour, make, model, and of course, the way they drive. A car is like a second home, and with this comes territorial beliefs and feelings

which, when threatened, lead the owner to respond in a territorial and sometimes aggressive fashion (Fong, Frost & Stansfeld 2001, p.278).

In a submission to the Committee, the Motorcycle Riders' Association Australia also suggested that feelings of territoriality may be one of the causes of Road Violence:

Following the increasing insularity of society, people are becoming more territorial. People are very protective of their vehicles and seem to regard the area around it as their "territory". Any encroachment of this territory is likely to be perceived as a violation. People may respond with aggression or violence, as other territorial animals do.²³⁸

This submission indicates that these feelings of territoriality may be increasing, as society becomes more insular. Wark (2001) similarly contended that people may be becoming more territorial about their cars, due to the increasing time people spend in their cars and the increasing number of activities performed in the car, such as using the telephone and eating. He argues that this leads drivers to be more likely to 'view the vehicle as "home territory" and feel driven to defend it as they would their actual home' (Wark 2001, p.4).

While the Committee could not find any studies that have been conducted directly examining the relationship between Road Violence and territoriality, Fraine, Smith and Zinkiewicz. (2000) and Miles and Johnson (2003) have used research in other areas to provide a theoretical basis for the argument that people may act violently in defence of their car. Fraine, Smith and Zinkiewicz, for example, note that territory, and the human territorial response, is defined by the following features:

1. A place or object that is controlled and owned on a temporary or permanent basis.
2. The place or object may be small or large.
3. Ownership is by a person or group.
4. The territory can serve any of several functions, including social (status, identity, family, stability) and physical functions (child rearing, food regulation, food storage).
5. Territories are often personalised or marked.
6. Defence may occur when territorial boundaries are violated (Fraine, Smith & Zinkiewicz 2000, p.63).

They argue that it 'is not difficult to extrapolate from this list that the car, and the road space upon which we use the car, can be construed as "territory"'

238 Submission from the Motorcycle Riders' Association Australia, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 21 June 2004. See also Submission from Ms Josella Rye to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 16 June 2004, in which she states: 'I believe the main message that young drivers learn from their peers (reinforced by ads and grand prix etc), is that a car defines their worth and place in the world. No wonder people's emotions become so heated, when they place such symbolic importance on their car'.

(Fraine, Smith & Zinkiewicz 2000, p.63). In particular, they contend that many will consider the car to be 'primary territory', due to the central role it plays in defining some people's sense of identity.

In making this claim, Fraine, Smith & Zinkiewicz are referring to Altman's (1975) description of three types of territory: primary, secondary and public.²³⁹ According to this theory, people do not relate to all territories in the same way. Some territories are of greater importance than others, and more likely to result in a territorial defence reaction. Miles and Johnson (2003) also refer to Altman's classification, according to which the different types of territory:

correspond to the centrality of the territory to one's personal life: degree of ownership, perceived control of the area, and the relative permanence and/or duration of occupation. Primary territory has been defined as owned exclusively by the occupants for a relatively permanent duration of time (e.g. a home). Primary territories are off-limits to outsiders, except by invitation of the owner. Primary territories are demarcated clearly and are extensions of one's self. Self-identity and self-esteem are closely linked to a primary territory (Miles & Johnson 2003, p.159).

By contrast, secondary territory is less central to the owner's life. While it may still be demarcated, it is generally held for a shorter duration than primary territory, and can potentially be relocated if invaded. Public territory is not central to an individual's life, has few physical markers or boundaries, and is usually only used for short durations.

Miles and Johnson suggest that 'aggressive drivers', and those who engage in acts of 'road rage',

may have especially strong feelings of territoriality, redefining semi-public and public territories as private territory. The individual perceives himself or herself as 'entitled' to the use of this space (the highway and the right of way surrounding their vehicle) and any unwanted or unwarranted intrusions are perceived as a threat. This construct could be perceived as a precursor to the attitude that 'road ragers' are justified in or 'entitled' to their aggressive behaviours (Miles & Johnson 2003, p.159).

As noted above, Fraine, Smith & Zinkiewicz (2000) agree that many drivers consider the car, and its surroundings, as private or primary territory. They argue that this creates the possibility for conflict, as cars are invariably used in public settings which have a variety of social rules attached. This can lead to tension between having full control over one's territory and having to comply with road rules and make allowances for the behaviour of other road users:

If the car is perceived as primary territory, then intrusions into its territory or impedance of its use should be viewed highly negatively and defence will most likely ensure. Research has consistently found that people display

²³⁹ Primary territory is sometimes referred to as 'private' territory, and secondary territory as 'semi-public'.

territorial defence in public settings if the space is perceived as having value. Research also suggests that drivers in public territories display territorial behaviours out of tune with the setting. Observational and self reported studies of aggression have shown that when impeded (e.g. by a vehicle stalled at a traffic light) people will frequently become impatient, intolerant and angry. While the tendency to display a frustrated response may be mediated by factors such as the status of the 'impeder', this frustrated reaction reflects that transport is not only fundamentally about mobility, but also about unimpeded progress (Fraire, Smith & Zinkiewicz 2000, p.65).

This desire to protect one's primary territory from intrusion by other road users, combined with the likelihood that such intrusion will occur due to the nature of driving, is seen to underlie the heightened emotions many people feel when they get behind the wheel of their cars. Connell and Joint highlighted this in one of the earlier reports on the causes of 'road rage':

The car is symbolic in many ways, regardless of its owner's perception of it; often it is the individual's second most valuable belonging; it is frequently an important part of the owner's livelihood; often his main access to freedom; and, almost invariably, a 'statement of self.' Its size, shape, power, color, and value may all be used by the owner as an expression of how he sees himself and how he wants others to see him. Every time the car is used its value and meaning is to some extent controlled and obstructed by forces beyond the driver's control, and it is placed at an unknown risk by other road users. It is this "egoic" aspect of driving which is perhaps more than anything else responsible for the uniqueness of driving and its unique ability to provoke emotion (Connell & Joint 1996, p.2).

It is not being suggested here that all drivers will react with territorial aggression against anyone who infringes upon their territory. For example, some people may not consider their car to be primary territory, instead regarding it to be secondary or even public territory. Others may not be willing to defend against an infringement of their territory with violence, even if they consider their car to be primary territory. Despite Whitlock's early assertion that the desire to aggressively defend one's territory is 'innate', people still make a decision about how to respond to such impulses. In the Committee's view, while such feelings of territoriality may influence a person's actions, the choice of committing or not committing violent acts will also be determined by person-related and cultural factors, such as attitude about the appropriate use of violence, as well as by other situational and car-related factors.

Physiological arousal

While the act of driving may seem relatively simple to those who have been driving for many years, it is actually a very complex activity. Drivers are not only required to physically operate their cars, they must maintain a high level of concentration and awareness of their surroundings. This has been found to

lead to physiological arousal in some drivers, with blood pressure, heart rate and respiration all affected, especially in stressful driving conditions (such as in congested traffic) (Stokols & Novaco 1981). It has been suggested that this physiological arousal may contribute to the way triggering events are interpreted, increasing the levels of anger or frustration felt by drivers:

Driving an automobile involves many conditions that activate arousal. Simply being behind the wheel of a moving vehicle is arousing. Passing, braking, turning, lane changing, attending to other vehicles, sudden manoeuvres, unexpected occurrences, and signage are even more potent activators of arousal. Driving in metropolitan areas involves recurrent exposure to various forms of impedence and travel constraints, and these roadway frustrations become magnified in their aggression-producing potential by the already elevated arousal state of the driver (Novaco 1998, p.3).

It has further been argued that the physiological arousal caused by driving can act to weaken people's usual inhibitions against violence. When combined with other person-related, cultural or situational factors, this can lead people to more readily commit acts of Road Violence:

The physiological arousal induced by driving a car, per se, as well as by exposure to thwartings in transit, contributes to the override of inhibitory factors in a context that is conducive to aggressive responding. Road violence is a product of weakened social controls and personal controls, which can act in concert with arousal-inducing environmental circumstances, such as traffic congestion, work pressures, or family strain (Novaco 1991, p.304).

It has also been contended that this may be exacerbated by the fact that cars do not provide any avenues for energy release (Connell & Joint 1996).²⁴⁰ People are restrained in the one position and cannot 'jog or walk off an anger rush' (Green 2002, p.15).

While no specific evidence has been found linking this physiological arousal to Road Violence, the Committee considers it likely that such physical responses to sitting behind the wheel and driving may play a small role in influencing the decision to act violently. In much the same way as work-related stress or family difficulties can influence the behaviour of road users (see Chapter 12), the stresses of driving may also affect the way people interpret and respond to 'triggering events'.

Deindividuation and dehumanisation

For the sake of clarity, each of the previous sections of this chapter examined specific car-related factors. In the real world, however, it is possible that many of these factors will operate in conjunction with one another, increasing the likelihood that an individual will act violently on the roads. For example,

²⁴⁰ See also Submission from Mr Peter Le Ray to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 26 February 2004.

people who feel both anonymous *and* powerful due to the nature of the car may be more willing to commit an act of Road Violence than those who simply feel anonymous. Similarly, while being unable to ascertain the identity of a road user who has merged improperly may result in a heightened sense of frustration with their behaviour, these feelings may be amplified by the difficulties in clarifying the reasons for their actions.

It has been suggested that the combination of many of these car-related factors results in the 'deindividuation' of drivers and the 'dehumanisation' of other road users (see, for example, Wiesenthal & Janovjak 1992; Brennan 1995; Grennan 1996; Johnson 1997; University of Western Australia Crime Research Centre 1997). 'Deindividuation' is a process whereby the normal social rules governing behaviour are overridden, allowing people to behave in a manner which they would ordinarily consider to be socially inappropriate – including acting violently. This will generally occur when an individual comes to perceive him or herself to be less of an individual and more of a group member, due to factors such as feeling anonymous and capable of escaping the consequences of their behaviour (Wiesenthal & Janovjak 1992).

The process of 'dehumanisation' similarly enables people to overcome the social conditioning that prevents violent behaviour. However, instead of making a potential perpetrator feel like less of an individual, the process of dehumanisation operates by making a potential victim seem less human. The less human another person appears, the easier it is to shed inhibitions and attack them in an otherwise unacceptable fashion (University of Western Australia Crime Research Centre 1997).²⁴¹

Wiesenthal and Janovjak argue that there are many aspects of driving that could result in drivers becoming deindividuated:

Drivers, especially those in cities and larger communities, are generally unknown and difficult to identify. Automobile drivers typically have no identifying information on their vehicles that might indicate either who they are or where they live. The automobile is a vehicle that can afford a considerable bit of privacy to its operator... It is also likely that self-awareness may be minimized when the driver is forced to attend to the high traffic volumes and difficult road conditions that may typify urban life. While leisurely driving on a rural road may provide both time and opportunity for self-reflection, the attentional demands of urban commuting seems to argue against the probability of much self-awareness on the part of the urban driver (Wiesenthal & Janovjak 1992, pp.6–7).

Both Brennan (1995) and Grennan (1996) refer to the psychological concept of dehumanisation. Brennan, for example, argued that 'dehumanisation is

241 While deindividuation and dehumanisation are separate concepts, there is some confusion between them in the literature. In particular, some authors who appear to be discussing the process of deindividuation refer to it as dehumanisation (see, for example, Brennan 1995; Grennan 1996).

caused by frustration while using the road and an artificial sense of insulation, protection and empowerment provided by the car' (1995, p.21). Along with communication difficulties, this can lead to the deindividuation of drivers, and result in violence.

The University of Western Australia Crime Research Centre contend that these same factors cause people to 'lose contact with the sophisticated and subtle "cues" that regulate our behaviour and make us aware of other people and act to check our own conduct':

Social cues are an important way in which we gauge the acceptability of our own behaviour; many of the cues are subtle and may include a remark or a look – consider, for example, the great stress placed upon one's capacity to read the "body language" of other people in popular culture. The immediacy of human contact and the relative certainty that we would immediately and directly be called to account prevents us from barging through crowds on the pavement, swearing and gesturing at our fellow pedestrians.

The motor vehicle and the road itself distance us from the intimacy and proximity of the social world of people and places us in situations where the "cues" tend to be *impersonal* and *technological* and we interact with others only indirectly; the "controls" on our actions become more impersonal. All these factors may tend to distance, dehumanise and depersonalise the "other": who becomes a "red car" or a "Volvo driver" (University of Western Australia Crime Research Centre 1997, p.14).

Johnson (1997, p.10) also argues that the sense of isolation offered by cars, the anonymity of other drivers, and communication difficulties 'remove the civility and humanity normally present in society' by making it easy to dehumanise other drivers, and to act more aggressively towards them. To support this argument, he compares being stuck in traffic congestion with being blocked by congestion at a revolving door to an office building. He suggests that violence is less likely in the latter situation, due to face-to-face contact acting as a restraint.

Drivers who are deindividuated, and who engage in a process of dehumanisation, have been described as 'human-machine hybrids' (Mooren 1997).²⁴² It is suggested that when some people enter their cars they become such hybrids and experience:

the feeling of being superhuman, such that he or she is alienated from and superior to the rest of the community whilst driving a motor vehicle. This can result in driver fantasy disguising the true mortality and vulnerability of oneself and other human beings using the road. Gyorgy Scrinis, Melbourne University, believes that aggressive driver behaviour may be caused by the car itself. He writes of the modern driving experience, "...The enclosed cabin, the speed of car travel, and the demands put on driver, make it difficult for them to develop

242 For a slightly different view of hybrids and 'road rage', see Lupton 1999; Michael 2001.

a concern or empathy with the people or places they flash past. The world is encountered as a series of images that flow through the television-like windscreen ... In these ways, the car profoundly mediates and shapes the driver's way of encountering the world." Social relations on the road therefore become impersonal and uncaring. Whilst there may be no intention to injure others, there is little regard for other road users as people with an equal right to be there. Modern road use is said to be individualistic with no real sense of being a community of travellers (Mooren 1997, p.6).

In a theory combining not just these car-related factors but also a number of other person-related, situational and cultural factors, Novaco contends that Road Violence can best be understood in terms of aggression being 'disinhibited' by a multiplicity of conditions:

Modelling influences through mass communication channels is one disinhibiting influence that affects imitation or adoption of (aggressive) prototype behavior. However, the modelling effects hypothetically act in conjunction with other converging facilitators, such as the physiological arousal associated with driving, the anonymity of freeways, escape potential, cinematic scripts that have pre-programmed the mind, alcohol or drug abuse, the occurrence of thwartings by "inconsiderate" drivers that "justify" aggression, and the carrying of the firearms, which under conditions of arousal and anger can activate aggressive counter-responding. Such factors act as releasers that override the otherwise inculcated prohibitions about aggressive behavior (Novaco 1991, pp.306–7).

Some evidential support has been provided for the role played by the processes of deindividuation and dehumanisation in the commission of acts of violence (for an overview, see Wiesenthal & Janovjak 1992). Apart from the evidence discussed earlier in this chapter, no additional studies have sought to link these processes with the specific act of Road Violence. In the Committee's view, however, it seems likely that both of these processes play an important part in the causation of Road Violence. It seems probable that being isolated from other road users and unable to communicate with them increases the likelihood that they will be dehumanised, and become targets of anger, frustration or violence. The chances of this occurring will be amplified by the fact that drivers are cocooned within the steel armour of cars, leading them to feel both protected and anonymous, with a ready avenue for escape.

Of course, this does not mean that all drivers will act violently in such circumstances. In the majority of cases it will still be those who are already predisposed to act violently who commit acts of Road Violence, perhaps influenced by these car-related factors. However, it may also be that some of the ordinarily gentle 'Dr Jekylls' referred to earlier in this chapter, when in a very bad mood or stressed state, may turn into vicious 'Mr Hydes', as their usual inhibitions against violence are overcome by the processes of dehumanisation or deindividuation.

Conclusion

As people have been acting violently on the roads long before motor vehicles were invented, it seems unlikely that car-related factors are the primary cause of Road Violence. Throughout this chapter, however, it has been shown that the nature of the car can contribute to the commission of such acts. The inability to communicate with other road users may enhance feelings of anger or frustration. The ability to act anonymously, against someone who cannot be seen and who is likely never to be encountered again may increase the likelihood that the reaction to this anger will be violence. This may especially be the case when combined with the feelings of power and mastery the modern car can impart upon drivers, and the central role it plays in the public psyche. When other person-related, situational or cultural factors that also influence an individual's behaviour are brought into the picture, the outcome may well be a decision to act with violence.

15. Cultural Factors

Introduction

Throughout this Report the Committee has argued that violence is generally about using power and control over another person to achieve a desired result, rather than about being 'out of control'. While in some cases there may be a biological basis underlying the decision to act violently (see Chapter 12), it will rarely be the case that biology alone causes a person to act in a particular way. Most people are not born inherently violent or aggressive.²⁴³ Instead, over the course of their lives people learn to behave violently, as a 'result of the norms, rewards, punishment and models to which they have been exposed' (Grey, Triggs & Howarth 1989, p.5). According to this 'social learning' theory:

Aggression is...viewed as a learned response, through observation or imitation of socially relevant others. The more often aggressive behaviour is reinforced the more likely it is to occur again. For example, by values which indicate that 'to be a man, sometimes you have to stand and fight'... Biological mechanisms set limits on the types of aggressive behaviours that can develop and influence the rate of learning. In the social learning view, individuals are understood to be endowed with neurophysiological mechanisms which allow them to behave in an aggressive way. However, the elicitation of aggressive behaviour depends on the occurrence of appropriate stimulation and is largely under cognitive control. Thus, the actual form the aggressive behaviour will take, the frequency of its occurrence and the circumstances in which it arises will depend on complex social learning factors (Grey, Triggs & Howarth 1989, p.5).

In the Committee's view, Road Violence is no different from any other form of violence, although owing to the involvement of motor vehicles the potential for physical harm is enhanced. As such, the decision to commit such acts will be influenced by the perpetrator's life experiences, observations of the behaviour of people around him or her and the consequences of that behaviour, and the values of the society in which he or she lives. These factors,

243 Dr Jan Garrard, Senior Lecturer, School of Health and Social Development, Deakin University, Evidence given at the Public Hearing of the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 22 June 2004.

which the Committee has broadly termed ‘cultural factors’, provide the focus of this chapter.

Cultural types

In its discussion on the causes of violence in Australia, the National Committee on Violence argued:

That some societies are more violent than others is self-evident. That some sub-groups within societies are more violent than others is also obvious... The general orientation of a culture, or the shared beliefs within a sub-culture, help define the limits of tolerable behaviour. To the extent that a society condones violence, the values of individuals within that society will develop accordingly (1990, p.96).

The above quote suggests that there are two types of cultural factors that can influence behaviour: ‘mainstream’ and ‘sub-group’. Mainstream cultural values are widespread and operate across the whole of a particular society. These are numerous and include values relating to appropriate behaviour within the family, the workplace and in all other aspects of life. Certain individuals, however, may also belong to particular sub-cultures, which hold additional or even conflicting cultural values. For example, while mainstream culture may consider drug taking to be inappropriate, some youth sub-cultures may encourage such behaviour.

In the context of Road Violence, it seems likely that both mainstream cultural values as well as the values of certain sub-cultures are relevant. For example, the value placed on competitiveness and winning in mainstream society, evident in both the corporate and sporting worlds, may influence the behaviour of some road users. A smaller number of drivers may also be influenced by the sub-culture to which they belong such as a ‘hoon’ culture, which promotes fast driving or risk-taking on the road. In the Committee’s view, there is also a specific driving culture that plays a role in the commission of many acts of Road Violence. The nature of this driving culture, as well as the role played by broader cultural factors and by certain sub-cultures, is discussed below.

Role played by cultural factors

In evidence given to the Committee, Dr Jan Garrard noted that ‘culture acts in a very diffuse way’.²⁴⁴ It is not the case that there are strict cultural rules, which everyone in society adheres to at all times. Rather, there is a wide variety of cultural values, transmitted via family, school, the community and the media, which can help shape an individual’s personality, attitudes and patterns of behaviour. The process is very complex and will differ from person to person. While some people may wholeheartedly adopt commonly held values, others

244 *ibid.*

may modify or reject such behavioural norms. The precise way in which cultural values are understood and applied will also vary between individuals, and may change over time. It cannot therefore simply be asserted that all cases of Road Violence will occur due to particular cultural factors that operate uniformly across society.

Despite such complexities, however, it seems highly likely that social norms and values play an important role in the causation of Road Violence. This role appears to be twofold. Firstly, the way in which triggering events are interpreted is influenced by the cultural beliefs a road user holds about appropriate driving behaviour. In particular, the emotions of anger or frustration felt when confronted by such triggers will be at least partly a product of socialisation and acculturation (Lupton 2002). Indermaur developed this view further:

Anger is itself a response that occurs as a product of the pre-established beliefs and expectations of the individual. The way we think about ourselves and other road users and what are appropriate responses to driving situations shapes not only behaviour but also the emotion (anger) that many believe arises spontaneously. Bernard (1990) developed an application of Wolfgang and Ferracuti's theory to account for the high prevalence of "angry aggression" amongst the "truly disadvantaged". The key, according to Bernard (drawing on the work of Averill, 1982), is how the "rules of anger" are formed in the group. These rules instruct group members that in certain situations or interactions they "should" be angry. Anger, in this view, is largely a product of cultural beliefs and has meaning only within its particular social context (Indermaur 1998, p.4).

The University of Western Australia Crime Research Centre provides the example of an individual who assumes that 'the road is a race track and every move of other drivers is directed at slighting [them] personally' (1997, p.20). The Research Centre suggests further that such an individual will get angry more easily and readily than a person who has not been acculturated in the same way.

Support for the hypothesis that cultural factors influence the interpretation of triggering events can be found in some of the studies discussed in Chapter 11. For example, the finding by Lajunen, Parker and Stradling (1998) that drivers in the United States are angered by the presence of police on the roads whereas drivers in the United Kingdom are not is most likely due to different cultural views about the desirability of traffic enforcement. Similarly, cultural factors were seen to be involved in O'Brien, Tay and Watson's (2002) findings that while Australian drivers were also not angered by police presence they were more angered by many other factors than drivers in the United Kingdom:

Perhaps Australian drivers are more similar to British drivers in general driving culture, in that they may be more tolerant of police enforcement practices than American drivers. In contrast, the differing factor loadings of the UK study

may also suggest differences in driving culture. For instance, it should be considered that as UK roads are possibly becoming increasingly congested as population density increases, perhaps British drivers are slightly more tolerant and accommodating of traffic obstructions and aberrant driving behaviour in general than Australian drivers (O'Brien, Tay & Watson 2002, p.311).

Some of the differences between countries found in the survey conducted by EOS Gallup Europe (2003) are also likely to be due to different cultural attitudes towards driving.²⁴⁵ For example, this survey showed that 74 per cent of Australian respondents were very irritated when drivers remain in the overtaking lane when the other lane is free, compared with only 38 per cent of respondents from the 15 European Union nations. Such a difference may result from different cultural views about what constitutes appropriate or 'courteous' driving behaviour. It may also reflect a greater emphasis on speed or mobility within Australian driving culture.

Despite such differences, it was seen in Chapter 11 that many of the same triggering events appear to irritate people around the world. Rather than this undermining the influence of cultural factors it suggests that such similarities are due to the existence of an international driving culture, which exists worldwide. While there may be some regional differences that arise due to the influence of national culture, or particular sub-cultures, underlying these differences is a generic culture of driving which affects the behaviour of drivers across the globe (Michael 2001).

Secondly, cultural values may also affect the response to such events. In particular, they may help a person to determine whether a violent response is necessary or appropriate in the circumstances:

Rules developed in a specific group or culture also instruct members as to the appropriate response to an experience of anger. Anger contains within it, as Bernard argues, the belief that someone else has done something wrong in terms of the person getting angry and that this person is to blame and should be punished. In addition to determining anger, cultural rules also dictate the level and type of "punishment", or violence, that must be delivered to the target to satisfy the needs of the person who is angered (Indermaur 1998, pp.4-5).

In evidence given to the Committee, Dr Jan Garrard agreed that cultural factors can influence road user behaviour, providing as an example her own experiences of cycling in different countries around the world. She claimed that cyclists in Europe are generally treated with respect by motorists who will willingly slow down until there is plenty of room to overtake, and may even 'toot and wave to you as they pass'.²⁴⁶ By contrast, drivers in Australia are seen

245 *ibid.*

246 *ibid.*

to treat cyclists with disdain, often attempting to run them off the road.²⁴⁷ Dr Garrard suggested that:

The fact that these incidents of unprovoked driver aggression against cyclists have all occurred in Australia and New Zealand, but not in Europe (where I have also cycled) suggests that the behaviour is culturally determined.²⁴⁸

A similar point was made by Wark in a comparison of motorists' driving behaviour in the United States and Germany:

The role of culture in guiding driving behavior can be seen when one compares the experience of driving in different areas. Anyone travelling around the United States will see vast differences in the general approach to driving. Smaller towns tend to be more cooperative while larger ones are more competitive. A comparison between driving on an autobahn in Germany and an expressway in the United States is also telling. While the speeds on the former are much higher, a definite set of cooperative norms is operative and followed by most drivers. This yields a much less chaotic and safer feeling than is afforded by the free-for-all more evident on U.S. highways (Wark 2001, p.5).

Wark makes the important point that while national culture may influence driving behaviour this influence will not be uniform. Even within a country, cultural factors may affect driving behaviour in different ways. Driving culture in rural areas may, for example, be vastly different from driving culture in the city. This could be part of the reason why acts of Road Violence seem to be less prevalent outside metropolitan areas (see Chapter 7).

It has been suggested that people who act violently on the roads may, in fact, be unconsciously following a cultural 'script' that lays out the 'proper' way in which to behave in certain situations (Novaco 1991, 1998; University of Western Australia Crime Research Centre 1997):

A cognitive script for aggression is a mental programming of antagonistic behavior in a particular context where situational cues activate subroutines for behavior. A repertoire of images builds in the mind, whether it be a child's play fantasy or an adult's social interaction scenario. Automobile driving is impregnated with cues for aggressive scripts...and this has been amplified by the now countless fictional and non-fictional portrayals of aggression in driving scenarios. The minds of drivers have been subtly programmed with

247 On this point, see also the submission from Mr David Levin Q.C., Convenor, Wigs on Wheels, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 5 August 2004; Submission from Mr Bart Sbeghen, Campaigns Manager, Bicycle Victoria, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 15 June 2004; Submission from Mr Russell Lindsay, Officer in Charge of the Melbourne Police Bicycle Patrol Group, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 22 June 2004; Submission from Ms Fiona Campbell to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 21 June 2004.

248 Submission from Dr Jan Garrard, Senior Lecturer in Health Promotion, School of Health and Social Development, Deakin University, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 21 June 2004.

images of aggression associated with driving, from movies, television and print journalism, conversations and observed behavior. I am not saying that someone viciously tails or blasts at other motorists simply because of watching too many movies with hyped-up chase scenes or late night news broadcasts of police pursuits. The point is that many people already possess cognitive scripts for antagonistic behavior while driving, and these are readily triggered by events on roadways (Novaco 1998, pp.4, 8).

According to this idea, there are particular pathways to violence implicit within mainstream culture, driving culture or certain sub-cultures. While people may not consciously realise they are following such pathways their behaviour will nonetheless be guided by such scripts. To act in any other way may seem inappropriate. For example, it is suggested that cultural understandings of masculinity often lead men to view the behaviour of others as a personal challenge, and to believe that a violent response is necessary in order to defend their honour. To fail to do so may result in a loss of respect from one's peers, who have been similarly acculturated:

The acceptability of violence is usually framed by certain scenarios or pre-set sequences of challenges and rebuttals. A belief system grounded in the view of a hostile and competitive world may create expectations of scenarios dominated by challenge and retaliation. The key belief here is in the absolute necessity to watch for and respond to personal challenges and threats. Within this belief system the use of violence is considered less important than the imperative of responding to threats and challenges. Personal honour and perceived self worth takes on an obsessional quality and whatever it takes to achieve a suitable self assessment becomes the guiding directive. This explains why individuals can commit such horrendous violence over what seems to an outside observer as a trivial matter.

The beliefs that are relevant here in guiding violent behaviour are usually encapsulated by certain pre-set interaction sequences referred to by cognitive psychologists as 'scripts'. The term 'scripts' is most appropriate because the predictability of the sequence is so well understood that it forms the basic theme of most violent movies from *Rambo* to *Death Wish* to Bruce Lee. The universal and tireless appeal of the basic script (challenge > retaliation > dominance) is so central to perceptions of male self worth that is deeply encoded in the male psyche. Although most men can keep a proper perspective on this and eschew violence, for men without other means of establishing dominance or men who are seduced by the anonymity and competitive elements of driving, the road may present itself as a screen upon which the violent/competitive script is played out (University of Western Australia Crime Research Centre 1997, pp.26-7).

Types of cultural factors

Unfortunately it is not possible to outline each of the cultural factors that play a role in causing Road Violence – they are too numerous to mention. The following section instead seeks to provide a brief overview of some of the main cultural factors that may influence the way people interpret and respond to triggering events. These are discussed within three categories: driving culture, broader culture and individual culture.

Driving culture factors

Some theorists have postulated the existence of a ‘driving culture’, with particular ‘rules’ which determine acceptable behaviour among drivers (University of Western Australia Crime Research Centre 1997; Lupton 2002).²⁴⁹ It is argued that some acts of Road Violence occur because drivers feel they have authority to act aggressively to rectify breaches of these rules.

These informal ‘rules of the road’ do not necessarily correspond to the formal road traffic laws. They are often informal rules, which have developed over time, to provide guidance to drivers about the appropriate way in which to drive. In some cases these rules actually conflict with road traffic laws, providing possible grounds for acts of Road Violence:

The tacit, situationally negotiated rules of driving legitimate a robust driving style aimed at reducing travel time, rapidly negotiating barriers to movement and keeping traffic flowing. There may be additional pressures reinforcing these cultural rules; for example work pressures which reward road users who get from “A to B” in the shortest possible time and penalise those who do not. Such pressures inevitably create tensions between the competing demands of “the law” on the one hand and the “rules of the game” on the other and between commerce and public safety... (University of Western Australia Crime Research Centre 1997, p.52).

It is not possible to list all of the ‘rules’ of Australian driving culture – they are too numerous and complex. There are, however, certain aspects of this driving culture that are of particular relevance to this Inquiry. These are discussed briefly below.

Speed and mobility

It has been suggested by a number of authors that current day driving culture favours speed and mobility over caution (Larson 1996; University of Western Australia Crime Research Centre 1997; Lupton 2002). According to this view, the main aim of driving is seen to be proceeding to one’s destination as quickly as possible. One consequence of this perception is that anything that impedes progress may come to be viewed as an obstacle to this goal, and may lead to

249 Dr Sarah Redshaw, Postdoctoral Research Fellow, Centre for Cultural Research, University of Western Sydney, in conversation with the Committee, Sydney, 17 June 2004.

feelings of frustration or anger. In some cases, this may result in acts of Road Violence.

While it is difficult to test experimentally whether there is a driving culture of speed and mobility, or to measure its impact on road user behaviour, some qualitative studies have provided support for this hypothesis. For example, in her interviews with Australian drivers about their understandings and experiences of 'road rage', Lupton found many of those she questioned held the view that driving should be about proceeding quickly and freely from one point to another. This was particularly the case for men, who believed that driving should be enjoyable, with such enjoyment arising from the ability to drive in as unrestrained a manner as possible. She argued that this perspective can influence the way triggering events are perceived and may ultimately lead to Road Violence:

Notions of the driving experience set the scene for how road rage may be conceptualised and experienced. Beliefs that driving is, or should be, pleasurable and that this pleasure is derived from feelings of freedom and mobility, influence how drivers might conceptualise and respond to other road users, particularly those they perceive as limiting their freedom and mobility in some way. This emphasis on freedom and autonomy is underlined by ideas about the negative aspects of driving, which focus not on the risks of accidents and injury or death, but rather on frustrations caused by the impediment of free movement of one's car (Lupton 2002, p.281).

In her work with young people, Dr Sarah Redshaw, Centre for Cultural Research, University of Western Sydney, found that they commonly see the main benefit of obtaining a driver's licence to be the time saved by being able to travel quickly from place to place. Dr Redshaw argued that this was reflective of a broader value placed on speed in our society:

Cars and increasing speed: we also constantly expect that speeds will increase; that we will be able to get to Sydney to Melbourne faster and faster. What is the cost of that? What is the cost of having that expectation even? Have we reached optimum speed for livable environments? Cars and increasing speed help to create an anonymous and hostile environment in which it appears that everyone colludes in wanting to speed things up. We all seem to want to go faster, save time, pack more into our lives. This is what young people do. It is very interesting talking to young people, because they say, "Okay, we are going to save time now we have a car." They do not have to wait for the bus to get to school.²⁵⁰

In the Committee's view, Australian driving culture, and mainstream culture generally, does seem to place a great emphasis on speed and mobility. It is also likely that this value plays a part in the commission of many acts of Road Violence. People who believe that driving is about proceeding as rapidly as

250 *ibid.*

possible to their destination are likely to perceive any unnecessary obstacles, such as 'slow' drivers or cyclists, as frustrating. As seen in Chapter 11, events that are interpreted as frustrating are one of the main triggers for violence.

However, this aspect of driving culture is not solely responsible for such acts of violence. As reiterated throughout this Report, merely perceiving an event to be frustrating does not *cause* people to act violently. It is still necessary for them to choose to respond violently to triggering events. This decision is likely to be influenced by a number of other person-related, situational, car-related or cultural factors.

Freedom and pleasure

There is a widespread belief that driving a motor vehicle will provide the driver with singular pleasure and freedom, which may not be experienced in other situations. Lupton (2002) states that the people she interviewed, particularly men, emphasised the pleasure of being in control of a motor vehicle and the opportunity it allows for personal expression and autonomy. One young male driver she interviewed said:

Driving first of all is like a sense of freedom. I mean, you're in your house all day long, trapped, whatever. You know that you've got your car in the driveway, it's yours, you've got the keys to it, you own it. So I mean, as soon as you jump in it you know it's there. I love driving because I can feel the car. You know, I can control it, I can go wherever I want, whenever I want. I can do whatever speeds I want... (quoted in Lupton 2002, p.280).

However, as the University of Western Australia Crime Research Centre points out, Road Violence may occur when drivers become frustrated with 'the gulf that exists between the cultural fantasy of car ownership with its promise of freedom, open roads, unlimited power and the mundane realities of peak hour, gridlock, endless tailbacks, frustration and anxiety' (1997, p.17).

The role of advertising in perpetuating the notion of car ownership providing unlimited freedom is discussed later in this chapter.

Car-centred perspective

The view that motor vehicles have top priority on roads and that therefore their speed and mobility should not be curtailed is another element of driving culture. It seems that coupled with this view is a belief that it is appropriate to punish those who break this cultural 'rule':

The driving environment has been described as a social setting with distinct rules and norms. In any social setting, when one member disobeys a rule, other members often become angry and demand swift punishment in order to maintain the overall normative values of the group. Such anger is often expressed as a desire for revenge. Failing to signal a lane change, tailgating, using a shoulder to move forward in slow moving traffic, driving too slowly, or cutting off another driver are just a few of the behaviours that may be seen as

antinormative in driving situations. In the absence of police, vengeful individuals may respond in haste to “punish” such rule or norm violations (Hennessy & Wiesenthal 2001, pp.565–6).

Dr Redshaw also suggests that driving culture is car-centred to such an extent that people don’t understand why speed limits are imposed, are angered by others slowing to turn into driveways, and see pedestrians and cyclists as obstructions – the car has complete priority in their thoughts.²⁵¹

This view of driving culture being car-centred was reiterated in a submission to this Inquiry by Mr Damon Rao, who stated:

It is reasonable to theorise that there is a system of perceived submissive behaviours that drivers expect pedestrians and cyclists to adhere to, and when these are breached drivers are entitled to respond in order to reinforce the dominance of the car in the traffic situation.

For example

- Road rules entitle bicyclists to ride two abreast but often cyclists doing so are tooted and told to ride in single file...
- Cyclists riding outside the ‘door zone’ (area where they may be hit by an opening car door) are forced back to the edge of the road.
- Pedestrians who are entitled to right of way but have their right of way breached by turning cars.
- Cyclists who are “advised” or forcible encouraged to “Get off the road”/ “Get on the footpath” by drivers who may believe that is where bicyclists legally belong.²⁵²

The aspects of driving culture discussed above – speed and mobility, pleasure and freedom and a car-centred perspective – are elements that may clash with the reality of driving, leading to aggressive and/or violent responses. Other elements of driving culture that may make it more likely people will drive aggressively include competitiveness and use of the car as an outlet for individual expression.

Competitiveness

Submissions and evidence presented to the Committee have suggested that our society supports beliefs that value entitlement and competition over cooperation and consideration for others and that these beliefs are reflected in the way some drivers respond to their sense of ‘being wronged’ by others.²⁵³

251 *ibid.* See also Chapter 14 of this Report for discussion of other car-related factors that may contribute to the decision to respond with aggression or violence.

252 Submission from Mr Damon Rao, urbanbicyclist.org, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 18 June 2004.

253 Submission from Ms Michele Wright, Family Violence Project Worker, Inner South Community Health Service, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 18 June 2004. See also, Dr Malcolm Vick, School of Education, James Cook University, Townsville, in conversation with the Drugs and Crime Prevention Committee, 22 June 2004.

I would see [personal hostility to other road users] as a symptom and product of a way of thinking about ourselves as social beings which sees other people essentially as competitors or enemies, rather than as fellows.²⁵⁴

Overseas research confirms competitiveness as being a factor in both driving practices and responses to other drivers. For example, Wark's (2001) study of aggressive driving in the United Kingdom found that drivers view the driving situation as highly competitive, with other drivers being the enemy. Wiesenthal, Hennessy and Gibson (2000) note that in a competitive world, it is important to convince dangerous rivals that one can only be harmed at an unacceptable cost to the aggressor.

Individual expression

It is generally believed that aggressive behaviour is a way of expressing frustration for some people. People without the requisite skills to come to terms with frustrating or upsetting events may find alternative outlets for these feelings, such as risky or aggressive driving, in order to cope. The car is one place 'where the driver feels supreme, in charge, a place to vent his or her frustrations' (Hoke 1997, p.78).

Cultural elements that increase the likelihood of people responding violently are discussed in the following sections.

Control

Klein's (1972) study of risk-taking driving behaviour in the United States found that values taught by schools and the mass media reinforce an outdated view of America as a frontier society. Included in these values is having control over one's environment. It is likely that this value is also reflected in Australian society. Klein points out that, while such a value is advocated, in today's highly industrialised world few people can gain feelings of control, particularly in their work environments, but that drivers, and especially young drivers, can experience such control driving a motor vehicle. It may be that if other drivers, cyclists or motorcyclists challenge this control through their driving behaviour a violent response could result. Such an outcome may be in keeping with the perception that 'violence and fear-induced compliance are effective in achieving short-term objectives in controlling the behaviour of others' (Schaffner, quoted in Blomquist 2001, pp.38-9).

Stereotyping

Some groups of road users, for example women drivers and cyclists, have been stereotyped as either 'bad drivers' or 'illegitimate' road users. This cultural labelling appears to give some drivers licence to direct hostility, aggression or violence towards such road users. With regard to this attitude towards women

254 Dr Malcolm Vick, School of Education, James Cook University, Townsville, in conversation with the Drugs and Crime Prevention Committee, 22 June 2004.

drivers, the University of Western Australia Crime Research Centre commented that:

It may be that traditional stereotypes of “women drivers” legitimates aggressive, violent and intimidating behaviour and over-rides any concern about “chivalry” (1997, p.49).

In the world governed by the rules of the road women can be categorised as “women drivers” and therefore legitimate targets for abuse and violence (1997, p.56).

Many submissions and much evidence the Committee received regarding driver aggression indicated that ‘for some drivers the mere presence of a cyclist on the road is sufficient provocation.’²⁵⁵ One submission referred to incidents where cyclists – even those in full police uniform – were driven off the road because the drivers believed cyclists should be on the footpath, as they were not legitimate road users.²⁵⁶ Mr Bart Sbeghen, Campaigns Manager of Bicycle Victoria made the point that some media channels propagate the ‘get-off-the-road’ mentality towards cyclists because they ‘do not pay registration fees so should not be allowed to use the road.’²⁵⁷ Mr Damon Rao also expressed his concern regarding the role some media outlets play in perpetuating the ‘illegitimate’ road user stereotype and encouraging hostility towards cyclists. He explained:

On occasions, drive time talk back callers and announcers have suggested that drivers should undertake acts of violence towards cyclists, activities ranging from sticking something between the spokes of bicycle wheels to putting pins on the road.²⁵⁸

‘Good’ and ‘bad’ drivers

A study by Lupton (2002) suggested that notions of ‘good’ and ‘bad’ drivers may also have an impact on road violence. She noted that her subjects see ‘good’ drivers as courteous, cautious, patient and law-abiding and when these expectations or assumptions are violated people may become frustrated or angry, opening the space for road violence.

The University of Western Australia Crime Research Centre pointed out that some people see road aggression or violence as a form of vigilantism against ‘bad drivers’:

255 Submission from Dr Jan Garrard, Senior Lecturer in Health Promotion, School of Health and Social Development, Deakin University, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 21 June 2004.

256 Submission from Acting Sergeant Russell Lindsay, Officer in Charge of the Melbourne Police Bicycle Patrol Group, to the to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 22 June 2004.

257 Mr Bart Sbeghen, Campaigns Manager, Bicycle Victoria, Evidence given at the Public Hearing of the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 21 June 2004.

258 Submission from Mr Damon Rao, urbanbicyclist.org, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 18 June 2004.

[T]he “highway vigilante” is there to “teach a lesson” and “hit back” at “bad drivers” who flagrantly break the laws of the road. Even if the “vigilante” is prosecuted for offences under the law, they may still feel vindicated in the eyes of other drivers for administering justice (University of Western Australia Crime Research Centre 1997, p.17, referring to the work of Larson. See also Harding et al. 1998).

Summary justice

A cultural belief by drivers that they are justified in meting out summary justice to those whom they perceive to be ‘bad’ drivers or to be contravening the law or the informal road ‘rules’ may well result in acts of Road Violence, as described by the University of Western Australia Crime Research Centre:

Being “too slow” and not being aggressive enough in traffic can result in rule enforcers aggressively informing other drivers of the road rules and even enforcing conformity by meting out a little summary justice. This may even occur when the errant driver is obeying the traffic laws by, for example, stopping on amber lights and driving at the speed limit (University of Western Australia Crime Research Centre 1997, p.52).

Acceptability of Road Violence

A study by Lajunen, Parker and Stradling (1999) suggested that national culture, in general, determines traffic culture. In this study the authors referred to other researchers who linked road death to aggression in the wider society, and pointed out that:

These studies indicate that the general acceptance of aggression as a means of solving interpersonal problems, lack of social responsibility and a harsh and competitive atmosphere may lead to more aggressive traffic culture...driver aggression may act as an index of society’s general propensity to aggression (Lajunen, Parker & Stradling 1999, p.233).

Similarly, the University of Western Australia Crime Research Centre report (1997), citing Parsons (1978), stated that:

While other studies simply look at psychological factors like poor impulse control, low frustration tolerance, etc, Parsons views all motoring offences (broader than road rage) in a more sociological way, suggesting that ‘violence on the road is a spill over from cultural attitudes that exist in the community that accept and embrace the use of violence. The central causative factor then is not individual pathology but belief (University of Western Australia Crime Research Centre 1997, p.24).

Violence of the car

Many aspects of the car that inflate or encourage feelings of invincibility and provide anonymity to act aggressively have been discussed in detail in the

previous chapter. A sense of the car as a weapon or destructive force, however, is also part of driving culture, as Dr Redshaw emphasised:

[The car] is a violent thing. It does a lot of damage. We have learnt to live our lives around this, and many of these things that insert themselves into every area of our lives including up the driveway next to the house. It is easy to observe that, for example, I live in a fairly quiet street but it goes off a major highway. There are children who never play in the street because it is the kind of thing you do not do these days. It is far too dangerous...²⁵⁹

Broader cultural factors

Broader cultural factors not specific to driving may also play a part in the decision by some drivers to commit aggressive or violent acts. Many of these, such as competitiveness and a sense of time urgency, are influential factors in everyday life and are considered necessary for achieving goals. If as a society we emphasise values such as competitiveness and aggressiveness, individual initiative, autonomy, challenge, excitement and risk-taking, then all facets of behaviour including driving will reflect these values (Klein 1972). However, as discussed previously in the context of a driving culture, these values often contribute to more destructive outcomes in driving situations.

Other cultural elements that may play a part in people driving aggressively or deciding to respond to triggers with violence include:

- ◆ vengeance
- ◆ territorial defence
- ◆ masculinity
- ◆ gender / race
- ◆ social disintegration
- ◆ sense of entitlement.

A brief discussion of these elements follows.

Vengeance

The objective of vengeance is to exert power and control over a rival or to provide relief from physical and emotional discomfort caused by the target of revenge. Research has suggested that people with vengeful attitudes are more prone to overreact to minor infractions and experience anger or irrational thoughts, which can further heighten the likelihood of aggressive or violent behaviours (Hennessy & Wiesenthal 2002).

The 'Driving Vengeance Questionnaire' (DVQ) was developed by Wiesenthal, Hennessy and Gibson (2000) as a tool to evaluate vengeful attitudes in common driving situations. In developing the DVQ the authors noted that:

²⁵⁹ Dr Sarah Redshaw, Postdoctoral Research Fellow, Centre for Cultural Research, University of Western Sydney, in conversation with the Committee, Sydney, 17 June 2004.

Vengeance is a response to a perceived threat to one's own safety and/or honour... However, a vengeful response to a perceived threat may only facilitate an even more aggressive counterresponse or cause an accident. An aggressive response is not productive unless it eliminates the threat. In a driving situation it may only serve to escalate that threat or cause injury to oneself. It is clear that vengeance is highly unproductive in a driving situation (Wiesenthal, Hennessy & Gibson 2000, p.119).

A study by Hennessy and Wiesenthal (2001) using the DVQ found that drivers with a higher DVQ score reported a greater frequency of initiating past serious acts of driver violence than those with a lower DVQ score. These acts included roadside confrontations, chasing and drive-by shootings.

Territorial defence

In trying to understand aggressive behaviour by 'normal' drivers, Whitlock (1971) has suggested that the 'combative' attitude that arises in difficult driving situations may have its foundations in the ethological view of territorial rights. That is, drivers become aggressive in defence of their territorial rights. This may be when another driver cuts in on his or her 'rightful' place in a line of traffic or takes a parking space he or she was about to enter.

Masculinity

Cultural constructions of masculinity have been suggested as a significant factor in aggressive and violent driving behaviour and the perpetration of it predominantly by male drivers. In evidence presented to the Committee, Dr Malcolm Vick, James Cook University, stated that:

Understanding men's behaviours as both expressions and realisations of (various forms of) masculinity offers a more encompassing way of explaining young men's driving behaviour than the identification and listing of their psychological and behavioural characteristics. Poststructuralist research and theorising suggest that masculine subjectivities draw on complex arrays of representations circulated through family life, schooling and the media, which construct relations of identity and difference with male and female peers and adults. These subjectivities also construct objects of desire, a variety of images of what it is to be male/masculine rather than female/feminine, and the practices of becoming "a man". While Australian society offers an array of versions of masculinities, differentiated by social class, ethnicity and regionality, many of the "stronger" forms of masculinity place high value on risk-taking, bravado, skilled performance and other forms of challenging authority and convention, all under the general umbrella of machismo...

There is relatively little literature that explores the links between "the car" and dominant forms of masculinity. However, it is not difficult to begin to demonstrate the extensive circulation of images that establish them. Motor

vehicle advertisements on television that target young men in particular, offer an obvious starting point...

[The] construction of both the car and masculinity in terms of power, aggression, strength and dominance becomes the link to tie masculinity to the car and to particular sorts of car use, so that associates power with masculinity and with aggression. That is a bit complicated when it comes to road rage, of course, because it is not just men and it is not just young men, but some of the literature suggests that it is disproportionately...²⁶⁰

Klein (1972) has remarked that for many adolescents, knowledge about, ingenuity in modifying and skill in driving motor vehicles may represent the only means of achieving status with peers. Similarly, a motor vehicle may be used as a means of asserting manhood for some young male drivers (Robinson cited in Henderson 1972).

Gender / race

As mentioned in the previous 'Driving culture' section, cultural beliefs can influence attitudes towards women drivers, labelling them as 'bad' drivers. Similarly, women and people of other ethnic backgrounds may become targets for abuse, aggression or violence from drivers as a result of broader cultural attitudes. A study by Mooren concluded that:

...road violence is neither a particularly large problem, nor a new problem and that it can be explained by existing social theories of violence (especially male violence). Indeed, our 'think tank' also arrived at the conclusion that male violence and harassment based on gender and/or race are evident in many reports of driver aggression. From a sociological perspective it is likely that where there is a basis for social friction, this friction is as likely to manifest on the road as in the home or workplace or other social settings (Mooren 1997, p.6).

Social disintegration

There is a perception among some researchers and sections of the community that increased aggression and violence on the roads is linked to an increase in violence generally in Australia. However, opinions are divided about whether there is a substantial increase in violence generally. Brewer (1998) has suggested that while some crimes have increased, data do not support there being a large increase in random acts of violence. Smart and Mann have also questioned the link being made between Road Violence and increased violence in society, noting that 'these efforts have so far been largely speculative and without any empirical evidence' (2002b, p.5).

Conversely, Connell and Joint have commented that such a perception 'is seen to be supported by statistics showing an increase in violent crime, as well as by surveys on community perceptions of worsening driver behaviour' (1996, p.1).

260 Dr Malcolm Vick, School of Education, James Cook University, Townsville, in conversation with the Drugs and Crime Prevention Committee, 22 June 2004.

There does, however, appear to be a strong body of opinion suggesting that civility in society is declining, as Stuster concluded:

Much has been written about the erosion of shared values and respect for authority, variously attributed to the fragmentation of the extended family, increased individual mobility, media influence, and other characteristics of modern society. It does appear that civility and respect for authority have diminished, the trend epitomized by the phrase, 'I'm just looking out for number one' (Stuster 2004, p.7).

Similarly, a submission from Ms Lee O'Mahoney, Motorcycle Riders' Association Australia, expressed the view that:

Society is becoming increasingly fragmented, insular and me-centred. People are less connected with others, particularly in large cities. They are more likely to behave in anti-social ways as they are unlikely to encounter others again.²⁶¹

Sense of entitlement

Related to the perceptions of declining civility discussed above is the view that a sense of entitlement is a factor in aggressive driving behaviour. Several contributors to this Inquiry raised this as an issue.

We believe that there are a number of factors that act as restraints for people taking responsibility for their violence. These include a sense of entitlement to get what you want at the expense of others' needs, self centeredness, self righteousness and blaming others or seeing others as responsible for causing the reaction of the person using violence...²⁶²

Literature suggests there is a growing narcissism and sense of entitlement in modern society (eg., Lasch) and links between narcissism, entitlement and aggression (eg., Baumeister, Smart & Boden, 1996).²⁶³

Individual culture

In addition to specific driving culture views and beliefs prevalent in the broader society, factors pertaining to an individual, or the sub-culture he or she is part of, may also influence driving behaviour. As discussed earlier in this chapter, following a cognitive 'script' for aggression is one such factor. Others include:

- ◆ motivations for driving
- ◆ cars and youth

261 Submission from Ms Lee O'Mahoney, Motorcycle Riders' Association Australia, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 21 June 2004.

262 Submission from Ms Michele Wright, Family Violence Project Worker, Inner South Community Health Service, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 18 June 2004.

263 'Theories of aggression and road rage', submitted to the Committee by Mr Wayne Warburton, Doctoral Student, Department of Psychology, Macquarie University, in conversation with the Committee, Sydney, 17 June 2004.

- ◆ risk-taking and hoon sub-culture
- ◆ a sub-culture of violence
- ◆ status/reputation defence.

Motivations for driving

Road Hostility and Road Violence have also been seen as a driver's response to having his or her motivation for driving blocked. For most people the primary motivation would be to get to the destination, get there 'on time' and safely. Driving to attain other aims, such as competing with other drivers and meeting timetable pressures, may result in increased risk-taking behaviour. Additional motivations for driving include achieving status with peers through driving skill (Klein 1972), asserting manhood (Robinson cited in Henderson 1972) and excitement, especially the excitement of driving at speed.

Cars and youth

Cars play an important role in young people's lives, particularly in young men's lives. Materially, cars play a crucial role in getting around, and in the conduct of their social lives. As Vick (2003) has observed, possession of the car may also put a person in a position of power – they control where they go, and can demonstrate their identity as they drive. Further,

...the type of car owned and transformations of it might perform as symbolic markers as well as material conditions of membership of a range of social groups and identities (Vick 2003, p.34).

The 'culture' of car ownership and driving for young people in country areas was commented on by Dr Sarah Redshaw:

The young people in the country ... really do have to have a car to get anywhere, but then there is the culture that goes with it, that you have to drive in a certain kind of way, you have to drive certain kinds of cars to be really cool, all that sort of stuff. There is definitely an element of that that is influencing everybody, but more so some than others.²⁶⁴

Dr Redshaw also expressed the view that young women may now be demonstrating aggressive driving behaviour, previously associated almost exclusively with young men:

Road behaviour has been dominated by hegemonic masculinity and women are taking on those behaviours, because that is clearly seen as the way to drive. That has taken over in some ways. That, again, depends on how much worse this kind of thing is: worse because of volume; worse because we are behaving badly in cars. That is the question that we cannot answer. Certainly young women are engaging in tailgating and that kind of practice. They generally tell me that they do not shout at people unless the window is up, and they will

264 Dr Sarah Redshaw, Postdoctoral Research Fellow, Centre for Cultural Research, University of Western Sydney, in conversation with the Committee, Sydney, 17 June 2004.

make gestures, but they are not likely to get out of the car and argue with someone. I do not know the involvement of women in using the car in a violent way – to run over someone, for example; crash the car into somebody on purpose. But certainly they are taking on more of the male driving style, if I can put it that way. I have seen some research on that but, as far as evidence goes, we cannot really say for sure what is going on there...²⁶⁵

Risk-taking and hoon sub-culture

Risk taking in driving has been described by Grey, Triggs and Howarth (1989) as the expression of an increased willingness to take chances when driving and includes behaviours engaged in purely for the enjoyment of driving dangerously (risk taking for the sake of risk taking). The study also cites findings from other research:

An English study (Quimby & Watts 1981) of driver attitudes to safety (for example, speeding, drink driving legislation, seatbelt usage) revealed that drivers sometimes knowingly engaged in dangerous behaviour, although attitudes toward this type of behaviour improved with age.

An American study (Schuman, Pelz, Ehrlich and Selzer, 1967) reported that one half of the male drivers they studied in the 16 to 18 age bracket reported taking part in 'daredevil' practices in the previous month. These included racing and taking dares. Approximately 30 percent of the 16 to 18 year old group also reported that they often took chances with friends in cars. The incidence of the above types of behaviour decreased with age although 20 percent of the 23 to 24 age bracket reported daredevil driving and 10 percent reported that they took chances when driving (Grey, Triggs & Howarth 1989, pp.11–13).

Some have argued that the incidence of risk-taking arises from a desire to maintain a constant level of danger in one's life. This has important implications for road safety prevention strategies as research has shown that if a safety improvement is introduced into one area of the driving environment, drivers may feel safer and so act more dangerously in relation to some other aspect of their driving. Installing Stop Signs, for example, may in fact lead to subsequent risk-taking through speeding (Smith & Lovegrove 1983).

James & Nahl call this tendency for driver behaviour to adapt to circumstance 'risk homeostasis' – the idea being that even if roads are made safer, people tend to compensate by driving faster, resulting in the same level of risk that they are used to (2000a, p.3). James and Nahl believe that risk homeostasis indicates that 'the solution to aggressive driving cannot...simply be to build better roads – because it's the attitude of drivers that affects the way they drive' (James & Nahl 2000a, p.3).

265 *ibid.*

Some people are intentionally willing to violate driving rules as part of their typical driving behaviour. These violations pose a danger to the driver and surrounding drivers, particularly in relation to the greater probability for producing accidents. It has been found that violent driving behaviours were more prevalent among drivers who received greater number of demerit points (Hennessy 2000).

Those who choose to chronically violate driving rules may be more accepting of their own risky or dangerous driving practices, which may become ingrained as part of their typical driving behaviour repertoire. As a result, it is possible that drivers willing to commit more traffic violations may also be more willing to tolerate the escalation of mild aggression to more extreme and dangerous acts of driver violence (Hennessy & Wiesenthal 2002, p.709.)

Sub-culture of violence

Considerable research on Road Violence has shown that perpetrators have also committed other violent acts. For example, a report by the University of Western Australia Crime Research Centre stated that:

In general the focus on the roadway as a site of aggression and violence has revealed that there is nothing essentially special, or different about road violence; the same kinds of individuals and often the very same individuals that lose their temper and initiate violence in other locations do so on the road as well (1997, p.22).

Several studies confirming this view were cited in the report. These included one (albeit with only 16 drivers in the sample) by New Zealand police that 'adds weight to the view that violent road incidents culminating in serious injury and placed before the courts will tend to be perpetrated by those with a criminal history of violence' (University of Western Australia Crime Research Centre 1997, p.23). Another cited was Parsons' (1978) study of 1,509 serious motoring offenders convicted through the NZ courts, which 'clearly demonstrates that a strong positive relationship exists between serious motoring offending and offending of a violent anti-social nature' (University of Western Australia Crime Research Centre 1997, p.24). The report concluded that 'one of the most reliable predictors of roadway violence is the past violent history of the offender' (1997, p.23).

Similarly, Indermaur cites research arguing that:

... the kind of person who has internalised lower class subcultural norms, who additionally lives by the values of the subculture of violence, and who accepts violence as a normal behaviour will carry over this behaviour to the driving situation and that 'accidents' for these people are not accidents but rather intended patterns of subcultural behaviour based on the subcultural values to which they subscribe (Parsons 1978 cited in Indermaur 1998, pp.6-7).

In a submission received by the Committee, an overlap between family violence and violence on the roads was suggested:

We have also found that men who are referred primarily because of family violence will also disclose using violence against other drivers. Often these behaviours have not been reported to police. The violence has ranged from driving dangerously, to verbal abuse and property damage to vehicles. We believe there is an overlap in the population using violence to family members and people who use violence while driving.²⁶⁶

Status/reputation defence

It has been argued that when Road Violence incidents occur, 'they conform with general violence analysis as to status defence, identity enhancement and disinhibition' (Harding et al. 1998, p.22). It has been suggested also that defence of status and reputation is more central to stranger violence than other interpersonal violence, and is a reason why male-male violence predominates in Road Violence incidents (University of Western Australia Crime Research Centre 1997).

Having discussed the types of cultural factors that influence a person's decision to commit acts of aggression or violence on the roads, the following section looks at how these cultural influences are transmitted.

Transmission of cultural factors

Family members, schools and other education institutions, the media, films and television, computer games, sport and the behaviour of other members of society all have the potential to influence driving behaviour. James and Nahl argued that:

Aggressiveness, rage and anger reactions are commonplace on the road because they are learned habits, acquired by children in the backseat, where kids are not merely passive passengers. Kids observe and react internally to their drivers' cursing or yelling, obscene or violent gestures, trash talk, and other common forms of derision and retaliation. Children are also proprioceptively conditioned [that is, physiologically conditioned through neural pathways] to levels of speed in an in-car environment that emphasizes rushing and getting ahead of others. This role model distorts attitudes about what is dangerous, and raises kids to be normal aggressive drivers that increase risk for everyone. Aggressive driver role models in the media can also contribute to disrespect for people and traffic regulations. The risky driver role model lowers the threshold for expressing disrespect. It lowers the threshold for endangering others, making it acceptable to run a red light, or to drink and drive. Aggressive driver role models can erode a driver's sense of social responsibility. Aggressive driving

266 Submission from Ms Michele Wright, Family Violence Project Worker, Inner South Community Health Service, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 18 June 2004.

is on the increase because it is a learned habit that is transmitted from one generation to the next, and reinforced in the media. Unchecked, the incidence and severity of aggressive driving and road rage are expected to continue to rise (James & Nahl 2000a, p.3).

Similarly, James stated that:

Road rage is a habit acquired in childhood. Children are reared in a car culture that condones irate expressions as part of the normal wear and tear of driving. Once they enter a car, children notice that all of a sudden the rules have changed: It's OK to be mad, very upset, out of control, and use bad language that's ordinarily not allowed. By the time they get their driver's license, adolescents have assimilated years of road rage. The road rage habit can be unlearned, but it takes more than conventional Driver's Ed (James cited in Elliott, 1999, p.8).

In evidence presented to the Committee, Dr Jeffrey Potter pointed out that:

Everyone who goes for a learner's permit has at least 16 years experience of watching how to drive by observing their parents.²⁶⁷

Clearly both good and bad driving behaviours are learnt.

Many researchers and submissions to the Inquiry have pointed to the media, and particularly advertisements, as being a crucial influence on some people's driving behaviour and perception of car ownership. A selection of these comments follows.

...the kind of fantasy that is constructed around cars, which is constantly in advertising. I can show you any ad and show you how it represents a fantasy that is way out of the realm of reality. You usually have the single car on the road, no other cars, on a bit of dramatic road, a bit of windy road or something, a single male driver often, especially with big cars, and what they are emphasising is the freedom and expression and lack of responsibility and youthfulness of this young male. The male is a bit more than young. They are usually meant to appeal to many age groups of males, but what they express is youthfulness: the idea of the young hoon who is middle-aged but can still be the young hoon in this new modern motor vehicle and be safe.²⁶⁸

Advertisements convey the message that the automobile is consonant with an attractive, invigorating environment and that ownership is a requisite of a full, rich life. In fact, however, the automobile way of life brings ugliness, pollution, economic waste, agony, injury, and death. It is an immoral, wasteful way of life. Verily, it is a crime against nature. Integrity in advertising would call for

267 Dr Jeffrey Potter, Manager, Road User Behaviour, VicRoads, Evidence given at the Public Hearing of the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 9 September 2004.

268 Dr Sarah Redshaw, Postdoctoral Research Fellow, Centre for Cultural Research, University of Western Sydney, in conversation with the Committee, Sydney, 17 June 2004.

portraying the automobile not in a sylvan setting, as is now done, but rather in a traffic jam or collision (Slovenko 2001, p.535).

The automotive dreamscape we see on TV grows ever further from the day-to-day reality of schlepping the kids to soccer practice. No wonder we're all so pissed off. The ads promised the freedom of a rugged SUV romping atop pristine mountains. You shelled out \$45,000 for a piece of *that*, not to spend all day limping through traffic to get to the lousy job you need to pay off your expensive vehicle. The only thing standing between you and the promise of unlimited power, freedom, and mobility is that moron blocking the intersection. So, what do you do? You do the same thing the guy behind you is doing: you blast your horn. In your car, the honker is your only voice, the only form of self-expression you've got (Naparstek 2003, pp.xiv–xv).

Take, for instance, a recent Ford Laser advertisement in which the car drives at such speed that it sets a parking station on fire. While the driver is undefined, the advertisement portrays a car that can support driving behaviour that manifests power; this invocation of power might be seen to target quite directly cultural constructions of dominant masculinity... A Monaro aggressive driving [advert] adopts a quite different approach: the new Monaro is represented as a video-game car driven at speed through what are recognisable as the streets of downtown Sydney. The invitation to imagine driving in terms of speed, risk, performance and competition – again, all values associated with dominant masculinity – is made explicit in the final caption: 'game over' (Vick 2003, p.35).

Although the extent of media influence on driving behaviour is not known fully, studies point to the likelihood that such an influence is substantial. For example Stuster suggested that:

Feature films and television programming can be extremely influential in defining current style and appropriate or desirable behavior. The extent of media influence on popular culture and behavior is not fully understood. In particular, it is unknown if depictions of car chases influence motorists to drive aggressively by gradually altering individual conceptions of acceptability, or more immediately, by providing vivid images of aggressive behavior for motorists to model. Children predictably exhibit the aggressive behavior observed previously in a cartoon; it is likely that some adults and adolescents of driving age are similarly influenced by the driving observed in films and on television. Learning to drive from a parent or friend who is an aggressive driver, or associating with aggressive drivers, also can shape the behavior. In this regard, Parker et al. (1998) found that drivers who had committed large numbers of aggressive driving violations were more likely to believe that people important to them would approve of the behavior than drivers with few violations (Stuster 2004, p.6).

Similarly, Blomquist proposed that:

The popular antecedents of the emergence of what I have referred to as road rage parlance were probably Hollywood films that glamorised violence and

automobiles: films like *The Untouchables*, *They Live by Night*, *Bonnie and Clyde*, *Bullit*, *Pulp Fiction*, *Good Fellas*, and *The Godfather* (Blomquist 2001, p.62).

Dr Sarah Redshaw expressed concern about the effect of computer games on young peoples' driving:

One of the things that worries me most is the computer games. They have quite significant unconscious effects which need to be researched; the kind of thing that Sydney University did with mobile phones, just getting people to sit in a simulator and talk on a phone. If you had young people playing games and then going on the simulator I think you would find their driving style quite interesting. Some of them have been playing these for years before they get into a car. That is entirely determining how they see the road, how they relate to the road. Those sort of relationships need to be explored more but not necessarily as the cause-effect relationship.²⁶⁹

In conversation with the Committee Dr Soames Job raised concern about the promotion of motor racing and advertisements simulating it:

I think all of the promotion that there is something sexy and wonderful and incredibly skilful about driving very fast is unfortunate. I think motor racing contributes substantially to that. I also think that car advertising captures that very deliberately. One of the ads we have seen – and you no doubt have in Victoria – is one where a rally car speeds through a forest-looking area and you do not see the driver, but it is driven in a manner of incredible skill and speed and then it stops and does a spin and then it is washed off to show that it is just a normal road car that you can go and buy. It is really saying to you, 'You can really act like a rally car driver when you get out on the road.' This is a significant problem which is promoted to people. I think that young drivers, and young male drivers, are the ones most likely to be vulnerable to it and have road safety consequences because of it.²⁷⁰

Aggressive behaviour modelled by others may also influence driving behaviour. Novaco noted that a culture of disobeying road rules, and aggressive behaviour, can act to weaken inhibitions against aggression:

Exposure to unpunished aggressive behavior can also weaken inhibitions. Watching other drivers vent anger, gesture obscenely, or manoeuvre their cars antagonistically without censure or arrest lessens the inclination for restraint. By extension, to routinely observe other drivers breaking the rules by following too closely, not fully stopping at red lights before turning right, greatly exceeding the speed limit, passing on the right at high speed, and so on, creates a sense that illegal behavior on the road is normal. On this point, bear in mind that even though few people engage in deliberate harm-doing, it

269 *ibid.*

270 Dr Soames Job, General Manager, Road Safety Strategy, Road Traffic Authority of New South Wales, in conversation with the Committee, Sydney, 17 June 2004.

takes only a slight increase in aggressive acts to magnify the societal problem (Novaco 1998, p.3).

Conclusion

This chapter has examined many of the cultural influences that play a part in a driver's decision to perpetrate aggressive or violent acts on the road. While such acts may not be attributable to the influence of a single cultural factor, taken collectively it would seem that these play a significant role in Road Violence. Certainly this is the view of many researchers. For example, a University of Western Australia Crime Research Centre report concluded that, 'like other forms of violence it is directly attributable to the thoughts, attitudes and beliefs of the perpetrator and this should be the main focus of prevention and criminal justice responses' (1997, p.29). The following Part in this Report discusses what form such prevention strategies to reduce the incidence of aggressive and violent driving behaviour might take.

Part E: Prevention of Road Violence

16. Prevention Strategies

Introduction

The presence of Road Violence, Road Hostility and Selfish Driving has led to an extensive range of strategies being proposed around the world to minimise the incidence of such forms of conduct. These range from simple measures such as using an 'anti-road rage prayer' if 'another driver does something stupid or rude'²⁷¹ (cited in Blomquist 2001 p.24), to the technologically sophisticated development of vehicles that monitor a driver's stress levels and play soothing music or blows cool air if they rise too high (Knight 2001). Other tactics have included:

hiring more police and using advanced technologies to "catch" more aggressive drivers, strengthening punitive guidelines, and developing awareness programmes. In addition, surveys are being developed, studies are being conducted, videos are being created, classes are being taught, books are being written, and a copious amount of information is available on the Internet to help understand and alleviate this problem (Miles 2003, p.148).

Strategies for responding to Road Violence, Road Hostility and Selfish Driving can be divided into three inter-related categories: engineering and design, education and the use of the law. The Committee agrees with the Hon. Ricardo Martinez, Administrator of the United States National Highway Traffic Safety Administration (NHTSA), that if this problem is to be effectively tackled a comprehensive strategy covering each of these categories must be put in place:

Aggressive driving countermeasures must include education, enforcement, and engineering. First...we must do more to educate... Second, enforcement must play a bigger role. The best countermeasure we have is a cop in the rear-view mirror. Vigorous enforcement of traffic laws on the road and real prosecution in

271 Ben M Carter, Letter to the Editor, 'Sin of road rage: A driver's prayer', *Wall Street Journal*, 26 Dec 1997, A9.

the courts better conveys the message that there will be swift and sure penalties for violations than anything else.... Lastly, engineering and related operations are crucial. Engineering helps us with two basic types of countermeasures: highway design and traffic operations. Roads can be redesigned to add capacity and carry increased traffic, and even prevent or reduce crash injuries to motorists who are affected by aggressive drivers. Examples are: clear recovery zones, breakaway signposts, and divided medians... Advanced traffic operations also increase and control traffic flow without building new roads, and we have been hard at work to use intelligent transportation systems in this area (Evidence given by Ricardo Martinez, Administrator of the NHTSA to the United States Subcommittee on Surface Transportation 1997).

The Committee proposes to examine the range of preventive and response measures in the present and following Parts. In this Part (Part D), the Committee examines the main strategies that can be used to prevent Road Violence from occurring through the use of engineering strategies and educational approaches. Before looking at these issues, however, it is necessary to examine some preliminary matters.

Lack of evaluative material

While a number of programmes addressing Road Violence, Road Hostility and/or Selfish Driving have been implemented around the world, unfortunately 'few existing initiatives have been properly evaluated and therefore limited conclusions can be drawn regarding the effectiveness of such strategies.'²⁷² Where any evaluative material is available, it has been examined by the Committee and the results incorporated into its recommendations. In many areas, however, such information does not exist. In the absence of such comprehensive information, the Committee has relied on its understanding of the nature and causes of Road Violence in determining whether particular strategies are likely to be effective.

This knowledge of the nature and causes of Road Violence can be useful in two ways. Firstly, it can help to ensure that intervention strategies are properly targeted. For example, given that young males are the predominant perpetrators of Road Violence (see Chapter 8), it makes sense to target some prevention programmes at this group (University of Western Australia Crime Research Centre 1997). However, programmes aimed at reducing Road Hostility or Selfish Driving, or encouraging a general culture of courtesy on the roads, should be more broadly targeted, given that the data indicates such behaviour is not limited to young men.²⁷³

272 Submission from Mr Colin Jordan, Managing Director and CEO, RACV, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 18 June 2004.

273 Submission from Dr Jan Garrard, Senior Lecturer in Health Promotion, School of Health and Social Development, Deakin University, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 21 June 2004.

Secondly, knowledge of the nature and causes of Road Violence can help determine the best type of intervention strategy. Dr Julie Hatfield noted that while an anger management programme may help those who commit Road Violence arising from a competitive driving culture, it will not be of benefit where the violence is caused by traffic congestion. Different sources of Road Violence require different solutions.²⁷⁴ A similar point was made by the University of Western Australia Crime Research Centre, which commented that knowing it is mostly young males who commit serious acts of Road Violence:

opens a number of possible avenues for future exploration... For example: are these young people susceptible because they are not yet sufficiently socialised into the "driver culture"? Or do they adhere too rigidly to those elements of driver culture drawn from the culture of masculinity? The former possibility – that their inexperience makes them vulnerable to aggression and/or places them in situations where they feel they have no recourse but to fight – raises different prevention issues from the latter possibility – that their total commitment to the rules and codes of driver culture (speed, mobility, "winning the race") renders them oblivious to the human consequences of their aggression (University of Western Australia Crime Research Centre 1997, p.18).

Resource expenditure

In determining the best response to Road Violence it is also important to ensure that any recommendations requiring the expenditure of resources are commensurate with the problem, both in terms of its extent and its seriousness. As noted in Part B, the data indicate that the incidence of Road Violence is not very large, especially when compared with other crimes of violence (such as family violence) or other road safety concerns (such as drink driving). This has led a number of people to suggest that only limited resources, if any, should be spent on the problem (see, for example, Fumento 1998; Connell & Joint 1996; Marshall 2000; Stuster 2004). In concluding his review of 'road rage' for VicRoads, Elliott argued that:

In essence, road rage, in the scheme of issues to be managed, ought to be extremely low priority... the road safety fraternity should not be swayed to devote too much resources to combating road rage, whether at the serious (assault) level or minor levels like frustration and intolerance (1999, pp.8–9).

Marshall and Thomas (2000) reached a similar conclusion in their review of 'road rage' for the United Kingdom Home Office. In discussing the decision by the Home Office not to take any specific steps to address 'road rage', and to pass responsibility for the matter to the Department of Transport, Ms Nerys Thomas told the Committee that:

274 Dr Julie Hatfield, New South Wales Injury Risk Management Research Centre, in conversation with the Committee, Sydney, 17 June 2004.

In terms of the extent of road rage the findings would suggest that it wasn't such a big problem, particularly in the context of other stranger violence and serious violence that's occurring elsewhere, say in pubs, outside pubs or on the street, it wasn't a specific problem that needed to be addressed any differently to any other problems with violence that's occurring in England and Wales.²⁷⁵

This view was reiterated in a number of submissions received by the Committee. Ms Michele Wright, for example, while supporting the Committee's work in 'naming "road rage" as a form of violence and exploring possible prevention strategies', expressed concern about funding being diverted from family violence programmes:

We are cautious... about the extent of this form of violence in comparison to other forms of violence such as family violence. "Road rage" fits the community's stereotypes about crime – the fear of being harmed by a stranger, having our property damaged and seeking justice for this damage. What concerns our organisation are the more hidden and silent forms of violence such as family violence, which we consider has a far greater prevalence and cost to our society. In times where funding dollars are extremely limited and existing services in the area of family violence are under funded, we implore the committee to take this and other points raised in this document into its consideration.²⁷⁶

Mr Colin Jordan, Managing Director and CEO of the RACV, was also concerned about the possibility of funding being diverted from other programmes – in this case, from road safety measures that are known to be effective (on this point, see also Blomquist 2001; Connell & Joint 1996; Fumento 1998; Stuster 2004):

When considering future initiatives that could be implemented to address road rage incidents, it is important to firstly consider how much effort and resource this problem warrants. This is difficult given that accurate information about the prevalence of road rage violence is not currently available.

It is important to note that, compared with the magnitude of the road safety problem in this state (measured in terms of road deaths, serious injuries and casualties that result from road crashes), road rage is a very small problem. NHTSA estimated that for every one case of road rage there were 2,300 people injured or killed on US roads (Stuster, 2004). Assuming similar comparisons in Australia, RACV believes that it would be unacceptable and

275 Ms Nerys Thomas, author of *The reality of road rage*, in conversation with the Committee, London, 5 July 2004.

276 Submission from Ms Michele Wright, Family Violence Project Worker, Inner South Community Health Service, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 18 June 2004.

unwise to redirect road safety funds away from effective road safety measures to fund initiatives that are related to road rage.²⁷⁷

In making this point, Mr Jordan is relying on the fact that 'road rage' has not been found to be a major cause of road crashes. It is therefore not seen to be worthy of the expenditure of limited road safety resources. Mr Alan Finlay, NRMA Motoring Services, made a similar point in conversation with the Committee. He noted that the New South Wales Road Traffic Authority focuses on four areas of behaviour which have been shown to be major causal factors in crashes – speeding, alcohol, lack of restraint use and fatigue – and that 'Road rage does not come up as one of the major factors.'²⁷⁸ This has led the NRMA to conclude that 'road rage' is not a key road safety issue. It has therefore not allocated any money to the issue in its public policy budget. The European Transport Safety Council has reached a similar decision, on the basis that there are not 'sufficient numbers of casualties' arising from 'road rage' to call for a specific response.²⁷⁹

If viewed solely in terms of road crashes, this may be the correct decision. As Stuster points out, 'the crash data suggest that road rage is a relatively small traffic safety problem, despite the volume of news accounts and the general salience of the issue' (2004, p.2). However, as seen in Chapter 9, the impact of Road Violence cannot be simply measured in terms of injuries arising from road crashes. Road Violence is a serious criminal issue in its own right, comprising a significant portion of all street assaults by strangers.²⁸⁰ As an act of violence, it is completely unacceptable and should be addressed. Not only can it lead to physical injury, but can also result in psychological harm – both to those involved and to others who may be fearful of becoming a victim.

Road Violence is especially disturbing given its somewhat random nature. Unlike many other forms of stranger violence, which can often be avoided by not attending certain locations (such as a pub with a violent history), it can be difficult to avoid becoming involved in some incidents of Road Violence. The mere act of driving – in which a large proportion of the community engage – may be sufficient to place one in danger:

277 Submission from Mr Colin Jordan, Managing Director and CEO, RACV, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 18 June 2004. See also Dr Jan Garrard, Senior Lecturer, School of Health and Social Development, Deakin University, Evidence given at the Public Hearing of the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 22 June 2004; Mr Ken Ogden, RACV, Evidence given at the Public Hearing of the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 22 June 2004.

278 Mr Alan Finlay, NRMA Motoring and Services, in conversation with the Committee, Sydney, 17 June 2004.

279 Mr Frazer Goodwin, Policy Officer, European Transport Safety Council, in conversation with the Committee, Brussels, 7 July 2004.

280 Dr David Indermaur, Senior Research Fellow, Crime Research Centre, University of Western Australia, in conversation with the Drugs and Crime Prevention Committee, 21 June 2004.

It is also unique in terms of if you look at most street assaults by strangers, a very large proportion of those – I am not sure exactly which proportion, but I am sure the majority – are in situations where both the victim and the offender in some ways would have elected to be in that space, whereas one of the terrible things about road rage is often you find people who are completely – and I am hesitant to use this word – innocent. We know of cases of elderly people, grandmothers, grandparents, young mothers, just anyone on the road suddenly being subject to quite serious assaults. This gives it a random flavour that is perhaps different from other forms of male violence, and I think that by itself makes it deserving of particular attention.²⁸¹

The Committee therefore believes it is important to take steps to prevent and respond to Road Violence, even if the incidence is limited when compared with other offences.

Such measures may also have the added benefit of addressing other social problems. For example, techniques for managing anger on the road may also help people address their off-road anger (see discussion below). Similarly, specific enforcement of Road Violence-related offences may also help prevent other dangerous or illegal driving behaviours. Dr Soames Job of the Road Traffic Authority of New South Wales emphasised this point, stating that it was his ‘firm belief’, based on good evidence, that:

road rage is not a different thing from other forms of aggression and violence. To the extent that you address that and to the extent that you actually do something about that with that individual, you also potentially are addressing domestic violence and community violence in various other ways. Your potential gain is quite large. In road safety, there is a very important theoretical perspective on this called problem behaviour theory. Problem behaviour theory basically says if you find someone who has got a problem in terms of petty theft, they probably also have a significant driving record. They probably also have an aggression record. They probably also have all kinds of other problem behaviours. All the research that has ever been done on that theory says it is right. If you get people who have a history of violent road rage, they probably also have a history of speeding and a history of various other antisocial behaviours. To the extent that you target those people with anything which changes those social attitudes, you are going to get more of a benefit than just the benefit in terms of road rage. I think that is an important consideration when you assess the extent to which you would actually address the problem.²⁸²

In addition, while Road Violence may not be very prevalent, the data presented in Part B showed that Road Hostility and Selfish Driving are much larger problems. While perhaps not as serious in terms of the level of violence or the

281 *ibid.*

282 Dr Soames Job, General Manager, Road Safety Strategy, Road Traffic Authority of New South Wales, in conversation with the Committee, Sydney, 17 June 2004.

intentionality behind the acts, such behaviour can also have a significant impact on society. As seen in Part C, this can include an increased chance of road crashes, the possibility of physical or psychological injury, as well as a general diminishing of driving enjoyment. Such behaviour can also act as a 'trigger' for Road Violence (see Chapter 11), further increasing the danger on the roads.

Although Road Hostility and Selfish Driving are not the main focus of this Report, it is the Committee's view that they should be included in intervention strategies because of the prevalence of such behaviours, their potential to lead to acts of Road Violence and the harm they cause. Not only could this have the benefit of preventing some triggers for Road Violence, but could also begin the important task of developing a culture of courtesy on the roads, thus further reducing the incidence of Road Violence (see Chapter 15).

In making this claim, the Committee is adopting a key public health theory developed by Professor Geoffrey Rose (1992) and recommended to the Committee by Dr Jan Garrard.²⁸³ According to this theory, instead of trying to secure a large amount of behaviour change from a small number of high-risk individuals, it is preferable to seek a lesser amount of behaviour change from a larger group of low-to-medium risk individuals. This will lead to a greater overall reduction of harm:

because you have a large number of mildly and moderately aggressive people also changing a little bit. While they are only changing a little bit, there are an awful lot of them. When a lot of people change a little bit, the public health benefit across the whole population level is quite considerable.²⁸⁴

In the current context, Dr Garrard has hypothesised that such an approach would work in the following way:

Behaviour defined as 'road rage' falls at the extreme end of a continuum of courteous-to-aggressive driver behaviour. If we could operationally define 'driver aggression', measure each person's 'driver aggression score', and plot the frequency distribution, it is likely that the distribution would be roughly bell-shaped – that is, a small number of people would have very low scores, most people would cluster around the mean value, and a small number of people would have very high scores (ie potential 'road rage' perpetrators).

Rose's (1992) theory predicts that the large number of slightly-to-moderately aggressive drivers causes more harm (at the overall population level) than the very small number of very aggressive drivers, because there are many more of them. This theory has important implications:

283 Submission from Dr Jan Garrard, Senior Lecturer in Health Promotion, School of Health and Social Development, Deakin University, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 21 June 2004.

284 Dr Jan Garrard, Senior Lecturer, School of Health and Social Development, Deakin University, Evidence given at the Public Hearing of the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 22 June 2004.

1. If the whole population becomes less aggressive while driving (ie if the hypothetical bell-shaped distribution of driver aggression scores moves to the left), then the number of individuals in the high-aggression 'tail' of the distribution will decrease substantially. The overall harm associated with aggressive driving is also reduced because a large number of mildly or moderately aggressive people are slightly less aggressive.
2. It is difficult to change the tail (ie very aggressive driver behaviour) without changing the population norms (ie social and cultural values about acceptable driver behaviour) that strongly shape the overall distribution.²⁸⁵

While Professor Rose has not specifically examined the issue of Road Violence, his theory has been supported by evidence in several other health areas.²⁸⁶ The Committee agrees with Dr Garrard that a similar approach is likely to be effective in the area of Road Violence, and therefore advocates measures that seek to address Road Hostility and Selfish Driving as well as the more serious acts of violence.²⁸⁷ The remainder of this Part examines some specific measures that have been suggested both in the literature and in submissions made to the Committee, concerning the use of engineering measures and educational approaches.

285 Submission from Dr Jan Garrard, Senior Lecturer in Health Promotion, School of Health and Social Development, Deakin University, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 21 June 2004.

286 *ibid.*

287 In evidence given at the Public Hearing of the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 21 June 2004, Mr Ron Arnold, General Manager, Corporate Affairs and Executive Office, AAMI, also suggested that it would be preferable to address deviant driving behaviours generally, rather than simply focussing on Road Violence.

17. Engineering and Design

Introduction

This chapter examines some of the ways in which engineering could be used to address Road Violence, Road Hostility and Selfish Driving. Most strategies aimed at modifying road user behaviour have focussed on education or enforcement. Although these are the most prevalent traditional responses, engineering (which has been a neglected area to date with regard to driver aggression) may also provide beneficial results in minimising Road Violence. The main influence lies in the potential of engineering measures to reduce the triggering behaviours that are precursors to Road Violence. If triggers can be avoided then more serious consequences may be minimised.

For example, if traffic congestion could be minimised then driver transgression might be reduced, with the result that triggering events could be avoided. This accords with Shinar's frustration/aggression model, which blames traffic congestion for many of the problems associated with aggressive driving. Shinar suggests an ergonomic approach to the problem:

- a) in a system in which many users behave 'inappropriately', the fault is more likely to be with the system design than with the individual users, and
- b) it is more efficient (and more user-friendly) to change bad design than to force people to adapt to it (Shinar 1998, p.157).

Adopting an ergonomic or engineering approach is consistent with contemporary crime prevention techniques, which see the future of crime control in terms of crime prevention rather than punishment and revenge. In accordance with Shinar's arguments and their implications – that road rage and/or aggressive driving is caused in part by environmental factors – it could be argued that researchers, law enforcement personnel, policy makers and other agencies and authorities 'should consider the role of the environment in the prevention of road rage/aggressive driving' (Burns & Katovich 2003, p.632), and take steps to redress any identified deficiencies in that environment.

Studies conducted by Ronald G Burns & Michael Katovich at the Texas Christian University in the United States suggested that the general appearance of an environment correlates with pro-social and antisocial behaviours (Burns & Katovich 2003). Burns & Katovich argue that keeping highways clean, maintaining visible boundary markers, reminding drivers to be cautious and posting useful information in relation to destinations and exits are useful tools to maintain driver confidence in a functioning roadway system. Burns & Katovich are in agreement with Shinar's view (1998) that the physical design of highway systems may have an impact upon road user behaviour. They suggest that more space for carpools, and clearly separating access to local exits from express lanes can help to 'positively differentiate users from each other and their respective highway usage – which may remind all drivers of their primary identities as responsible users of vehicles' in a road network (Burns & Katovich 2003, p.632).

The overall aim of considering factors such as roadway design and user ergonomics, in the prevention and control of Road Violence, is to encourage drivers to maintain civility in their driving behaviour. Burns and Katovich suggest that:

...some of the resources being allocated toward police task forces and special vehicles to address road rage might be better spent on travel facilitation and improving the roadways, including better road design, more efficient road construction, increased carpool lanes, and more pleasant and efficient forms of public transportation (Burns & Katovich 2003, p.634).

Burns & Katovich (2003) argue, therefore, that considering environmental cues when planning transportation networks may prevent some of the common triggers that act as precursors to Road Violence.

It is important to remember, however, that such an approach seeks to address the symptoms rather than the causes of Road Violence. A longer-term strategy would aim to address other underlying factors, such as the culture of speed and mobility in our society and motor vehicle advertising, which encourages such tendencies on our roads. In the view of the RACV, for example, although traffic engineering measures may contribute to reducing a driver's negative feelings towards delays and safety, their impact on 'road rage' is likely to be incidental.²⁸⁸ The Committee supports this view and believes that while it may be possible to use environmental engineering as one of a number of tools to minimise the risk of Road Violence, it is driver education and deterrence achieved through enforcement measures that in the long term are likely to be more successful.

288 Submission from Mr Colin Jordan, Managing Director and CEO, RACV, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 18 June 2004.

Training of engineers

As discussed above, Australian driving culture tends to favour speed and mobility over all else. This is often reflected in the ways in which our roads are designed, with most effort going into ensuring the ability of cars to travel at high speed. While understandable, this focus may have the unintended effect of creating sites which may trigger Road Violence as well as providing a background that supports the general view of many in the community that driving is and should be about the uninhibited flow of traffic.

One way to address this perception at the general level is to ensure that trainee road designers consider issues of driver psychology during their training, through being educated in the possible causes of Road Violence and Selfish Driving. This training should then be drawn upon when they are designing roads. The University of Western Australia's Crime Research Centre recommended that:

as far as possible road designers need to consider the psychological component of driving and design mechanisms that will reduce the frequency of potentially frustrating situations. These might include the prevention of right-hand turns off major roads by, for example, building concrete median strips. Preventing right-hand turns at traffic signals also may be appropriate in some instances (1997, p.62).

Wark (2001) also argued that traffic engineers need to have a better understanding of driver psychology and driver culture when designing roads, as well as training in perceptual, cognitive and motor skills. This, he believes, would help road designers to initially identify what may make drivers angry and then minimise such possibilities, for example incorporating barriers in road design to prevent last minute cutting in to exit lanes.

At a broader level, the Committee believes that there is a need to change the way in which road designers think about road design; thereby challenging the notion that road design is just about moving cars faster on wider roads. Litman has suggested that engineers (including road designers and builders) must:

think more than cars when we build road projects. We must consider the other factors just as important as the cars; community vision, pedestrians, economic vitality, bikers, joggers, etc. We all love to talk about vibrant communities. What better way to start building a vibrant community than building well balanced road projects! ... [L]ook around you, you can easily connect a poor road design and construction with the poverty, isolation, community deprivation, frustration, high crime rates, etc. We need to think differently. As someone stated once "we can not fix today's problems with the same thinking that created them in the first place." This is a very difficult concept for us, engineers, to understand and translate into our road designs. Because, we are educated and trained to move cars faster on wider roads (Litman 1999, p.11,

citing a letter from Ben Yazici, Assistant City Manger/Director of Public Works, City of University Place, Washington).

Although the Committee believes that road traffic engineers should be encouraged to consider issues of driver psychology and the possible causes of Road Violence and Selfish Driving when designing roads, it does not recommend mandating such an obligation into all training programmes.

Traffic flow

While it is the Committee's view that Road Violence is simply another form of violence, and is not primarily caused by environmental factors such as congestion on the roads, it seems clear that the failure of traffic to flow smoothly may act as a trigger to Road Violence. Improving traffic flow could, therefore, prevent some incidents of Road Violence from taking place.

Although it may be possible to build new or wider roads to cope with increased volumes of traffic, such a solution is obviously expensive and unlikely to be cost-effective considering the limited extent of the problem of Road Violence. Nonetheless, Bud Shuster argued when addressing the United States Subcommittee on Surface Transportation of the Committee on Transportation and Infrastructure, that Congress needs to spend more money on building more and better roads to alleviate aggressive driving (United States Subcommittee on Surface Transportation 1997, cited in Blomquist 2001). Shuster similarly stressed that there was a responsibility incumbent upon the Subcommittee:

to try to change the environment which causes that aggression, and that environment is caused largely by congestion. This committee has been fighting and will continue to fight to provide adequate funding so we can relieve congestion, and that certainly will have a very significant impact on reducing the aggressive driving that we're experiencing in this country (United States Subcommittee on Surface Transportation 1997, *per* the Honourable Bud Shuster, cited in Blomquist 2001, p.42).

In the opinion of the Committee, however, caution needs to be exercised when considering road building and/or widening in view of the expense and the fact that it is not yet clear whether such a measure would in fact reduce congestion. Some researchers argue that an improved road network may result in more cars using it. Dukes, for example, believes that unfortunately:

better roads often encourage longer commutes, greater traffic congestion during rush hours, and greater general driving anger. Additionally, enhanced vehicle performance and safety may make drivers feel invincible regarding accident and injury; therefore they may be more willing to take chances behind the wheel. Under these circumstances, road rage could increase despite efforts to curtail it (Dukes 2001, p.5).

Green (2002) acknowledges the American Automobile Association's call for more roads to be built to expand capacity, reduce congestion and increase safety, but observes also the claim by critics that highway capacity cannot keep pace with vehicle registration and miles travelled and that traffic volume often expands to fill newly constructed lanes. Shinar (1998) points out that there is not a lot of space for building more highways in many cities, suggesting instead that we seek better traffic flow plans. Such traffic flow plans would be required both within the driver highway system (better traffic flow controls through signals, lanes, changing one-way streets etc.) as well as beyond it (flexible working hours, telecommuting, etc).

Given, however, the above critiques of instigating major infrastructure projects as a means of preventing Road Violence, and in light of the relatively rare instances of Road Violence, the Committee is not supportive of this as a measure to address the problem. Instead, cheaper options could be explored such as enhanced use of Intelligent Transportation Systems (ITS) and other engineering methods designed to improve traffic flow using the existing infrastructure. ITS include:

electronic toll-charging devices, highway message signs and on-board vehicle navigation systems able to assess road and traffic conditions. Red light cameras and speed radar and laser detectors are common examples. More advanced ITS may involve vehicle speed controls and convoy flow regulation that ensure proper separation between all vehicles (James 1997, p.1).

The use of ITS to increase traffic flow involves identifying, managing and making motorists aware of traffic problems. One example is San Antonio's TransGuide system in the United States:

TransGuide uses sensors underneath pavement and attached to volunteers' car windows to send information about slowdowns to a central operations centre. Travelers can then access that information through the Internet, on TV, at touch-screen kiosks scattered around town, and perhaps most importantly, on changeable road signs. This information lets them chart new routes when they know primary roadways are backed up. In its six years of operation, TransGuide has documented a 15 percent reduction in crashes and 20 percent faster response times for emergency vehicles (Green 2002, p.17).

Another option is to invest resources in research to develop traffic control systems that optimise traffic flows thereby reducing road congestion (Anonymous 2003b). For example, Stidger suggests that better intersection light timing, the use of roundabouts to reduce traffic stopping time, and ITS to keep drivers informed of potential traffic jams ahead could improve road congestion (Stidger 2003).

Apart from intelligent systems, other suggestions for systemic changes designed to reduce driver anger include better systems that provide information about the causes of delays, give details of alternative routes,

provide realistic speed limits with clearly equitable enforcement, give long warning periods for merges and other manoeuvres, reduce traffic control devices in some urban areas and provide special lanes for bikes and other slow moving vehicles (Wark 2001).²⁸⁹

As discussed in Chapter 13, although congestion of itself may not cause Road Violence, unexpected delays may trigger such a response. Using ITS to advise people of delays and alternative routes may prevent this from occurring. To some extent, this already happens in Victoria. For example, the VicRoads website contains information about freeway conditions, road works and other motoring problems. The Committee is supportive of these measures, and recommends their continuation. The Committee also believes that any information provided should indicate the reason for delays, which could help to minimise the dissatisfaction that some motorists feel on hearing of possible delays.

Recommendations:

- 7 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.
- 8 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).

The provision of information, however, can only go so far in reducing Road Violence. Traffic congestion is likely to remain a problem, at least for the foreseeable future. As such, it is important to address the attitudes underlying Road Violence – to prevent people from becoming angry when faced with congestion. Research by Leon James, a traffic psychology professor at the University of Hawaii and a highly regarded ‘road rage’ expert, takes a pessimistic view of the future of traffic jams and agencies’ abilities to decrease the psychological angst experienced by road users. Congestion has become part of normal driving and, according to James, drivers would be better off psychologically if they would learn to live with heavy traffic: ‘the public has to realize they are going to have to cope with congestion rather than demand its elimination’ (cited in Green 2002, p.17).

It is the Committee’s view, therefore, that although the reduction of traffic congestion is a desirable goal, which could reduce the incidence of some forms of Road Violence, it is preferable to deal with the problem by focussing on drivers’ attitudes to ensure that when they are faced with congested traffic and delay violence does not become the chosen response.

289 See also Mr Ludo Kluppels, Policy Coordinator, Belgian Road Safety Institute, who referred to Intelligent Speed Adaptation (ISA) system in conversation with the Committee, Brussels, 7 July 2004.

Congestion pricing

In recent years, some cities have introduced a so-called congestion tax in their inner-city areas, to encourage car pooling and alternative means of transportation. It has been suggested that introducing such a tax may help to reduce congestion on the roads, and thus Road Violence (Wahrman 1998 cited in Blomquist 2001; Blomquist 2001). The Committee was told, for example, about the congestion pricing system that has been introduced in the City of London. This has led to decreased congestion in the prescribed area and fewer crashes, although speed has actually increased marginally – from 9.2mph to 11mph.²⁹⁰ It was suggested that this may have been due to a reduction in stress and aggressive driving because of the reduced congestion on the roads, and that even though absolute levels of congestion were still high they were lower than what drivers had been used to, resulting in overall stress levels decreasing and people behaving less aggressively on the roads.²⁹¹ Frazer Goodwin commented that:

the effect of the London congestion charge...is important because obviously speed has an important input into accident rates and speed is confined by congestion so if you start removing congestion you're going to start increasing speeds which is going to potentially have the negative effect of increasing accident rates which is not what we want to do.²⁹²

However, the Committee received little support for the introduction of a congestion tax. Some respondents even argued that such a measure would be counterproductive. For example, the RACV suggested that the introduction of such a tax would be a simplistic approach, noting that measures restricting mobility were highly likely to be counterproductive in addressing congestion. This would be particularly the case, the RACV believed, in outer metropolitan, rural and regional areas where public transport services are non-existent or only provide a poor level of service. Generally, the RACV rejected the notion that congestion charging would be a relevant or appropriate solution to 'road rage', given the tenuous link between congestion and 'road rage'.²⁹³

The Committee considers that while there may be some benefits to such a scheme, it would place a large financial burden on many motorists. Given that the number of Road Violence incidents is relatively small and the link between such incidents and traffic congestion is not proven, the Committee does not recommend the introduction of a congestion charge at this time. The Committee also believes that before such a charge is implemented, a serious feasibility study is needed to see if such a tax could be viable in Melbourne.

290 Mr Frazer Goodwin, Policy Officer, European Transport Safety Council, in conversation with the Committee, Brussels, 7 July 2004.

291 *ibid.*

292 *ibid.*

293 Submission from Mr Colin Jordan, Managing Director and CEO, RACV, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 18 June 2004.

Keep-left signs

The smooth flow of traffic may not only be inhibited by issues such as road design and construction, but also by the behaviour of road users (for example people driving in the right-hand lane when not overtaking). It was seen in Chapter 11 that this behaviour is one of the main causes of driver anger and can, in some cases, trigger Road Violence. While the Committee does not want to blame the victim for this behaviour, it is possible that by preventing such behaviour the incidence of Road Violence may be reduced.

As already explained, such behaviour is only illegal in Victoria if the speed limit is greater than 80kph or if there are signs advising of the need to keep left. While the Committee is not in favour of amending this law it does believe that it would be useful to post additional signs advising people of general laneway law and the penalties for non-compliance. To ensure the effectiveness of this measure it is also important that police have the capacity to enforce the law.

Recommendation:

- 9 The Committee recommends that VicRoads consider increasing the number of roadside signs to advise road users of laneway keep left laws and penalties for non-compliance.

Street signs

It is not just the behaviour of road users who drive in overtaking lanes that disrupts the smooth flow of traffic. The Committee also found that people driving more slowly than is reasonable also results in driver frustration.²⁹⁴ While there may be many reasons for such behaviour, a common reason in urban areas is uncertainty about where people are going. People may, therefore, drive slowly in order to be able to read street signs.

It has been suggested that one way of alleviating this problem would be to make greater use of signs advising of upcoming roads and appropriate lane usage. This may prevent 'slow driving' as well as sudden lane-changes that can also lead to driver anger. In one submission to the Committee it was argued that:

[R]oad rage can be caused by poor road planning and poor signage. In Western Australia they have a very good idea. Before an intersection, they show you the traffic lights that are coming up and then they show you the name of the crossroad, which helps you to know which lane to get into quickly enough. It stops possible road rage from occurring. Helping to know the roads really does help.²⁹⁵

294 Ms Lyn Stewart, Evidence given at the Public Hearing of the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 22 June 2004.

295 *ibid.*

While the Committee believes that such measures would be advantageous, it is clearly not feasible to locate additional signs before every street corner. Strategically placed signs would, however, be beneficial.

Recommendations:

- 10 The Committee recommends that VicRoads consider increasing the use of street signs and signs indicating approaching streets along main roads.
- 11 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.

Road markings

One of the main issues identified in the submissions and online surveys received by the Committee is the problem of the interaction between cars and more vulnerable road users (such as cyclists and motorcyclists). It has been suggested that one of the reasons for feelings of vulnerability of other road users (on shared roads) is a lack of knowledge on the part of some car drivers about the rights of cyclists in certain situations. One example is the correct process to be followed when using roundabouts.

A submission from Wigs on Wheels to the Committee commented on the difficulties in this regard due to unclear road markings:

Too often marked bicycle lanes cease at or prior to junctions. It would be of enormous assistance to have some indication that cyclists may continue in a direct route even though some of the drivers in the left-hand lane may wish to turn left. This can be done by dotted line road markings and/or by tarmac colour changes, i.e. by indicating the cyclist's route in red coloured tarmac. This may remind the vehicle driver to slow and observe carefully any slow moving cyclist on the nearside of the vehicle. Such measures may reduce the instances of conflict and therefore reduce road rage. An example of road marking of this kind is Queen's Parade–Heidelberg Road bridge over Hoddle Street at Clifton Hill.²⁹⁶

The Committee believes that one of the best ways to address this problem would be to post additional signs advising of the need to share the road with other road users, as well as by using specific road markings at likely sites of conflict. This may prevent some anger at cyclists who are perceived to be violating the law – when they are in fact obeying it – as well as enhancing cyclist safety.

²⁹⁶ Submission from Mr David Levin Q.C., Convenor, Wigs on Wheels, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 5 August 2004.

On a more general level, such measures may assist in the process of modifying the car-centred nature of driving culture. At the very least these measures are an additional means to encourage greater alternative transportation usage (reducing congestion as well as pollution). While it would be expensive to post such signs or place such markings on every road or site of possible conflict, the Committee agrees that the strategic use of such mechanisms could be quite helpful.

Recommendation:

- 12 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.

Merging

One of the other principal triggers of Road Violence identified in Chapter 11 is inappropriate merging. While this problem may arise due to the impatience of drivers (who want to merge as late as possible) there is also a lack of clarity about appropriate merging procedures in some cases (particularly where it is likely to arise accidentally due to a lack of forewarning about the need to merge). In New Zealand this problem has been identified and led to a review of the relevant laws by the Land Transport Safety Authority (see Wright, Gaulton & Miller 1997).

Inappropriate merging may also arise due to a lack of knowledge of road rules. For example, some people may believe they have the right of way on entries to freeways, when in fact they need to give way. Additional signs posted well in advance of the need to merge could rectify this problem. While in most cases such signage is adequate, this is not always the case.

Recommendations:

- 13 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.
- 14 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.

Chevrons

Another main trigger of Road Violence (as well as a form of Road Violence itself) is tailgating. While in some cases tailgating may be a deliberate act of aggression, in others it probably arises due to thoughtlessness, or even a lack of understanding of the appropriate distance to maintain. To address the problem of tailgating, some countries have started to mark chevrons on the road to indicate the distance cars should be from each other when travelling at the speed limit. This has been done in parts of Britain, with some apparent success. The NRMA points out, for example, that:

In the United Kingdom, the Highway Agency uses chevrons to mark the distance that should be between you and the driver in front...a relatively cheap and effective measure which could be adopted in this country (NRMA 2002, p.7).

Chevron usage on the M1 motorway in the United Kingdom resulted in a 42 per cent reduction in crashes over the two years after they were added, and a 56 per cent reduction in multi-vehicle crashes. Chevrons also appear to be used in South Africa and Sweden (NRMA 2002, p.7).

At present chevron use is being trialed in Victoria. The Committee believes it is likely to be beneficial not only in terms of reducing Road Violence but also in terms of enhancing road safety generally. There is, of course, a cost involved in painting the chevrons on the roads, maintaining them over time and educating people about their meaning and use. However, these costs may not be too great as chevrons would generally only be required on roads with high speed limits.

Recommendations:

- 15 The Committee recommends that VicRoads extend the use of chevrons in Victoria and that they be marked onto selected roads with a speed limit of 100 kph or above to indicate the distance cars should be from each other when travelling at the speed limit. The meaning of chevrons should also be advertised as part of driver education programmes in general, and in particular as part of the Selfish Driving campaign.
- 16 The Committee further recommends that this measure be evaluated by VicRoads, using pre- and post-implementation trials and using aerial measurement techniques to gauge the distance between cars travelling on targeted sections of the network.

Car parks

Car parks are major sites of Road Violence (see Table 7.4). The reasons for this include poor design requiring cars to navigate small spaces, leading to a higher possibility of incidents; a lack of parking in some areas leading to competition

for resources; and people 'stealing' spaces others have been waiting for. While it is difficult to address the issue of lack of space available, given the demand for land for other uses, there are some steps that could be taken to minimise the incidence of Road Violence arising in car parks.

Steps could be taken to ensure that any new car parks that are built comply with standards that prevent (as far as practicable) the problem of over-crowded parks with inadequate room for easy traffic flow. At present the standards for car parks are determined by Local Councils and Planning Authorities, which may not be fully aware of the extent of problems caused by inadequate design.

In addition, road safety campaigns that target Selfish Driving could specifically focus on the need to be courteous in car parks. To coincide with such campaigns, specific signs or posters could be developed for use by car park operators to encourage car park courtesy. This may help to draw attention to the unacceptable nature of, for example, 'stealing' spaces and the possibility that such behaviour may result in violence. The Committee believes that this may help avoid some incidents that lead to violence as well as create a general background of driving courtesy.

Recommendations:

- 17 The Committee recommends that the Victorian Government create standards to ensure that 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.
- 18 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.

Apology mechanisms

In Chapter 14 the Committee reported that the nature of the car itself may contribute to incidents of Road Violence. In particular, vehicles can prevent people from being able to communicate clearly with each other. This can lead to driver anger and even violence when another driver fails to apologise for a driving error that he or she has made.

According to Nerenberg, 65 per cent of 'road ragers' say that what they really want is an apology from other motorists (cited in Pavelka 1998). To this end, James recommends the use of 'automatic' apologies when confronted by another road user. He states:

if cornered, apologise – even if you don't think you're wrong. While it might seem unfair, right and wrong is no longer applicable to the situation. There is

an emergency going on. And during an emergency you must go by the priority of what can cause the greatest disaster (quoted in Pavelka 1998, p.76).

Similarly, Brustin recommends that behaviours such as 'fleeing or apologizing shouldn't be thought of as backing down'. Instead, they are 'positive reactions. Go to the police and take the legal course. Do not take the law into your hands at the scene. It's too dangerous' (quoted in Pavelka 1998, p.76). Kelley comments, in an indictment of contemporary manners, that in modern times '[C]areless driving abounds; personal courtesy – once the marvellous elixir that could reduce conflict to composure – seems a forgotten trait' (1998, p.22).

It has been suggested in submissions received by the Committee that this perceived dearth of road manners could be addressed by developing a formal mechanism by which drivers could more easily communicate with other road users.²⁹⁷ A number of possible methods have been suggested, including the use of lights in cars, the use of radio frequencies or the development of a dual horn system.

Johnson (2000 cited in Blomquist 2001) in the United States suggested the installation of screens in vehicles that flash messages such as 'thanks' and 'sorry' help to prevent 'road rage'. A similar proposal by Brennan in 1995 recommended the use of an LED display, with messages such as 'please...I'm really sorry...maybe I can buy you a burger at the next service station...' (Brennan 1995, p.21).

Others have suggested the development of a particular hand gesture. For example, a Colorado State Patrol Chief in 1997 suggested that motorists give each other the 'peace sign' to calm tempers on the road and to lessen incidents of 'road rage' (cited in Blomquist 2001).

Ian Faulkes, in conversation with the Committee, spoke of the signs the Chair of the Staysafe New South Wales Parliamentary Committee recommends to apologise for driving errors:

I would be remiss if I did not raise my chairman's 'I'm sorry' gestures: the left hand up with the fingers splayed to indicate behind. This is a clear and unambiguous signal to those people behind to indicate 'Thank you' or 'I'm sorry, I've made a mistake'. There is also the one where he says to lean forward and put your hand out, splayed again towards the front. The interesting issue is that he is always suggesting the splaying of all the fingers so that there is no

297 Mr Ian Faulkes, Committee Manager, Staysafe Committee, in conversation with the Committee, Sydney, 17 June 2004; Submission from Mr Tim Moore to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 2 June 2004; Submission from Mr Russell Stevens to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 5 August 2004; Dr Julie Hatfield, New South Wales Injury Risk Management Research Centre, in conversation with the Committee, Sydney, 17 June 2004; Dr Soames Job, General Manager, Road Safety Strategy, Road Traffic Authority of New South Wales, in conversation with the Committee, Sydney, 17 June 2004; Ms Lee O'Mahoney, Motorcycle Riders Association Australia, Evidence given at the Public Hearing of the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 21 June 2004.

consideration of a fist or a finger or two fingers, or the various other gestures that are used to threaten or abuse people.²⁹⁸

Ludo Kluppels also mentioned the need for some form of apology sign or communication. He drew attention to an insurance company campaign in Belgium in 1990 aimed at reducing road aggression by giving their members two plastic hands – a red ‘I’m sorry’ hand and a green ‘go ahead’ hand – to be used when a driving error was made.²⁹⁹ It was discovered, however, that motorists found these mechanisms difficult to use and so the campaign ceased. Kluppels also referred to another suggestion to place two extra lights behind the car – a green one to say ‘go ahead’ and an orange one to say ‘I’m sorry’.³⁰⁰

In New Zealand, while there are several commonly understood signals for ‘up yours’, there is no sign to indicate one’s apology. New Zealand Police suggest an open-handed wave that could be used to indicate a driving transgression (Wright 1997).

More sophisticated methods of driver apology include automated car systems (as briefly mentioned above). At the 2001 Tokyo Auto Show, for example, Toyota displayed a car capable of warning other drivers of the driver’s mood. The POD car had two formations of LED lights on the bonnet (each in the shape of the letter ‘U’ and one inside the other) extending from just below the windscreen to the grille. When the driver is happy, the lights glow orange; when angry, they turned red; when sad, purple; when sleepy, pale blue. The light display was intended to warn people how to react to approaching vehicles (see Mateja 2002).

The POD car derived its name from a pod placed in the instrument panel, which contained pre-recorded data on the acceleration, braking and steering habits of an expert driver under a variety of conditions. The car was capable of learning the driver’s habits and driving style, and provided words of praise or warning when the driver’s behaviour differed from the experts. For example, if driving too fast or braking too hard, the lights would change from orange to red. The POD also measured the distance from cars in front, as well as the pulse and perspiration rate of the driver. If it sensed that the driver was in need of calming, it played soothing music or blew cool air through vents (Mateja 2002). Knight (2001) explained that the POD ‘learns’ a driver’s style and monitors deviations. Biometric sensors built into the steering mechanism monitor pulse and galvanic skin response – sweat level – for signs of agitation. It could convey the driver’s mood to other drivers or pedestrians, using lights on the front and rear. Sony and Toyota are also developing ways in which to allow the car’s radio system to communicate with other vehicles on the road, for example to alert them before overtaking (Knight 2001).

It is the Committee’s opinion that such a mechanism could help drivers

298 Mr Ian Faulkes, Committee Manager, Staysafe Committee, in conversation with the Committee, Sydney, 17 June 2004.

299 Mr Ludo Kluppels, Policy Coordinator, Belgian Road Safety Institute, in conversation with the Committee, Brussels, 7 July 2004.

300 *ibid.*

communicate with each other by defusing tension in incidents, which would, hopefully, prevent Road Violence. It is also the Committee's view that, if given sufficient publicity, design factors such as those employed in the construction of the POD could help reinforce the fact that everyone makes mistakes and that driving errors made by other road users should not be interpreted as malicious gestures. In submissions and evidence to the Committee, some support was expressed for the development of some type of sign system to enable drivers to communicate an apology with one another more efficiently. For example, the following submission to the Committee noted:

[A]nger is always exacerbated when the person causing the irritation does not or cannot apologise. However, we do not have any commonly accepted sign for 'sorry' or 'my fault,' although we have several readily understood abusive signs. So, it would seem like a good idea (and would certainly do no harm) to identify and publicise signs for 'sorry' or 'my fault'.³⁰¹

Other submissions were in favour of a government sanctioned 'I'm sorry' sign³⁰² or the use of hand signals for 'sorry' and 'thank you' in order to create a form of 'general driver courtesy language' to defuse tension.³⁰³

However, some respondents, whilst supportive of a driver signal of some kind, found the concept of driver communication mechanisms being incorporated into motor vehicle design to be dehumanising.³⁰⁴ Additionally, concern was raised that such mechanisms may be distracting to drivers and potentially dangerous. For example:

Using a system of hand signals to encourage more courtesy on the roads might be worth investigating. However, it should be noted that for some drivers this might create a distraction and add to the complexity of the driving task. This is most likely to affect novice drivers and some older drivers, who have more difficulties if the driving task becomes more complex. As these groups of drivers are the most vulnerable on the roads, RACV would need to see evidence that such a system would be beneficial and would warrant the resources to educate people about this before we could support such an initiative.³⁰⁵

301 Submission from Mr Tim Moore to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 2 June 2004, who, in addition, recommended that the Committee consider the use of the sign language used by the Australian Deaf community (Auslan).

302 Submission from Mr Russell Stevens to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 5 August 2004.

303 Dr Julie Hatfield, New South Wales Injury Risk Management Research Centre, in conversation with the Committee, Sydney, 17 June 2004; Dr Soames Job, General Manager, Road Safety Strategy, Road Traffic Authority of New South Wales, in conversation with the Committee, Sydney, 17 June 2004.

304 Ms Lee O'Mahoney, Motorcycle Riders Association Australia, Evidence given at the Public Hearing of the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 21 June 2004.

305 Submission from Mr Colin Jordan, Managing Director and CEO, RACV, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 18 June 2004.

Similarly, Victoria Police was concerned about the safety implications of any signal system:

Victoria police holds that any contemplated hand signal outside the car would be in contravention of road safety legislation in that it might adversely affect a person's ability to control the vehicle. Victoria Police also suggests that adding another in-car signalling mechanism would increase the already complex array of modern vehicle instruments, and may well reduce driver safety.³⁰⁶

Another submission pointed out that the suggestion of an additional light on motor vehicles to indicate an apology has caused concern among motoring organisations and drivers because of the potential increase in complexity in operating a vehicle.³⁰⁷ The Committee believes, however, that people could use such a system disingenuously to facilitate Selfish Driving by purposely driving poorly, believing it will all be alright as long as they apologise for their poor driver behaviour.

There is also the danger that any apology system may lead to additional cases of Road Violence – that is, for failing to use the apology mechanism. Drivers may become angry with other road users who are seen to have made an error but refused to use the apology mechanism. In addition, some concern has been raised over the possible misinterpretation of hand gestures.³⁰⁸

Despite these concerns the Committee believes it is important to reinforce the notion that drivers make errors, and that such problems should be easily resolved with a simple apology rather than through resort to violence. However, the Committee does not believe that a specific mechanism is necessary for this task. Instead it believes a simple wave – which is often already used – is sufficient.³⁰⁹ Unlike the above suggestions that a positive system of hand signals be instituted, the Committee believes the best way to address this issue is by reminding drivers that they are all fallible. At present, there are only two sentences in the *Learners Handbook* about driver mistakes (in the 'Keeping Your Cool When Driving' section (see Chapter 18)). The Committee believes there should be a separate section in the *Learners Handbook* dealing with the fact that

306 Submission from Ms Christine Nixon, Chief Commissioner, Victoria Police, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 30 June 2004; Superintendent Peter Keogh, Traffic Support Division, Victoria Police, Evidence given at the Public Hearing of the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 19 August 2004.

307 Submission from Crime Prevention Victoria, Department of Justice, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 6 July 2004.

308 Dr Ann Williamson, New South Wales Injury Risk Management Research Centre, in conversation with the Committee, Sydney, 17 June 2004 cautioned against the use of hand signals due to their being capable of being misinterpreted as rude gestures. See also the similar concerns expressed by Dr David Indermaur, Senior Research Fellow, Crime Research Centre, University of Western Australia, in conversation with the Drugs and Crime Prevention Committee, 21 June 2004.

309 Part of the WAVVE program (including its name) is about waving at others or smiling at them to help diffuse tension – seen as very important (Mr Cameron Newton, Warning Against Vehicle Violence Education (WAVVE) Program, in conversation with the Committee, Brisbane, 15 June 2004).

drivers make errors, with a recommendation that people wave to acknowledge mistakes they have made. This could also form part of a Selfish Driving campaign in which people could be reminded that all drivers make errors and that a wave is a good means of communicating an apology.

Recommendation:

- 19 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.

Window tinting

Although communication with other drivers is difficult in modern vehicles by virtue of physical separation created by vehicles, it is generally still possible to see the other driver's face and expression through the windows (or, to a much greater extent in convertible vehicles). However, the extent to which facial expressions can be seen may be reduced or removed entirely by dark window tinting. This may increase the likelihood of Road Violence due to reduced communication and also due to making drivers feel more anonymous. There is some evidence to support this possibility (see, for example, Hatfield & Job 1998).

It may be possible to overcome this problem by either banning window tinting completely or by imposing rigid restrictions on the extent to which windows can be tinted. Hatfield and Job (1998), for example, recommend introducing regulations to lower permissible levels of car window tinting in order to reduce the anonymity of cars, making people more easily identifiable and hence less likely to commit road rage.

At present, the extent to which windscreens and windows in vehicles can be tinted is regulated by Australian Design Rule 8/00, which requires windscreens to have a light transmittance of at least 75 per cent except for bands above the primary vision area, and other windows in vehicles to have a light transmittance of at least 35 per cent (although windows to the side of and ahead of the driver should have at least 70 per cent light transmittance (see VicRoads 2000).

The Committee is of the view that these restrictions are insufficient as they do not permit motorists to see the drivers of vehicles with tinted windows clearly enough for the purpose of communication. In addition, the Committee is concerned that the level of enforcement of window tinting regulations could be enhanced. Accordingly, the Committee has formed the view that VicRoads should 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.

Recommendation:

- 20 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.

Traffic calming

The Committee noted in Part D of this Report that one of the main factors underlying Road Violence is the culture of speed and mobility that has arisen on the roads. This influences the ways in which people both interpret triggers and respond to them. Drivers may become easily frustrated at certain events in the driving environment that inhibit their progress, and will, occasionally, respond with hostility or violence. Triggers, of themselves, do not *cause* Road Violence, but they are part of a combination of person-related, car-related, situational and cultural factors that may. Engineering measures can do much to prevent certain triggers from occurring, but the driving environment also needs to be addressed.

While the culture of speed and mobility has developed for a variety of reasons – and is in many ways a reflection of the values of mass culture – in many ways the culture of speed that has developed relates purely to the car as an object. As discussed in Chapter 15, the nexus between Road Violence and culture may be one way in which our road system has been designed to facilitate the smooth and quick progression of the car as an object to the exclusion of other forms of traffic.

Some have suggested that the best way to counter this development is to implement ‘traffic calming’ techniques. Traffic calming involves the use of road design strategies to reduce vehicle speeds and volumes. They can range from making a few minor changes to neighbourhood streets to the rebuilding of an entire street network. As Litman stated, impacts may range from moderate speed reductions on residential streets, to arterial design changes, and residential streets with minimal traffic speeds (Litman 1999). Included in Litman’s list of common forms of traffic calming were:

...speed limits, vehicle restrictions, warning signs and gateways, raised crosswalks, median islands, speed humps, rumble strips, mini-circles, roundabouts, pavement treatments, bike lanes, curb extensions, ‘road diests’, lane narrowings, horizontal shifts, chicanes, 2-lanes narrow to 1-lane, semi-diverters, street closures, stop signs, ‘neotraditional’ street design, TDM [Transportation Demand Management] & Woonerfs (Litman 1999, Table 1, p.2).

Litman also pointed out that traffic calming mechanisms may be incorporated as:

‘Neotraditional’ neighbourhood design systems, that use a network of through streets (as opposed to a hierarchical road system with many dead end streets and cul de sacs) with narrow street widths, shorter block lengths, T intersections, and other design features to control vehicle speeds and volumes (Litman 1999, p.3).

It is suggested here that the greater use of such measures can help in the long term by preventing an expectation of freedom of movement. This may inhibit people from becoming quickly angered by impediments. Litman (1999) sees the benefits of traffic calming programmes as being increased road safety, reduced collision frequency by 40 per cent, reduced vehicle insurance claims by 38 per cent and reduced fatalities from 1 to zero. Additional benefits could be: improved conditions for non-motorised modes of travel including cycling and walking, increased non-motorised travel and reduced automobile travel, leading to increased walking, bicycling and public transport use (reducing car use), reduced noise and air pollution and preferable aesthetics. Other benefits may then include more attractive urban environments (where there is no need to ‘shout’ at passing motorists with large signs, nor to devote large areas to parking), increased neighbourhood interaction and crime prevention, increased property values, and reduced suburban sprawl. Litman also notes that:

Traffic calming often increases vertical equity. People who are economically, physically and socially disadvantaged tend to drive less than average, walk and bicycle more than average, and live in urban neighbourhoods that are most impacted by through traffic (Litman 1999, p.22).

On this latter point Litman commented that:

...traffic calming increases horizontal equity by reducing motor vehicle external impacts, and by creating a more balanced transportation system that increases travel choices for disadvantaged people. It can be argued that local residents’ interests should take precedence over the interests of non-resident motor vehicle users, since vehicle users impose unreciprocated impacts on residents, and because residents pay most of the costs of local streets through local taxes. Traffic calming can also increase vertical equity, since the people who benefit most tend to be economically, physically and socially disadvantaged relative to those who experience the most benefits from traffic calming (high mileage, suburban drivers) (Litman 1999, p.29).

On the other hand, Litman acknowledged that:

while some people love traffic calming, some hate it, and others have mixed feelings. Advocates argue that traffic calming protects residents, pedestrians and bicyclists from externalities imposed by motor vehicle traffic, and allows residential and commercial streets to better balance their multiple uses. Critics argue that it wastes resources, that it imposes an unfair burden on drivers, that

it simply shifts traffic impacts from one street to another, and that it does more harm than good (Litman 1999, p.1).

The benefit of traffic calming techniques outlined here by Litman is that traffic calming could address the car-centred nature of road systems, making it clearer that road use should be *shared*. For example, Litman suggests that traffic calming measures may increase non-motorised travel, for which there is seen to be considerable latent demand.³¹⁰ Litman found that:

[R]esidents in neighbourhoods with suitable street environments tend to walk and bicycle more, ride transit more, and drive less than comparable households in other areas. One study found that residents in a pedestrian friendly community walked, bicycled, or rode transit for 49% of work trips and 15% of their non-work trips, 18- and 11- percentage points more than residents of a comparable automobile oriented community. Another study found that walking is three times more common in a community with pedestrian friendly streets than in otherwise comparable communities that are less conducive to foot travel (Litman 1999, p.5).

Factors affecting how much a travel calming programme will change travel patterns included the magnitude of change (how much is done), demand (where it is carried out, eg. near schools, residential neighbourhoods, commercial centres); and integration with other improvements (eg. fixing public transport services as well) (Litman 1999).

The Committee, however, could find no studies supporting the impact that traffic calming would have on Road Violence. While it may help in the development of more liveable communities, it may have little effect on the incidence of actual incidents of violence. Furthermore, it is possible that traffic calming measures could even increase violence, at least in the short term, as people become frustrated with the traffic calming measures themselves. As Litman explained, there 'may initially be driver frustration with unfamiliar calming devices...because drivers want to go faster' (1999, p.21). However, he found that this was 'usually a temporary problem as drivers become familiar with traffic calming and accustomed to the new road conditions', concluding that 'some drivers will experience reduced stress from lower traffic speeds' (Litman 1999, p.21).

Despite the above arguments for and against traffic calming, the Committee does not currently support the greater use of traffic calming measures in the context of reducing Road Violence. It does, however, believe it would be useful to conduct further research into the effectiveness of specific traffic calming measures in preventing Road Violence.

310 'One market survey found that 80% of Canadians would like to walk more, and 66% would like to cycle more than they currently do. A Harris poll found that 70% of U.S. adults want better facilities for non-motorized transport' (Litman 1999, p.4).

Recommendations:

- 21 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.
- 22 The Committee further recommends that further research be conducted by VicRoads into the effectiveness of specific traffic calming measures in preventing Road Violence.

Vegetation

Another suggestion for calming motorists is for additional vegetation to be planted along roadways. There is some evidence to suggest that vegetation may have a calming effect, especially in highly urban areas (Cackowski & Nasar 2003). In addition, the Committee notes that the extensive use of vegetation can improve the environment and enhance community cohesion.

Nature is thus seen as an antidote to stress – contemplating nature (eg. walking in parks) can improve one’s mood. Many people also, arguably, prefer scenes with vegetation to those with concrete. Some studies have shown the restorative effect of roadside scenery on drivers, with evidence of increased stress recovery and reduced anger, aggression and fear after having been exposed to vegetated as opposed to urban roadside videos (see for example Cackowski & Nasar 2003).

Problems could also arise by reason of vegetation impeding vision or creating crash obstacles. As well, extensive revegetation may be expensive. Owing to the lack of evidence supporting a significant effect, the Committee’s view is that the extensive use of vegetation is not recommended at this time. However, road planners should consider the effect vegetation could have on road users when designing roads.

Speed governors

Another means of addressing the culture of speed and mobility, as well as preventing various triggers for Road Violence, such as excessive speeding, would be to require that cars are fitted with speed governors or other systems designed either to physically prevent or discourage excessive speed. Reinhardt-Rutland (1996, p.287), for example, argued for a more regulated road system (including the use of ‘speed-governors’) to ensure compliance with speed limits. In his view, if a maximum speed limit is set by the government then motorists should be compelled to keep to this limit – it cannot be assumed that they will obey the speed limit. Indeed, the evidence is to the contrary. For example, the Australian Population Survey Monitor found that 86 per cent of Australians aged 18 years and over had driven a motor vehicle in the previous

12 months and, of these, 13 per cent believed that they had always or most of the time obeyed the speed limit (Australian Bureau of Statistics 1998).

However, the widespread use of speed governors would entail a radical change involving government intervention to inhibit a motorists' freedom of movement (perceived and actual) and would require national, and potentially international, harmonisation. It may also involve considerable cost for individual car owners.

In November 2004, the Victorian Government raised the idea of requiring the manufacturers of all new vehicles to have speedometers that show a maximum of 130 km per hour on the dial (Tomazin 2004). This was considered to be a means of dissuading drivers from exceeding the speed limit (Tomazin 2004). Shortly after announcing this proposal, which had been tried unsuccessfully in the United States in the 1980s, considerable criticism was voiced including opposition at the federal level from the Minister for Transport and the Opposition spokesman on Transport (Haywood 2004; Norbury 2004; Heasley 2004).

The Committee has found, however, that excessive speed is not one of the primary triggers for Road Violence and that many instances arise when vehicles are travelling quite slowly (such as in car parks). Accordingly, it believes that proposals to require vehicles to have speed governors installed or speedometers limited to specified speeds are unlikely to have a substantial impact on Road Violence and has determined not to recommend either of these initiatives.

Heavy vehicles

The Committee has been informed of a perception in the community that the drivers of heavy vehicles are frequent perpetrators of Road Violence. Although some drivers of heavy vehicles do perpetrate Road Violence, often as a result of tailgating, there is little evidence to support the proposition that these drivers are dis-proportionately offenders. In many cases acts may be unintentional and may arise due to the feelings of vulnerability that many car drivers feel near heavy vehicles. Such feelings of vulnerability may well be similar to those experienced by many cyclists with regard to cars.

In this regard, the Committee notes the likely benefits which could arise from enhanced education of professional drivers concerning their need to share the road with other road users (see the discussion of educational programmes for professional drivers in Chapter 18, below).

A range of measures could be taken to prevent drivers of heavy vehicles from intimidating other road users. These include requiring trucks to have clear phone numbers on their side to enable complaints about the driver's behaviour to be made, preventing trucks using main roads in peak hours, requiring trucks to use the left lane, restricting the sale of 4WDs for city driving, ensuring adequate training of truck drivers regarding the vulnerability other road users feel in their presence and training truck drivers about the enhanced

danger posed by acts such as tailgating. While the Committee appreciates the concerns some people have about heavy vehicles, it does not believe that any of these steps are called for in the absence of evidence specifically linking heavy vehicles to instances of Road Violence. The Committee does, however, believe that certain educational measures may be of assistance (see Recommendation 27 regarding the need for educational programmes).

May Day Warning Systems

In its submission to the Committee, the RACV recommended that May Day Warning Systems could be advantageous in responding to Road Violence.³¹¹ May Day Warning Systems make use of Global Positioning Systems (GPS) which enable the occupants of vehicles to communicate with central reporting agencies when instances of serious threats to safety occur. May Day Warning Systems have a number of uses (particularly crash notification) but may also function as distress alerts and, as Mr Ken Ogden explained to the Committee, there is also the 'peace of mind' benefit that may result from the installation of such a system.³¹²

May Day Warning Systems could be used by motorists to seek assistance in cases of Road Violence. If responses were sufficiently quick, they could also lead to some perpetrators being apprehended. This could also act as a deterrent to potential perpetrators. In addition, the Committee received evidence of some victims of Road Violence who have become too frightened to drive again. The use of May Day Warning Systems could help them to recover their confidence, by feeling a little safer while driving.

Unfortunately, the costs associated with installation of systems in every vehicle would be prohibitive at present (although as GPS technologies develop and become common in vehicles for navigation, costs may be reduced). More problematic than cost, however, is the infrastructure needed to monitor calls made and the need for police to be able to respond quickly to sometimes fleeting incidents. Another potential problem is that systems could be open to abuse through false and vexatious calls, or by jamming the system with multiple calls. In view of these problems the Committee believes that compulsory installation of such systems in all vehicles is not appropriate at present. Some motorists may, however, choose to make use of systems when they are available.

Encouraging alternative transportation use

As discussed previously, congestion is, arguably, one of the main triggers of Road Violence. The fact that large numbers of cars are required to occupy a

311 Submission from Mr Colin Jordan, Managing Director and CEO, RACV, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 18 June 2004.

312 Mr Ken Ogden, RACV, Evidence given at the Public Hearing of the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 22 June 2004.

confined space raises the likelihood of triggering incidents occurring which can lead to acts of Road Violence. By limiting the number of vehicles on the road, the incidence of triggering incidents is likely to be reduced and thus acts of Road Violence minimised.

Reducing traffic congestion may require long-term planning of communities and cities. Building 'local' communities, for example, rather than commuter dormitories may result in the number of personal journeys being greatly reduced. However, given the urban sprawl of many Australian cities, the fact that people are always likely to need to travel, and limitations on the capacity to build more roads, the best way to reduce congestion could be to encourage alternative transportation use and car pooling. Both these measures have the potential to reduce vehicle usage.

Accordingly, the Committee is strongly of the view that fostering the use of alternative means of transport would have significant benefits in terms of reducing Road Violence, as well as many subsidiary benefits such as improving the environment through reducing pollution and enhancing public health through encouraging walking and/or cycling. Alternative transportation may also encourage tourism by making a city more easily navigable for visitors.

The Committee received a number of submissions supporting the notion of encouraging alternative transportation use.³¹³ For example, a submission from Mr Mathew Strain argued that:

underlying causes which lead to "road rage"...could be lessened by an active policy to encourage increased use of cycling as a method of transport. This is especially relevant for commuting to work...as the prevalence of bicycle use increases, congestion levels would decrease.³¹⁴

Similarly, the TAC suggested that one way in which to reduce the number of cars on the road would be 'to encourage the use of and provide the necessary infrastructure for the safe and reliable use of public transport'.³¹⁵

The City of Yarra was also supportive of the idea of encouraging alternative transport, particularly the use of bicycles, in order to reduce congestion and minimise the risk of Road Violence.³¹⁶ Of course, bicycle riders are often the victims of Road Violence and so any proposal that seeks to increase the use of bicycles needs to be supported by other measures that would reduce Road Violence caused by other factors.

313 Submission from Ms Alison Cran, Director, Community and Cultural Studies, Shire of Yarra Ranges, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 22 June 2004.

314 Submission from Mr Mathew Strain to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 6 July 2004.

315 Submission from Mr David Healy, General Manager Road Safety, Transport Accident Commission, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 22 June 2004.

316 Correspondence from Ms Maureen Brewer, Strategic Transport Planner, City of Yarra, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 1 July 2004.

The Committee was informed about a number of steps that could be taken to encourage the use of alternative transport. These included:

- ◆ improving the coverage and standard of the public transportation system;
- ◆ developing a standardised ticketing system across states;
- ◆ encouraging companies to provide annual public transport tickets instead of/as well as company cars;
- ◆ building more bicycle lanes;
- ◆ providing free community bicycles such as exist in a number of European cities;
- ◆ ensuring bicycle lanes are well connected;
- ◆ funding 'ride to work' programmes and other travel behaviour change programs;
- ◆ building more car pooling lanes and encouraging workplace carpooling schemes; and
- ◆ reviewing the tax implications of alternative transportation use (for example through modifications to the fringe benefits tax to bring public transport fares into parity with petrol and car prices).³¹⁷

The Committee also received many suggestions about reducing road congestion, and therefore possibly Road Violence, many of which related to alternative means of transport. These included:

- ◆ the widespread use of alternative transport programmes such as increasing priority for public transport in congested areas;
- ◆ increasing public transport service provision;
- ◆ greater public transport operating hours,
- ◆ travel behaviour change programmes;
- ◆ provision of annual public transport tickets instead of company cars;
- ◆ workplace car/ride sharing programmes (and/or car pooling);³¹⁸
- ◆ limiting the number of capital city car park developments instead of legislating their minimum requirements;
- ◆ pay-as-you-drive car insurance to reduce car use and encourage more equitable insurance regimes; and
- ◆ removing clearways in shopping precincts.³¹⁹

317 Submission from Mr Damon Rao, urbanbicyclist.org to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 18 June 2004.

318 Submission from Mr Damon Rao, urbanbicyclist.org to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 18 June 2004.

319 Submission from Mr Russell Stevens to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 5 August 2004. See also the support for car pooling in NRMA (2002, p.7).

Mention was also made of the 'Capital City Car Parking Land Tax regimes' already in place in Sydney and Perth:

In each case, a nominal tax is levied on car parking spaces within a defined area. In Sydney \$800 p.a. in the CBD and \$400 p.a. in Inner Sydney and Parramatta is collected. This revenue is directly tied to the Public Transport Authority. In Perth a similar scheme applies. The funds raised go directly to the CBD free shuttle bus. No scheme exists in Melbourne.³²⁰

Others considered that some recent public transportation policies have led to a decline in the standard of service provided for public transport users:

If train station staffing, and tram conductors, were returned to the public transport system a gradual reduction in the number of cars on our roads would occur. We would then find an exponential diminishment [sic] of the incidence of 'rage'.³²¹

The Committee also received some quite radical suggestions aimed at limiting vehicle usage such as making motor car travel not as easy so that people will use alternatives, giving priority to pedestrians and cyclists over cars, making fuel more expensive and/or introducing congestion tolls.³²²

There were, however, other less radical ideas suggested to the Committee.

Dr Ann Williamson raised the idea of reducing congestion by encouraging people to drive outside peak hours when the roads are less congested. She recommended that this could be encouraged by workplaces offering flexible hours of work.³²³ Others agreed with the need to encourage alternative working policies – such as allowing people to work from home (telecommuting) or work different hours.³²⁴ Such proposals would, however, require a change of attitude on behalf of employers, which may take some time to achieve.

Many of these ideas are already being considered in Victoria as part of the general transportation proposals and plans are in place that aim to increase the use of alternative transportation (for example, Melbourne 2030, Linking Victoria, TravelSmart, Transit Cities and the Metropolitan Transport Plan). However, as submissions to the Committee suggested, part of the lack of public transport use is the problem of system unreliability and frequency of

320 *ibid.*

321 Submission from Mr Matthew Worrall to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 26 February 2004.

322 Submission from Mr Russell Lindsay, Officer in Charge, Melbourne Police Bicycle Patrol Group, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 22 June 2004.

323 Dr Ann Williamson, New South Wales Injury Risk Management Research Centre, in conversation with the Committee, Sydney, 17 June 2004.

324 Professor Ann Brewer, Professor of Organisation Logistics, University of Sydney, in conversation with the Committee, Sydney, 17 June 2004.

service problems.³²⁵ According to Professor Brewer, the lack of public transport use and associated problems was due to the perception that Australia does not have the population to support public transport on demand. Professor Brewer also noted that there were status issues to be overcome where public transport use was concerned, as well as issues of overcrowding at peak schedule times.

Despite these impediments, the Committee strongly supports the continued development of initiatives to improve and to expand public transport and alternative means of travel. One of the benefits to be derived from such programmes would be to reduce congestion on the road, with the corresponding benefits of avoiding many triggering events which precede acts of Road Violence.

Conclusion

It is the Committee's view that a comprehensive package of engineering reforms could be introduced to target known triggers of Road Violence and Road Hostility, as well as removing some of the conditions which may lead to Selfish Driving. These reforms range from general road design and planning measures through to enhanced use of signage and road markings to avoid confusion and misunderstandings among motorists. They also include highly technological solutions that alert drivers to stressful conditions in the driving environment. As with all road safety issues, a balance needs to be struck between the cost of interventions and the likely beneficial outcomes arising from their implementation. In view of the current state of research concerning the known risk factors of Road Violence, it seems that a number of the more costly reforms may not be warranted. Others, however, that are relatively inexpensive should receive serious consideration, not only as a means of reducing the risk of Road Violence but also as a way of improving the environment in major urban areas. As with crime prevention initiatives generally, there is often a diffusion of benefits that may be derived from the implementation of crime reduction initiatives. In the case of Road Violence, these indirect benefits could be profound.

It is also the Committee's strong view that there is a need to ensure that any changes implemented do not further encourage a culture of speed and mobility, or lead to unsafe driving conditions or practices.

325 *ibid.*

18. Education

Introduction

When motorists respond to an event in the driving environment with the use of violence, their decision is influenced by a wide range of considerations. These include their perception of the causes of the situation, and certain physiological and cultural factors, such as the level of aggression that the person feels at the time. Lajunen, Parker & Summala (1999) believe that the key to developing effective countermeasures to reduce Road Violence lies in addressing society's propensity towards aggression, which is reflected in and indicated by our aggressive driving culture.³²⁶ These measures should be based mainly on driver training and attitudinal change through the use of educational programmes (Lajunen, Parker & Summala 1999).

The Committee found considerable support in the academic literature for the use of educationally based measures. Fong, Frost & Stansfeld (2001), for example, argued that public education campaigns could increase driver self-awareness to the extent that drivers may recognise that 'they may behave differently when driving, and that involvement in "road rage" is not only a consequence of driving conditions but also of themselves' (p.285). Larson similarly believed that driver education campaigns may be able to deliver a 'missing link' regarding the development of civility on the roads. He noted that although we have been eating together for thousands of years, we have only been driving cars for about 90 years, and have not yet established manners and courtesies for being in the car in the way we have for being at the dinner table (cited in McMurphy 1997). James and Nahl (2000a) suggested that most drivers are unaware of the extent of their own aggressiveness. Their solution to the problem is to encourage drivers to recognise that in traffic they are highly dependent on each other's coordinated actions through public education campaigns that foster a concept of 'supportive driving'. Further, because driving is a group activity, drivers need to be made aware that they are to some extent

326 'The peculiar thing about aggressive driving is that as a society, we accept it without any thought. This sort of behaviour is extremely rude and would not be tolerated were it done in any other place other than a car' (Submission from Mr Russell Lindsay, Officer in Charge of the Melbourne Police Bicycle Patrol Group, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 22 June 2004).

responsible for each other's needs. According to James and Nahl, the development by drivers of a more objective attitude to their own behaviour on the roads could overcome what they call 'emotionally impaired driving' – where competition on the road is favoured over teamwork and cooperation with other road users (James & Nahl 2000a, pp.4–6).

It is important to ensure any proposed educational strategies are properly designed, implemented and evaluated, as it is thought that in the past a number have been ineffective (Henderson 1971). However, in light of the difficulties associated with engineering measures mentioned in the previous chapter, educational campaigns may prove to be particularly important given the inability of the road system to remove sources of conflict. Given the time-lag associated with the introduction of engineering solutions, it appears at this point that the most effective immediate solution would be to influence and change driver attitudes through education. Accordingly, in this chapter the Committee examines the various driver education strategies that have been implemented to address Road Violence.

Law enforcement or driver education?

It appears, as in other areas of criminal justice, that a dichotomy exists between those who support stronger law enforcement as a means of resolving Road Violence and those who believe educational programmes may prove more effective. Willis (1997), for example, sees education as being important, but notes that ultimately strong law enforcement is necessary. Supporters of stronger law enforcement argue that driver education campaigns are only effective up to a certain point. Matthew-Wilson (2004) argues that in the case of the hard core of criminal drivers (particularly substance abusers who regularly continue to drive) neither enforcement nor education is effective. Matthew-Wilson (2004) believes, for example, that substance abusers are incapable of making rational judgments when they get into their cars, and even if they have no licence or have been previously punished for driving infringements they will still drive unsafely. He also argues that law enforcement is unlikely to be effective until *after* there has been an incident (for example, a crash). Although this view largely concerns drink driving rather than Road Violence, his arguments regarding repeat-offenders and road safety education – that it is an expensive waste of time in relation to modifying their behaviour – could be extrapolated to the problem of Road Violence.

Some Victorian commentators also have viewed driver education as being only of limited benefit in the context of 'road rage'. For example, Mr David Healy, General Manager of Road Safety, Transport Accident Commission of Victoria (TAC) told the Committee:

Driver education is always a very thorny issue, in terms of what role it can and cannot play. I suspect with road rage we are dealing with a very specific deviant behaviour and the normal processes of education in their own right

may well be relatively innocuous in terms of changing such behaviours. I do make the general comment, with respect to the role of public education in looking at road rage, that we in the traffic safety area believe that public education is just one element of an integrated approach.

Education in itself is relatively powerless. At best you will get a very small incremental effect. We tend as a society to imbue it with a power over and above that which I think it intrinsically contains. Our approach in road safety is to make sure that education is linked to the environmental change, it is linked to an enforcement regime that is linked to a legislative framework and, as best we can, we try and attack the issue holistically. I would imagine that with the issue of road rage, dealing with the relatively extreme intractable behaviour, you would need to think very carefully about the role public education would play in and of itself.³²⁷

Lajunen, Parker and Stradling note, however, that:

there's not many ways to change the driving circumstances (e.g. reduce congestion), ... it would be more useful to focus on altering driver's perceptions of the situations they find themselves in, and their role in it. In particular, ... concentrating on persuading drivers to see traffic more as 'team-work in which everyone benefits from collaboration' (Lajunen, Parker & Summala 1999, p.235).

Since it is proving difficult for politicians and traffic system managers to change the conditions under which motorists are having to operate – an overloaded system, with a high frequency of frustrations and conflicts – the only remaining option is to change drivers – improving their tolerance of frustration and management of anger. Well-targeted campaigns and well-constructed educational programmes in anger control may yield initial alleviation of symptoms. However, there may be subsequent rebound effects when motorists realise they are being asked to provide the emotional effort for the solution as well as tolerating the problem (Lajunen, Parker & Stradling 1998, p.120).³²⁸

However, such arguments principally have relevance to widespread general driver education campaigns. Specifically-targeted education campaigns, tailored to fit each particular potential offender, may be more successful. For example Grey, Triggs & Howarth (1989) believes the area of 'driver education can be divided roughly into three sections; driver education courses for learner adults or high school students, driver education for those identified as problem drivers, and mass media campaigns' (Grey, Triggs & Howarth 1989, p.67). This form of driver typology should allow some type of programme to be devised to address 'repeat offender' behaviour before law enforcement becomes necessary.

327 Mr David Healy, General Manager Road Safety, Transport Accident Commission, Evidence given at the Public Hearing of the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 22 June 2004.

328 See also Indermaur 1998, pp.10–11.

The remaining sections of this chapter discuss pre and post-licence driver education with the aim of defining the most effective time for delivering driver education pertaining to Road Violence, Road Hostility and Selfish Driving.

Education in connection with driver licensing

One of the key intervention points regarding road user behaviour is the point at which people learn to drive. During the licensing process all drivers are compulsorily required to study particular materials provided by VicRoads. The Committee believes that this is a crucial time at which to incorporate driver education material with respect to Road Violence.

At present, obtaining a full licence to drive a motor vehicle in Victoria involves 10 steps. These aim to provide prospective drivers with both a knowledge base and practical skills base that equip them to drive safely and in accordance with road laws. The 10 steps include basic education on road laws and the driving environment, obtaining a learner driver permit, obtaining driving experience as a learner driver, obtaining a probationary licence and finally receiving a full driver's licence.³²⁹ In a number of submissions to the Committee criticisms were raised concerning the rigour of the current licensing process in Victoria. It was suggested that the perceived or actual laxities of the licensing process may contribute to driver behaviours that act as triggers for Road Violence and/or Selfish Driving. Ms Michele Wright, from the Inner South Community Health Centre in Melbourne, for example, argued that it is currently too easy to get a licence:

What can assist drivers in learning what is road rage and how drivers can handle it is when federal and all state governments, all authorities and committees start to become much stricter with a person wanting to obtain a learner's permit, as well as drivers who want to maintain a driver's licence... In Australia, to obtain your learner's permit all you need to do is answer 30 questions. After that you are wearing your L-plate on your car with a licensed driver, learning their bad habits. Then this L-plate driver, without having any lessons with a qualified driving school, can legally drive a car travelling at 100 kilometres an hour. I think that is irresponsible. Legislation must change. As soon as the learner driver has answered the 30 questions, he or she should have a few lessons with a driving school – where the instructor has a double-clutch and a brake in case of an accident – and at least can then see how the driver handles the car. After that, have lessons with your parent or whoever is going to teach you. In addition to the above, learner drivers and current drivers must have some theory classes with a qualified teacher showing some videos and examples of what can happen out there on the road in all different weather conditions that can occur on the roads and how to handle your car in different situations.³³⁰

329 The full details of the 10 steps and licensing process in Victoria are set out in VicRoads (2003).

330 Submission from Ms Michele Wright, Family Violence Project Worker, Inner South Community Health Service, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 18 June 2004.

Others argued that the licensing process should be made more difficult, for example, by requiring a certain number of hours experience before driving, by requiring compulsory professional driving lessons, or via a system of graduated licensing.

Graduated licensing schemes

The Committee found strong community and theoretical support for the concept of a graduated licensing system. In its 1997 *Crash Index*, AAMI recommended 'more comprehensive, graduated licenses and driver training for young drivers as a first step in preparing them for the responsibilities they face on the roads' (cited in Victorian Community Council Against Violence 1999, p.17). In support of such a system, researchers have highlighted the problem of younger drivers and risk-taking behaviour, arguing that the effect of being required to graduate through the various barriers to obtaining a full licence could deter such risk-taking behaviour. Ms Lyn Stewart, in evidence given to this Inquiry, implicitly approved the idea of a graduated licence. She told the Committee that:

Reports also show that once the learner driver has obtained his or her probationary licence this is where the accidents and crashes seem to occur involving young drivers. That is probably because they do not have a driver with them. This may also be because he or she is not taught theoretically what to do in certain situations and the true ethics of driving a car on the road. At least if you see a certain predicament in a video or class and have it explained by a qualified person – about that particular situation – you may recall, when you get your licence, how to handle that situation once it occurs.³³¹

Graduated licensing regimes have already been implemented in certain states in the United States and in Austria.

In the United States, Jonah (1990) suggested a graduated licensing system for young drivers to reduce risky driving behaviours, similar to those in existence in California, Maryland and Michigan. In such systems, drivers are prohibited from driving after dark, on highways or with passengers under 25 years of age during the first six months of holding a licence. During the second six months of the licence the driver may drive on all types of roads, but still only during daylight and again not with passengers under 25 years-old. During the third six months of the post-licence period, drivers may drive after dark, but not between midnight and 6am. After 18 months the driver is accorded full driving privileges. However, in order to progress from one step to the next, drivers must be accident and violation free. Jonah argues such a system reduces the risk of accidents and road trauma among young drivers (Jonah 1990, see also United States Subcommittee on Surface Transportation 1997).

The Austrian 'L17' graduated licensing process is particularly comprehensive, requiring accompanying people to have had certain levels of driving

331 Ms Lyn Stewart, Evidence given at the Public Hearing of the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 22 June 2004.

experience, 26 theory lessons (of 50 minutes each) and 12 practical lessons (of 50 minutes each) following a particular curriculum. The Austrian system also requires that the provisional licence holder drive for at least 1000km under advice of at least one of their lay-instructors. There are then further components for the provisional licence holder to complete, including theory of driving lessons (on topics such as choice of speed, hazardous conditions analysis, etc.), a further 1000km of supervised driving, more lessons on topics such as partnership in traffic and techniques for locating specific hazards, another 1000km of supervised driving, and finally 'perfection training' (consisting of three lessons including a simulation of a practical driving test and of driving on highways). Only at the end of this extensive programme can the probationer then apply to take his or her final driving test (at around age 17). The driver probationary period then ends at 18.³³²

While not yet willing to advocate as strict a system as Austria's, the Committee believes that given the high incidence of youth involvement in risk-taking behaviour and, in some circumstances, accompanying acts of Road Violence, tightening the licensing process could help avoid some of these incidents. The Committee is aware that a review of the Victorian licensing process is currently being undertaken, focussing in particular on forms of graduated licensing.³³³

The Committee therefore has determined not to make any recommendations concerning the licensing process in general. The Committee does, however, support the above review of the Victorian driver's licensing process, and recommends that the issues of Road Violence, Road Hostility and Selfish Driving be taken into consideration as part of this review.

There are also other elements of the licensing process which the Committee believes should be addressed. These include driver screening, revision of the *Learner's Handbook*, the creation of a Road Violence programme as part of the licensing process, licensing education addressing the current driver confusion regarding the rules pertaining to roundabouts, and the question of post-licence driver training and/or refresher courses. These elements are examined in the following sections, as is a discussion of the role of generalised driver education campaigns such as in-school programmes and print and broadcast media campaigns.

Recommendation:

- 23 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.

332 Mr Ludo Kluppels, Policy Coordinator, Belgian Road Safety Institute, in conversation with the Committee, Brussels, 7 July 2004.

333 Ms Antonietta Cavallo, Senior Policy Adviser and Principal Psychologist, VicRoads, Evidence given at the Public Hearing of the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 9 September 2004.

Driver screening

One contentious suggestion contained in the literature reviewed for this Report is that prior to receiving their licence drivers should be screened to prevent 'antisocial' people from becoming licensed at all. Noyes (1985) for example, suggested that one approach to coping with aggression in driving may be to screen drivers suspected of having problems (including mental illness and emotional stress). He argued that physicians could aid in the prevention of motor vehicle crashes by notifying authorities if they become aware of any psychiatric factors pertinent to their patients that might be capable of impairing their driving ability. In support of this proposal, Noyes cited Nathan and Turner's (1974) study in which 100 drunk drivers were screened. Fifteen of these required immediate psychiatric intervention. Noyes' view was that as patients commonly consult physicians in times of stress, the physicians should be prepared to intervene accordingly if they think their patients are in physical danger from driving, including intervening in relationship to their patients' possession of a driving licence (Noyes 1985).

Other have argued that physicians should be alert for signs of drivers suffering from mental breakdown, and for signs of mental deterioration in elderly patients if they have any unexplained crashes. It has been suggested that drivers of heavy goods vehicles and public service vehicles should not be permitted to drive if they have suffered a psychotic breakdown or have personality disorders (Grey, Triggs & Howarth 1989; Wiesenthal, Hennessy & Gibson 2000).

In Australia, however, the recently revised national medical assessment standards provide a good basis for a standard assessment by doctors of their patients' fitness to drive. VicRoads is continuing to promote the importance of these standards to the medical profession through the SafeDrive Medical programme. This programme is accredited by the Royal Australian College of General Practitioners as an education programme for medical practitioners, attracting Continuing Medical Education (CME) points (Victorian Government 2004). The Committee believes that these procedures are sufficient.

As seen in Chapter 12, there is some evidence that personality influences the likelihood of committing acts of Road Violence. If those people who are most likely to commit such acts be identified and prevented from driving, this could, arguably, help to reduce the incidence of Road Violence. To this end, a number of personality tests for drivers have been devised to detect potential problems.

For example, the Austrian Road Safety Board developed the ART 2020 test unit series (Act and React Test System) which permits the comprehensive examination of a subject's traffic-relevant performance and personality dimensions. These include driver-specific attitudes and personality features such as readiness to take risks, level of social adjustment, self-control, emotional stress endurance and alcohol risk.³³⁴

334 'Traffic Psychology Testing with the ART 2020', Brochure from Kuratorium Fur Verkehrs Sicherheit, the Austrian Road Safety Board.

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. As Grey, Triggs & Howarth commented:

while a number of studies have produced positive results in identifying the personality characteristics of crash involved drivers, the methodological problems of these studies prevent any firm conclusions being drawn. Methodological problems have included small sample sizes and inadequate control for variations in risk and exposure. In addition, research in the area of aggression has included few cross validation studies. A study by Conger et al (1957, 1959) is one of the few to discuss the results of cross validation studies. As a consequence, the literature on this topic does not reflect a systematic development, with researchers in general applying either different established personality tests or developing their own tests... As most of these studies do not appear to have been cross validated, it is not possible to judge which measures could be successful in discriminating aggressive drivers... An important question in view of this result would be to ask what is the personality test actually measuring (Grey, Triggs & Howarth 1989, pp.59–60).

Accordingly, it is currently not possible to accurately identify all people who *will* commit acts of Road Violence. While particular personality traits *may* predispose some people to acting in a certain way in certain conditions, they will not always act in such a way. Although Galovski and Blanchard found a high incidence of psychiatric distress among aggressive drivers, they stated that ‘of course, we cannot submit each potential driver to a personality screening test’ (2004, p.120). Screening on such a scale would be prohibitively costly and time-consuming, with insufficient predictive ability to warrant its introduction. Difficult questions of professional confidentiality would also arise if medical practitioners were obliged to report illnesses in their clients to road safety authorities, and presumably it would be impossible to define precisely those condition that would require notification.

Of further concern is the fact that most tests targeting person-related factors are fairly easy to falsify once applicants know the purpose of the test. Dr Soames Job informed the Committee that this was one of the primary difficulties with screening of this kind:

The reality is that there is not a test which is not fairly readily falsified. As soon as you put out such a test, people are very quickly going to learn what the correct answers are, so such a test is not actually going to give you any sensitivity for selecting people for a driving licence.³³⁵

It is also contrary to fundamental tenets of criminal justice, which generally only impose restrictions on individuals who have been proved to have acted in a proscribed way – not, for what they might do in the future. Although some preventive detention legislation (which enables specified individuals to be

335 Dr Soames Job, General Manager, Road Safety Strategy, Road Traffic Authority of New South Wales, in conversation with the Committee, Sydney, 17 June 2004.

imprisoned because of their risk of committing serious violent offences) goes against this notion, such legislation is highly specific and closely controlled. In the Committee's view, it would be inappropriate to establish such a wide-scale and unreliable system of preventive intervention for the whole driving population. A further difficulty is that such preventive interventions would require regular re-testing to determine if those found to be at risk of violence had changed in their risk profile. Again, ongoing screening would be prohibitively costly and unjustifiable in terms of the likelihood of preventing isolated acts of Road Violence. In the opinion of the Committee, therefore, personality or any other types of predictive testing is not a reliable means of locating individuals who might act violently on the roads and should not be introduced.

Learner's handbook

Instead of precluding people from driving it may be preferable to teach learner drivers how to avoid committing acts of Road Violence. As part of the licensing process, learner drivers are provided with a handbook that provides an extensive amount of information necessary for them to fulfil the various licensing requirements. The VicRoads (2003) book, *Road to solo driving*, contains information about road rules and driving behaviour in general, as well as the formal requirements for gaining a licence. At present, the handbook contains only a very a small section on Road Violence, Road Hostility or Selfish Driving as part of the section giving advice about cooperative driving (VicRoads 2003). The section was added following the recommendation of the Victorian Community Council Against Violence.³³⁶ The section appears in the 'Sharing the road safely' chapter of the handbook. This chapter contains general information about driving being a cooperative activity, and tips for interacting with other road users, including cars, cycles, motorcycles and pedestrians. Some submissions to the Committee viewed this information as sufficient, and it was thought that adequate information about safe driving behaviours was readily available in Victoria. The RACV, for example, said in its submission that in its view:

...in terms of information about acceptable driving behaviour, Victoria provides more resources than any other jurisdiction. Specific information brochures to encourage drivers to keep calm while driving have also been developed. VicRoads published a brochure in 1997 called *Keep your cool in the car: how to deal with aggressive driver behaviour*. Additionally, the RACV has published articles in its *Royalauto* magazine about being a courteous driver and sharing the road, as well as providing advice for people who feel at risk of violence while they are driving. RACV does not believe that any further information is required.³³⁷

336 The Victorian Community Council Against Violence recommended that 'information about the dangers of aggression and/or violence on the roads be included in the *Victorian Traffic Handbook*, and that scenarios involving aggression and conflict resolution skills be built into the hazard perception test' (1999, p.xxii).

337 Submission from Mr Colin Jordan, Managing Director and CEO, RACV, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 18 June 2004.

While the Committee commends VicRoads for incorporating such information, it believes that there is a need for a greater focus on driver attitudes during the licensing process. The Committee is of the opinion that, at present, the licensing process is too focussed on road rules and technical skills rather than driver attitudes, which the Committee believes to be equally important. This opinion is supported by a number of submissions received by the Committee.³³⁸ A submission from Mr David Levin, Wigs on Wheels, commented that the education of new drivers should involve teaching them that 'driving is a public and social behaviour, and that pro-social behaviour is part of good driving'.³³⁹ Similarly, the submission from Mr Stephen Sabbatucci, General Manager Planning & Development, City of Stonnington, was supportive of the introduction of an education programme to address 'road rage'. He recommended education when learners' permits and drivers' licences are applied for, as well as a public media campaign aimed at existing licensed drivers. He argued that the emphasis should be on the road rules providing community benefit and encouraging an attitude of patience and courtesy.³⁴⁰

The literature also supports this view. Grey, Triggs & Howarth, for example, observe that:

A large literature exists in relation to driver education; however, only a relatively small selection would appear to be directed at influencing driver attitudes and consequentially modifying potential aggressive tendencies. In view of the work of Naatanen and Summala (1976), Hampson (1984) suggested that driver education might be able to emphasise the fallibility of drivers, rather than its present role of training to increase driver skill. Public education by mass media might direct attention toward informing drivers of the errors they are likely to commit, and teach them to adjust their safety margins accordingly (Grey, Triggs & Howarth 1989, p.67).

Similarly, Stradling & Meadows (2000) take the view that bad attitudes make for bad drivers. This calls into question the conventional wisdom that improving driver training can prevent crashes. Instead, Stradling & Meadows (2000) believe that while some skill is essential in order to survive on the road, greater car handling skill does not necessarily result in safer driving, as some skilful drivers choose to drive in a risky manner.

338 For example, Dr Barry Watson, in conversation with the Committee, Brisbane, 15 June 2004; Ms Michelle Venables, of the Warning Against Vehicle Violence Education (WAVVE) Program, in conversation with the Committee, Brisbane, 15 June 2004; Mr Ludo Kluppels, Policy Coordinator, with the Belgian Road Safety Institute, in conversation with the Committee 7 July 2004.

339 Submission from Mr David Levin Q.C., Convenor, Wigs on Wheels, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 5 August 2004.

340 Submission from Mr Stephen Sabbatucci, General Manager Planning & Development, City of Stonnington, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 28 June 2004.

Ferguson (1998) believed that drivers need to be taught the 'emotional intelligence' of driving; that is, how to deal with hostility expressed by drivers, how to be accepting of diversity, and how to accommodate a diversity of drivers' behaviours on the road.

Accordingly, the Committee does not believe that it is sufficient simply to have one section about sharing the roads as a way of educating young drivers how best to avoid Road Violence. Instead, it would be preferable to incorporate information about driver attitudes and the cooperative nature of driving throughout the entire body of the handbook.

The Committee also believes that the current emphasis on teaching technical skills should be supplemented with a driver education focus on safety. Studies have shown that drivers who hold advanced driving skills, for example, may actually be less safe drivers than those without such skills (Lajunen, Parker & Stradling 1998). For example, it has been found that drivers' views of themselves as skilful and safe drivers influences their driving style and that those who overestimate their perceptual-motor skills have a more emotional attitude to driving than do those who emphasise safety. In addition, it was found that driving aggression is negatively associated with safety orientation on the roads (Lajunen, Parker & Stradling 1998). A driver's perception of his or her skill levels may actually foster a far too subjective, as opposed to objective, manner of driving.

Given the possibly detrimental effects which a concentration on skills-based learning could have, the Committee believes that as part of its current review of the Victorian driver's licensing process, VicRoads should investigate ways in which to incorporate information about driver attitudes and Road Violence into the educational materials. This could include additional information about driving being a cooperative activity and the need to share the roads with other road users, as well as information about the issues of Road Violence, Road Hostility and Selfish Driving. The latter information could encompass causes, techniques for avoiding becoming either a perpetrator or victim, the importance of positive driver attitudes, the cooperative nature of driving and respect for cyclists' rights.

The Committee believes that it would be cost-effective to target information of this nature at novice drivers in view of the fact that, as the Committee has found, it is young motorists who, disproportionately, become involved in Road Violence. The Committee believes that directing resources in this way would be cost-effective, as explained by Crime Prevention Victoria:

Given that many drivers do not display any form of violence while driving, it would not be cost-beneficial to develop an education campaign aimed at the general community. Some jurisdictions profile recidivist road rage offenders and seek to target them with education campaigns. Many such studies have identified younger people, specifically men, as the primary perpetrators of road rage.... It has been proposed that an analysis be undertaken to

determine whether a driver education course is required for high-risk road rage offenders in Victoria and whether such a course is effective. If young people are disproportionately identified as offenders, information on road rage could be incorporated into pre-licence education for new drivers.³⁴¹

The Committee acknowledges that there is little evidence either supporting or contradicting the role which education may play in reducing Road Violence. Unfortunately, the large amount of research which has been conducted on the value of driver education and improvement courses, in particular high school driver programmes, has been methodologically poor (Shinar 1978). Conley and Smiley (1976) found that the type of driver education (high school, commercial, no formal education) the individual had undertaken failed significantly to differentiate crash and/or violation involved drivers from drivers without crashes or violations (see also Asher & Dodson 1971). Harrington's (1972) results relating to driver education differed from these only on the basis of conviction rate (which decreased) and crash rate (which decreased for females only).

The influence of driver improvement programmes on the attitudes held by drivers was investigated by Edwards and Ellis (1976). They administered the Siebrecht Attitude Scale to drivers who participated in the Texas driver improvement training programme and compared driving performance (as measured by the number of crashes and violations in the period of 12 months before and after the programme). Only male drivers between the ages of 17 and 24 showed any improvement in attitudes after they had been through the driving programme. This group also had a significant decrease in the number of violations incurred after the training programme. However, no difference was observed in their crash rate.

Research by Peck (1976) found that warning letters, group meetings and individual counselling sessions had the effect of reducing the frequency of traffic violations among negligent drivers for approximately six months. After this time, the effects were found to dissipate. Other research found that the most improvement in crash rate occurred when crash repeating drivers were given interviews with trained driver analysts who used a non-punitive approach (see Henderson 1972; Grey, Triggs & Howarth 1989).

Nonetheless, the Committee still believes that the provision of further information for novice and learner drivers may be useful. However, to ascertain whether or not this is the case, the Committee stresses that it is important to ensure that any changes are closely monitored and evaluated.

341 Submission from Crime Prevention Victoria, Department of Justice, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 6 July 2004.

Recommendation:

- 24 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.

In making this suggestion the Committee is not recommending that there be an extensive focus specifically on Road Violence, Road Hostility and Selfish Driving, but rather more generally on driver attitudes and the need for cooperation and courtesy. This may not only improve the knowledge that road users have concerning their roles and responsibilities (thus preventing some triggers for Road Violence from taking place) but may also contribute to overcoming a contributory culture of speed and mobility, replacing it with a culture of cooperation and courtesy.

Road Violence programmes

Learner drivers

As well as integrating attitudinal material more thoroughly into the novice drivers' handbook, the Committee considers that it could be useful to require learner drivers to attend a special programme about Road Violence, Road Hostility, Selfish Driving and driver attitudes in general. As discussed in Chapter 22, such programmes have been used (with some success) in a number of jurisdictions, mostly for people convicted of offences or for those who chose to attend (for example, professional drivers). The Committee is supportive of the use of such programmes for individuals who have committed acts of Road Violence or who feel that they could benefit from receiving such training. As far as the Committee is aware, however, no such courses have specifically targeted learner drivers or been required as part of the licence acquisition process. In Queensland, however, the Committee was informed that there were plans to extend the Warning Against Vehicle Violence Education (WAVVE) Programme to learner drivers while a Youth Road Awareness Programme has been trialed in 2004, in conjunction with a Gold Coast driving school.³⁴²

The main purpose of such courses would be to address many of the misconceptions and problems underlying acts of Road Violence. It is likely that many of these misconceptions already exist by the time people get their licence, having been learnt from childhood. In the Committee's view, it would therefore be very useful to address these matters, in a comprehensive fashion, from as early an age as possible. The aims would be to reduce the incidence of Road Violence, Road Hostility and Selfish Driving and to improve road safety generally, in light of the high incidence of problem behaviours and crashes among young drivers.

The introduction of such a programme would, however, be expensive to

³⁴² Ms Michelle Venables, of the Warning Against Vehicle Violence Education (WAVVE) Program, in conversation with the Victorian Drugs and Crime Prevention Committee, Brisbane, 15 June 2004.

establish and maintain. Assuming the onus of paying for attendance would be placed on those wishing to receive their licences, implementing such a programme may also raise equity issues. In addition, although initial results from some of the programmes instituted around the world are encouraging (see Chapter 22), there have been few thorough evaluations. Nonetheless, the Committee believes that the question of whether all applicants for licences should be required to attend anger management/behaviour change programmes should be investigated further, and that VicRoads should conduct such an investigation in conjunction with its review of driver licensing requirements.

Recommendation:

- 25 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.

Existing drivers

While the type of course outlined above may help a new generation of drivers to address attitudinal problems associated with driving, the Committee feels that such courses are unlikely to be of assistance to existing drivers. The Committee considers that it could be useful to require existing drivers who have been convicted of offences involving Road Violence, prior to having their licences renewed every 10 years, to attend a special programme dealing with ways to reduce Road Violence, Road Hostility and Selfish Driving and driver attitudes in general. Although this may be expensive to administer, it may be of great benefit in terms of addressing Road Violence, Road Hostility and Selfish Driving, as well as road safety generally.

Recommendation:

- 26 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.

Professional drivers and constant road users

One group of drivers that has been identified in some of the literature as being more likely to perpetrate acts of Road Violence, Road Hostility or Selfish Driving is professional drivers (such as taxi drivers, bus drivers, truck drivers, driving instructors and couriers), and others who spend considerable amounts of time driving as part of their daily work. Arguably, the sheer amount of time professional drivers spend on the road increases the likelihood of them encountering incidents that they may interpret as frustrating, resulting in a higher likelihood of Road Violence incidents resulting. Although the Committee found little evidence to support a correlation between drug abuse and Road Violence (see Chapter 8), it

may be the case that professional drivers who use amphetamines could be at higher risk of committing Road Violence than non-drug users.

For some professional drivers and people required to drive for their employment there may also, unfortunately, be a financial incentive to drive fast and recklessly in order to maximise output and remuneration. This may lead to an increased likelihood of them becoming frustrated with other slower drivers.

These problems could, arguably, be addressed by requiring professional drivers to receive specific training about Road Violence, or attitudinal issues generally, as part of their ongoing licensing process. Such a programme could also offer specific training for other types of employees who spend a lot of time on the road, especially if increasing work pressures are lengthening the amount of time they spend on the road. The Committee recognises a need to take steps to counteract the effects such pressures may have on driving behaviour. Brewer (1998), for example, has suggested that obligations should be placed on employers to train their professional driving employees in appropriate attitudes to driving. Similarly, Mr Ludo Kluppels, Policy Coordinator with the Belgian Road Safety Institute, told the Committee that the Belgian Road Safety Institute had given seminars to driving instructors to help teach them to incorporate attitudinal issues into their teaching. The Belgian Road Safety Institute also believes that there should be education packages developed for professional drivers. Seminars are currently being planned for truck drivers on how to deal with stress and how to react to drivers who may be nervous or intimidated by their trucks.³⁴³

At present the courses available to professional drivers seem not to focus specifically on attitudinal issues. Inspector David Evans, Commander of Traffic Policy, Traffic Services Branch, New South Wales Police, explained to the Committee that in New South Wales some of the transport companies conduct educational packages for their heavy vehicle drivers in order to help them to understand the intimidation that can be caused by their vehicles.³⁴⁴ This is also the practice in some states in the United States where certain companies have developed specific educational material targeting professional drivers.

For example, J.J. Keller and Associates have developed a 'Road Rage Training Kit', which is aimed at teaching truck drivers how to avoid 'road rage' situations. The kit includes a 20-minute video, a discussion guide, driver action cards and awareness posters. It aims to teach drivers what to do when another driver becomes angry or aggressive, how drivers can control their anger to avoid becoming 'ragers', how drivers can reduce their chances of becoming 'road rage' victims and what drivers should do if they witness a 'road rage' incident.³⁴⁵ In the Committee's view, requiring professional drivers to attend such a course would most likely be of great benefit. As discussed above, however, establishing such a course is likely to be expensive and such programmes have not, at yet,

343 Mr Ludo Kluppels, in conversation with the Victorian Drugs and Crime Prevention Committee, Brussels, 7 July 2004.

344 Inspector David Evans, Commander Traffic Policy, Traffic Services Branch, New South Wales Police, in conversation with the Committee, Sydney, 16 June 2004.

345 See http://www.jjkeller.com/browse/product.html?group_id=1781

been subject to evaluation.

Brewer (1998) found that bus drivers were less likely to engage in aggressive driving behaviour than non-bus drivers, although they experienced the same levels of driving anger. She suggested that this may be due to the particular focus of driver education for bus drivers which includes topics such as the rights and obligations of passengers and drivers, customer service and defensive driving. Ninety per cent of bus drivers reported that they viewed their bus driving as representing 'a sense of service as opposed to control'. Brewer's findings suggest that aggressive driving behaviour can be minimised when good driving is emphasised as a service *to others* rather than a personal right of occupation of the roadways (Brewer 1998 p.504).

On the other hand, increased urban density has led to pressures being placed on public transport. Sydney bus drivers, for example, have reported an increased incidence of verbal and physical aggression, or 'bus rage', being directed at them by passengers (for late services and/or other bus transport failures). One such incident led to proceedings in Waverley Local Court where the bus driver was charged with common assault after a complaint by a passenger. Although the driver pleaded guilty, no conviction was recorded and the charge was dismissed. In evidence the bus driver said he had pushed the passenger in his own defence 'because it was "his obligation" under the Transport Act and he had been taught to do so in a self-defence course' (Jacobsen 2005, p.3).

In view of the lack of evaluative research on the outcomes of existing courses for professional drivers, the Committee does not recommend compulsory implementation of such programmes at this stage. Instead, the Committee believes 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. The Committee believes that employers should be encouraged to require their employees to attend these programmes and therefore 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.

Recommendations:

- 27 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.
- 28 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.

'Roundabout' education

A number of studies examined by the Committee during its Inquiry, as well as some of the submissions received, pointed out that many road users appear to have difficulty understanding the road rules applicable to drivers negotiating roundabouts, particularly multi-lane roundabouts. Lack of understanding of the correct rules could create trigger situations that result in acts of Road Violence.

The Committee notes that while there is information about roundabouts in the novice drivers' handbook *Road to solo driving* (VicRoads 2003), it appears to the Committee that this information is ineffective in enabling drivers to know their obligations regarding roundabout use. To address this problem the Committee suggests that it may be possible to require learner drivers to negotiate at least one roundabout during the practical component of their licensing test. While this should be feasible in most areas, the Committee recognises that there may be some urban and/or regional areas where there are no roundabouts, which would preclude this possibility.

Recommendation:

- 29 The Committee recommends that VicRoads, as part of its current review of the Victorian drivers' licensing process, investigate the feasibility of requiring all driver's licence applicants to drive around a roundabout as part of their licensing practical test.

Post-licensing training

Defensive/skilled driving courses

A suggestion made to the Committee on a number of occasions was the possibility of requiring all learner drivers to undertake a defensive and or skilled driving course. For example, Mr Ron Arnold, General Manager, Corporate Affairs and Executive Office, AAMI, referred to the proposal by Mr John Anderson, the Australian Government Minister for Transport, that post-licensing testing be examined for drivers, such as has been proposed by the New South Wales Road Traffic Authority.³⁴⁶ Defensive driving courses which give participants advice and information on ways in which to avoid the risk of crashes and advanced skills in vehicle control are, at present, available on a voluntary user-pays basis, and are conducted by organisations such as AAMI.

AAMI's Skilled Drivers Course has been running for approximately 20 years in all states, except Western Australia and the Northern Territory. It is a not-for-profit activity, and aims to encourage safe driving practices for drivers aged under 25 years. It uses classroom activities, and activities focussed on talking through safe

346 Mr Ron Arnold, General Manager, Corporate Affairs and Executive Office, AAMI, Evidence given at the Public Hearing of the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 21 June 2004.

driving distances and the differences at various speeds in terms of stopping. In the 20 years the programme has been operating, AAMI believes that some 30,000 people have taken the course. It is available free of charge to the children of AAMI policyholders who are under 25, and also policyholders who are under 25.³⁴⁷

It is argued that attendance at such courses improves technical driving skills, which may prevent some triggering events from eventuating. In addition, it is generally thought that such courses may improve road safety generally. It also appears that community perceptions of their effectiveness, and support of such courses, is high. In 2003, AAMI's *Young Drivers Index* found that nine in 10 drivers surveyed believed that it should be compulsory for young drivers to do a safe driving course, with 81 per cent of young drivers themselves agreeing that these should be compulsory (AAMI 2003b).

The Committee acknowledges, however, that while it may seem clear that increased technical skills could improve driver abilities and road safety, there is research evidence to the contrary. Such courses have been found to lead to over-confidence among attendees, increasing the possibility of Selfish Driving. For example, research by Lajunen and his colleagues found that drivers' views of themselves as drivers, in terms of skilfulness and safety, influenced their driving style (Lajunen, Parker & Stradling 1998). As mentioned above, those who overestimate their perceptual motor-skills have a more emotional attitude to driving than do those who emphasise safety.

In the words of Lajunen, Parker and Stradling:

The driver's view of his / her driving skills is related to both the intensity of the negative emotion evoked by frustration and attributions related to that. We may hypothesise that those drivers who emphasise safety and have a realistic view of their driving skills may not become so frustrated when traffic conditions do not allow the satisfaction of their expectations, and so drive less aggressively (moderation effect of safety-mindedness)... It is also possible that safety-mindedness may work as a mediator between anger and behaviour... Safety-oriented drivers may not let their felt anger influence their driving behaviour even if they get frustrated and angry. Moreover, drivers with an unrealistically positive view of their driving skills compared to other drivers may even think that they have [a] right to express their anger and frustration by any means (Lajunen, Parker & Stradling 1998, p.111).

It has previously been argued that an attitudinal change, rather than technical training, is what is required to address Road Violence, Road Hostility and Selfish Driving. Having advanced driving skills could actually lead to high risk situations arising in which triggers for Road Violence are created. In the opinion of Ms Michelle Venables, of the WAVVE Programme, defensive driving courses can make you more aggressive, because you overestimate your skills.³⁴⁸

347 *ibid.*

348 Ms Michelle Venables, Warning Against Vehicle Violence Education (WAVVE) Program, in conversation with the Committee, Brisbane, 15 June 2004.

Additionally, focussing on such courses as a means of redress can also reinforce the view that Road Violence is primarily caused by poor driving, leading to the belief that if we could just improve driving skills the problem would go away. As advocated by the Committee throughout this Report, research evidence points far more to Road Violence being caused by the attitudes, rather than the skill levels, of the perpetrator.

Attitudinal training

As an alternative to requiring drivers to attend defensive driving courses – which focus on technical skills and are therefore more aimed at preventing triggers rather than addressing the cause of Road Violence itself – the Committee considered whether it may instead be possible to require newly-licensed drivers to attend courses specifically focussed on the promotion of positive attitudes towards driving. It was thought that teaching positive attitudes to driving, post-licensing, might have the potential to be more effective, rather than attempting to influence driver attitudes during the licensing process, when learners are more focussed on acquiring the technical skills required to drive. The Committee, however, could find no evidence of such courses being implemented specifically to address driver attitudes. Consequently there appears to be no evidence as to their effectiveness.

Licence re-testing

Some of the submissions received by the Committee focussed on events triggering Road Violence arising from the actions of older drivers who are no longer fully capable of driving. It was considered by some that older persons may drive with excessive caution – frustrating others on the road – or may commit a greater number of errors while driving. In addition, as discussed in Chapter 13, it was thought that some cases of Road Violence result from conflict over road rules. In certain cases, this may arise because of changes in the road rules over time, with some drivers being unaware of the new rules.

In a focus group on aggressive driving conducted in Canberra in 1997, it was noted that drivers are only taught to drive and tested on one occasion, although driving conditions change over a lifetime, as do road rules. At present, however, there are no mechanisms in place for updating one's knowledge (Purdon Associates Pty Ltd 1997). It was argued in evidence received by the Committee, that one way in which to address these problems would be to require drivers to re-sit their licence test after a certain period of time. This could either be upon licence renewal (each 10 years), or once a driver reaches a certain age.³⁴⁹

349 Ms Lyn Stewart, Evidence given at the Public Hearing of the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 22 June 2004. See also the submission from Mr Russell Lindsay who recommended mandatory driving tests every three years, regardless of age (Submission from Mr Russell Lindsay, Officer in Charge of the Melbourne Police Bicycle Patrol Group, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 22 June 2004).

The Victorian Parliament’s Road Safety Committee has recently examined this issue. While the Road Safety Committee (2004) did not specifically examine licence re-testing in the context of Road Violence, that Committee found that there was little evidence that such a scheme would increase general road safety. In light of the expense of instituting such a programme, and the equity issues involved, the Road Safety Committee decided not to recommend mandatory re-testing. This recommendation was subsequently supported by the Government of Victoria (Victorian Government 2004).

While it could be argued that licence re-testing should be a requirement solely for people convicted of Road Violence-related offences, the Committee believes that Road Violence is more about attitudes than driving skills. If drivers are to be referred to any educational courses, these should deal with behaviour change rather than driving skills.

Refresher courses

Instead of requiring drivers to be re-tested in order to ensure an adequate knowledge of road rules, it may be possible for VicRoads to run *voluntary* refresher courses on a regular basis (once or twice a year) for people who are concerned about their understanding of changes to the road rules. In Queensland, for example, motorists can attend a half-day session that provides an update on road rules for \$35. The session is conducted by various trained people, including a police officer, with information being provided by presentations and videos on how to handle driving situations under current laws. A driving test with a qualified driver is then provided and participants are advised of their driving faults. Although participants cannot be charged with offences, they may be advised to stop driving in the worst cases.³⁵⁰ Such courses, if widely attended, would, in the Committee’s opinion, definitely assist drivers in updating their knowledge of current road rules. This may lead to a decrease in the likelihood of some incidents of Road Violence occurring. If nothing else, the Committee believes such courses would improve general road safety. However, given the different demographics of Queensland and Victoria, the Committee is uncertain whether there would be a demand for such a course in Victoria. Taking into account the potential expense in conducting such courses, there would need to be a certain level of community support prior to such courses being introduced on a wide scale.

Recommendation:

- 30 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.

350 Ms Lyn Stewart, Evidence given at the Public Hearing of the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 22 June 2004.

Education in schools

The Committee believes that while the licensing process provides a convenient point for educational intervention, it is likely that many of the attitudes underlying the decision to commit acts of Road Violence may have been formed prior to this point. As seen in Chapter 15, the Committee believes that many of these attitudes have been transmitted via the family, the media and other cultural contexts. Various methods of countering such attitudes have been proposed. Jonah (1990), for example, believes that young people have developed driving habits by the time they get their licence and that there is no difference in risky or aggressive driving behaviour between 16–19-year-olds and 20–24-year-olds. He argues that there is a need to confront young drivers (and/or pre-drivers) with the real life consequences of risky driving to challenge their perceptions of youthful invincibility. Jonah believes that if young people understood the real risks of driving – for example, by visiting hospital emergency wards to view the carnage created by dangerous or risky or aggressive driving – this would be a powerful challenge to the culturally transmitted images of the glamour and freedom of driving young people may have internalised by the time they commence driving. Alternatively, trauma specialists could make presentations to health and driver education classes in order to promote a better awareness of the risks (Jonah 1990).

On the other hand, James (1997) finds attitudinal formation to be a problem at a very much earlier age and believes change must begin in childhood. He argues that:

Road rage is a habit acquired in childhood. Children are reared in a car culture that condones irate expressions as part of the normal wear and tear of driving. Once they enter a car, children notice that all of a sudden the rules have changed: it's OK to be mad, very upset, out of control, and use bad language that's ordinarily not allowed. By the time they get their driver's licence, adolescents have assimilated years of road rage. The road rage habit can be unlearned, but it takes more than conventional Driver's Ed (James 1997, p.1).

To counter the development of such attitudes, James proposed the creation of a national organisation called Children Against Road Rage (CARR), patterned after Students Against Drunk Driving (SADD). He argues that:

training in emotional intelligence for drivers needs to begin in kindergarten, focusing on appropriate attitudes and behaviour on actual roads, streets, parking lots, and in cars as passengers. By the time adolescents learn to drive, after years of learning to respect other road users, then they will be ready to operate vehicles as emotionally intelligent drivers (James 1997, p.1).

In Victoria at present, issues of road safety and general health issues form part of the school curriculum in Victoria. Victorian Police also run programmes for school children based on 'road safety messages'.³⁵¹ Other current school

351 Superintendent Peter Keogh, Traffic Support Division, Victoria Police, Evidence given at the Public Hearing of the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 19 August 2004.

programmes in Victoria include the RACV's 'DriveSchool' and 'Transmission'.³⁵²

The RACV DriveSchool is considered to be the largest driver training organisation in Victoria. It has approximately 55 instructors who teach between 10,000 and 12,000 learners a year. RACV also has a programme in primary schools which uses experienced teachers and aims to get the teachers and the schools interested in having a road safety policy and including road safety in their curriculum. The RACV sees about 50,000 primary school students a year.

In secondary schools, the RACV has a programme targeting Year 9 to Year 12 students called 'Transmission', which enables students to research a road safety topic, and then develop a concept and a script for a community service announcement. Each year, two community service announcements are screened on television about different topics. Ms Anne Harris, representing the RACV, told the Committee 'the idea is that students will learn about road safety issues in a more interesting way and they will think of solutions. It is problem based learning rather than didactic'.³⁵³

Although there is a range of other specific materials for young people (developed by organisations such as VicRoads) that address a number of issues such as drink driving, peer group pressure, and driver attitude generally, again Road Violence and related issues do not form the focus of such materials.

The situation is different in other Australian jurisdictions. For example, the New South Wales Roads and Traffic Authority produces a publication, *The Driving Experience: A 'Young Driver' Education Resource for Years 10–12*. This was developed by the New South Wales Roads and Traffic Authority in conjunction with the Association of Independent Schools of New South Wales, the Catholic Education Commission of New South Wales and the New South Wales Department of School Education. The materials aim to reinforce the decisions of students to be safer road users, thus modifying their attitudes, values and behaviour. The materials also have a section devoted to driver attitudes, as well as covering other issues such as fatigue, speeding and planning ahead.

Similarly, the publication, *Go Back You Are Going the Wrong Way: A Pre-Driver/Driver Education Resource for Young People Aged 14–17*, developed by the New South Wales Roads and Traffic Authority in conjunction with the Federal Office of Road Safety, aims to reduce the rate at which young people are involved in road crashes by making them aware of their options in high-risk situations. It also provides relevant factual information and seeks to develop problem-solving

352 Ms Anne Harris, RACV, Evidence given at the Public Hearing of the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 22 June 2004.

353 *ibid.*

skills that may be utilised by young drivers. Additionally, the material also contains sections on driver decision-making, peer pressure, speeding and emotions, joy-riding, drugs and drinking, and unlicensed driving.³⁵⁴

In the ACT, an educational resource on CD-ROM called *Shift 2nd Gear* was developed in 1999 by the NRMA, and is distributed in NSW and the ACT.³⁵⁵ This is an interactive CD-Rom with four components: a crash investigator (which allows students to work out how a crash happened), an 'L test' (which asks students to identify how safely they may drive and how well they know the road rules), a 'Riskometer' (to identify and negotiate traffic hazards), and a 'Reporter' (which asks why young drivers are at risk on the road and requires the student to develop their own news report). Similar materials were shown to the Committee in other states they visited.

In New South Wales, the educational programme 'RoadZone' is targeted at 9–14-year-olds, whereas *Shift 2nd Gear* is targeted at 14–17-year-olds. Mr Alan Findlay, in conversation with the Committee, outlined the 'RoadZone' programme as follows:

The RoadZone program is a travelling, interactive road safety exhibition. It has about 20 exhibits and it is moved around from one location to another each school term, typically, in rural or regional centres, and we encourage schools in that area to come to RoadZone as a school excursion. We provide the teachers with resource kits to enable the children to have a structured learning program. It is aimed at nine- to 14-year-olds who are pre-licence, obviously, but we are trying to raise their awareness of various road safety issues. Some of the exhibits, for example, concentrate on distraction, so there is one exhibit where the children are encouraged to try and ride a simulated skateboard while listening to loud music. Others simulate what happens in a crash with an unrestrained person. There is a little sled with a puppet or a doll in it and they can do the experiment with the doll restrained and unrestrained and so on. There are some things around drink-driving, even though they are not at the drinking age, either. It is just trying to raise the awareness of the effects that alcohol has. That covers quite a lot. I do not think it has a particular exhibit around aggressive driving or aggressive road use... The program has toured over the last three years around only New South Wales and the ACT, because that is our market. I think we have had 190,000 people travel through the exhibit. Most of those would be schoolchildren, but occasionally it has been open on weekends and through school holidays, so we get adults and families coming along as well... We get very positive feedback on the program. In fact, we conducted an evaluation about 12 months ago. We had an independent consultant evaluate the program and give us advice as to whether this was the best way of reaching that target group, or whether we

354 Dr Soames Job, General Manager, Road Safety Strategy, Road Traffic Authority of New South Wales, in conversation with the Committee, Sydney, 17 June 2004.

355 Ms Anne Morphett, NRMA Motoring and Services, in conversation with the Committee, Sydney, 17 June 2004.

should be considering other things like arcade games or simulators or other types of interactive learning. The program was very highly evaluated and the consultant's advice was that it was currently the best way of reaching that target group, because the children found it interesting because it is interactive; they can actually get involved in the learning experience. The teachers like it because it is a structured learning program and they get the resource notes that go along with it. It is also regarded quite highly by the RTA and the Motor Accidents Authority.³⁵⁶

However, while the issues of Road Violence, Road Hostility and Selfish Driving were addressed in some of these materials, they were not a major focus. Certain overseas jurisdictions, such as Belgium, make specific efforts to ensure that such attitudinal issues are taught in schools. For example, Mr Ludo Kluppels, Policy Coordinator of the Belgian Road Safety Institute, emphasised the importance of learning how to get along with other road users, as well as road rules and how to control the vehicle. In Belgium they have a 'Keys for Living' programme instituted in schools, which was originally a programme for social skills, concentrating around drugs and alcohol, but now also includes a traffic component about how to behave with other traffic users. The Belgian Road Safety Institute has also developed a video about 'road rage', which looks at traffic manners and how to behave with other people, as well as having exercises and tests about 'road rage' or aggressive behaviour.³⁵⁷

In the United States, some schools have gone to the extent of having traffic safety officers conduct an in-school programme from the American education system's first-grade onwards. One programme has achieved an 83 per cent seat belt usage in Fairfax County for all vehicles, including pickup trucks, which is well above the national average. This programme has also shown a reduction in alcohol-related accidents (United States Subcommittee on Surface Transportation of the Committee on Transportation and Infrastructure 1997).

The extent to which school education materials on road safety are taught – and which materials are used – depends generally on the particular school concerned. It must be remembered that road safety education in the school curriculum is competing with a range of other matters, including sex education, general health education, and so on.³⁵⁸

The Committee believes, however, that efforts need to be made to address the issues associated with driver attitudes and Road Violence in all the curricula of schools. Some Community Road Safety Councils already strongly encourage the incorporation of road safety information into curricula. Mr Michael

356 Mr Alan Finlay, NRMA Motoring and Services, in conversation with the Committee, Sydney, 17 June 2004.

357 Mr Ludo Kluppels, Policy Coordinator, Belgian Road Safety Institute, in conversation with the Committee, Brussels, 7 July 2004.

358 A point made by Ms Anne Harris, RACV, Evidence given at the Public Hearing of the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 22 June 2004.

Marasco, Chief Executive Officer, Maroondah City Council, pointed out that there are a number of Community Road Safety Councils across Victoria which promote road safety in regional areas, generally covering several municipalities. For example, RoadSafe–Melbourne Eastern Ranges Inc (MERIA) – works closely with the municipalities of Maroondah, Knox and Yarra Ranges to help maximise the impact of road safety programmes on the local community. He advocates continuing to fund such bodies.

RoadSafe-MERI also plays a role in reviewing and expanding road safety education programs, such as Go Safe, Wiser Driver, Responsible Educated Decisions – RED Program, etc – as well as disseminating road safety information to all relevant agencies to increase community understanding and awareness of road safety issues.³⁵⁹

The Committee also believes that encouraging primary and secondary schools to incorporate road safety education into the school curriculum would help to ensure a ‘whole of community’ ownership of the issues involved. It has been suggested, however, that there should be a greater focus on Road Violence, Road Hostility and/or Selfish Driving in the driver’s education taught in schools. In some other jurisdictions this has been mandated in legislation. For example, legislation passed in 1998 in Virginia required driver’s education courses offered in public schools to include material about aggressive driving (Bowles 1999b). The Committee believes such measures to be very useful, as the implementation of such legislation makes perfectly clear the unacceptable nature of poor driver behaviour to students from an earlier age.

However, given the wide range of issues which need to be taught in schools, and the limited time available for teaching, the Committee is not willing to recommend that legislation be passed requiring that issues of Road Violence form part of the school curriculum, especially in light of the small size of the problem when compared with other issues, such as domestic violence. In addition, the effectiveness of such programmes – especially if they are only taught on a few occasions throughout a child’s schooling – is uncertain. The Committee could find no studies evaluating the effectiveness of such short-term education on road matters.

Nevertheless, the Committee does believe it is important for school students to be made aware of the need for correct driving attitudes in order to help develop a culture of courtesy on the roads. The Committee received support in this approach from a number of sources including Victoria Police, which indicated that it would support any initiative aimed at improving road safety if it has been thoroughly researched, adequately resourced and effectively

359 Submission from Mr Michael Marasco, Chief Executive Officer, Maroondah City Council, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 15 June 2004.

designed and implemented.³⁶⁰ While Road Violence itself may not be a huge problem, general road safety most definitely is a major concern.

Recommendation:

- 31 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.
- 32 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.

Parental education

In the discussion in Chapter 15, it was pointed out that many of the attitudes underlying Road Violence are formed when children watch and model the driving behaviour of their parents. Ensuring appropriate parental attitudes and behaviour, and addressing the problem of role modelling is, in the view of the Committee, essential to lessening the incidence of Road Violence, Road Hostility and Selfish Driving. While it is possible to attempt to redress these attitudes via the strategies discussed throughout this chapter, ideally these attitudes should not be formed in the first place.

At present the issue of role modelling is discussed in some of the educational materials provided to parents when their children apply for their learner’s permit (see VicRoads 2003). However, this occurs only when children have reached adolescence, by which time much of the evidence outlined previously suggests that children may have already learnt bad driving habits from their parents. Better role modelling as to driver behaviour would ideally be taught to parents even earlier.

Unfortunately, the Committee realises that it is quite difficult to reach this target group as well as to change its behaviour. In addition, driver behaviour is but one of a number of competing priorities for parental education (for example child and adolescent health information, drug and alcohol information, sex education, community information). Despite these difficulties, the Committee believes that attempts should be undertaken to educate parents about the importance of appropriate role modelling of driving behaviour to their children.

360 Submission from Ms Christine Nixon, Chief Commissioner, Victoria Police, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 30 June 2004.

Recommendations:

- 33 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.
- 34 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.

Media campaigns

Each of the educational initiatives outlined above has been directed at specific audiences, such as learner drivers, schoolchildren, or young people. The Committee also examined the question of using more broadly targeted media campaigns to address Road Violence, Road Hostility and Selfish Driving. A number of different possibilities exist regarding the subject matter and manner of dissemination of such campaigns. These will be considered in the next section, following a discussion of media campaigns that have already been developed.

Australia

In Australia media campaigns have traditionally been used to deal with road safety issues such as wearing seat belts, not speeding, avoiding driving while drowsy and not driving after drinking alcohol. The only media campaign the Committee discovered that dealt specifically with aggressive driving was one conducted in the ACT in 1997.

In February 1997 the NRMA–ACT Road Safety Trust commissioned Bay Street Communications and Purdon Associates to develop a road safety campaign to address aggressive driving behaviour on ACT roads. The campaign, entitled ‘Let’s Stop Driving People Mad’, ran in Canberra from May to September 1997. It used television advertisements on commercial stations and radio advertisements, as well as editorial and media coverage. The campaign was repeated in 1998 (Purdon Associates Pty Ltd 1997; Anderson, Shaw & Stuart 1998).

Prior to running the campaign, research was undertaken to see if aggressive driving was a problem, whether people saw it to be a problem, and if so what the problems were thought to be. It was found that while aggressive driving was found to be prevalent in Canberra, people did not consider it to be a problem. Instead, people considered it a *normal* part of driving in Canberra. This had implications for the direction of the advertising campaign. It was thought that if drivers did not see a problem, it would be ineffective to advise them not to be aggressive. Rather it was decided to take a softer line and ask drivers to be more considerate of their fellow motorists and use common sense. Those who developed the campaign also provided information to help people cope with inconsiderate or aggressive driving, with specific advice on how to handle multi-lane roundabouts – an issue which was identified as a

major problem in Canberra when people were asked to nominate problem areas (Anderson, Shaw & Stuart 1998).

The resulting campaign featured images of motorists making aggressive hand gestures at the opening of the advertisements, followed by educational messages about correct driving behaviour in various driving situations, including roundabouts. It concluded with an image of a driver waving in appreciation and the slogan 'Let's Stop Driving People Mad' (Purdon Associates Pty Ltd & Bay Street Communications 1997). The hand gestures at the start were seen as an excellent 'hook' to grab viewers' attention, as well as depicting a situation most people had observed or experienced. The total cost of the campaign was \$294,000 (Purdon Associates Pty Ltd & Bay Street Communications 1997).

Belgium

Similar campaigns targeting driver attitudes have been conducted in Antwerp, Belgium, for a number of years. The Flemish Government took the approach that 'road rage' should be directly confronted by a media campaign. Billboards emphasising not only the aggressive aspect of Road Violence incidents, but also the possible consequences were displayed throughout the city:³⁶¹



'Your Car Is No Weapon'



'Aggressive Driving: Where Does It End?'

361 'Road Rage in Belgium: an overview of facts and actions', submitted to the Committee by Mr Ludo Kluppels, Policy Coordinator, Belgian Road Safety Institute, in conversation with the Committee, Brussels, 7 July 2004.

In 1988, another campaign was conducted in Belgium following a survey conducted that year in which more than 2,000 people indicated the belief (51%) that aggressive behaviour on the road had increased. The public campaign to encourage courtesy in driving appeared in 1990 using a picture of a bull, with the caption 'Keep it Dignified Behind the Wheel'.³⁶²



In devising this campaign, the Belgian Institute for Road Safety was of the view that a 'courtesy' approach is distinctly preferable to a confrontational one that creates a fearful environment around the topic of Road Violence. The latter, it was argued, could be counterproductive:

[I]t is important that public campaigns also emphasize social aspects in traffic. We are convinced that these campaigns must start with the positive attitude: courtesy. Making publicity for the danger of aggressive behaviour could have an opposite effect. By accentuating that aggression had conquered our roads we possibly stimulated people to think that all other road users are behaving like monsters. The same effect we have seen in Antwerp where during the two years the police and the justice department spread the news that they will react strongly against any form of road rage, the number of complaints increased nearly 40%.³⁶³

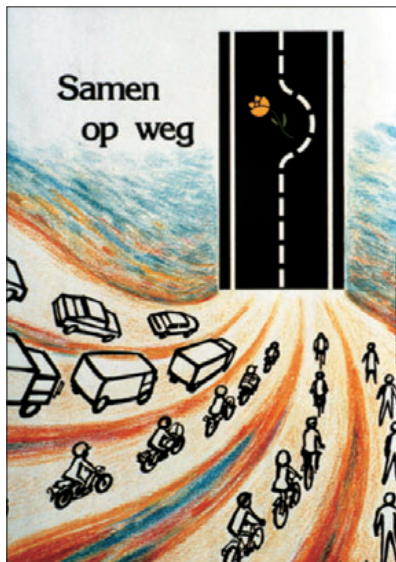
Since 1977 the Belgian Institute for Road Safety has adopted courtesy as one of the major themes in its national campaigns, using the following posters:



'Mutual Understanding' (January 1977)

³⁶² *ibid.*

³⁶³ Mr Ludo Kluppels, Policy Coordinator, Belgium Road Safety Institute, in conversation with the Committee, Brussels, 7 July 2004, citing a road rage conference lecture by Miran Scheers 2000, 'Algemene situering van het fenomeen verkeersagressie', BIVV, Brussels.



'Together On The Road' (April 1984)



'A Little Thoughtfulness is Animal Cunning' (April 1985)



'Keep It Dignified Behind The Wheel' (May 1990)
Courtesy – Safety



'I drive courteously – do you have a problem with that?' (May 1996)
Courtesy – Everyone Should Join In



'Don't Cut Off A Truck' (April 1997)
Everyone is Obligated to Understand

Unfortunately, the Committee was not able to obtain any evaluative information about the effectiveness or otherwise of these campaigns.

United States of America

Similar campaigns targeting 'aggressive driving' have also been conducted in the United States. In Maryland, for example, a campaign was conducted entitled 'The End of the Road for Aggressive Drivers' (Stephen 1999). The Harborview Anger Management Programme at University of Washington School of Medicine also implemented a public education campaign to raise awareness of the dynamics and dangers of 'road rage' (Maiuro 1998). In 1997, Colorado was reported to have conducted a 30-second public service television announcement to curb aggressive driving and 'road rage' (O'Driscoll 1997, p.3A). Some of these campaigns have been evaluated, although generally the Committee found few evaluations and even fewer that employed sophisticated research designs. The limited information that is available is reviewed below.

Campaign evaluations

One of the few evaluations of the effectiveness of media campaigns that the Committee was able to locate was that conducted in Canberra in 1997. Consultants were engaged to evaluate the effectiveness of the 'Let's Stop Driving People Mad' campaign by surveying 442 participants in Canberra. The

campaign was found to have been successful in achieving its objective of raising awareness of road safety in the ACT and the need for responsible driving. The specific results were as follows:

- ◆ 86 per cent of respondents recalled having seen or heard the campaign advertising (80% without prompting);
- ◆ there was high recall of the use of the hand gesture (72%);
- ◆ almost 70% correctly recalled the advice about negotiating a roundabout;
- ◆ all identified road safety as the key message;
- ◆ there was little awareness of the slogan; and
- ◆ people called unsolicited to congratulate the NRMA–ACT Road Safety Trust, unlike previous campaigns (Purdon Associates Pty Ltd & Bay Street Communications 1997).

In the United States, however, an evaluation conducted by Stuster (2004) of an extensive aggressive driving television and radio education programme conducted in Marion County, found largely negative results. The survey of 100 people before and after the County conducted its campaign asked those surveyed the following question: ‘Besides your experiences of aggressive driving while driving or as a passenger, what is your level of *awareness* of aggressive driving as a potential problem?’ The responses are shown in Table 18.1.

Table 18.1: Results of the evaluation of the Marion County Aggressive Driving Campaign

Response	Pre-program (%)	Post-program (%)
I read or hear about it on a daily basis	15.1	13.0
I read or hear about it on a weekly basis	32.6	27.0
I have read or heard about it in the last month	39.5	33.0
I have read or heard about it at least once in the past six months	7.0	15.0
I have not read or heard anything about it until this interview	5.8	11.0

Source: Stuster 2004, p.25.

From Table 18.1 it is apparent that, overall, *fewer* drivers reported awareness of aggressive driving as a problem at the conclusion of the Marion County programme than before it began. Fewer drivers reported hearing about the issue on a daily or weekly basis and within the past month, despite the extensive advertising campaign implemented by the Marion County Traffic Safety Partnership. Evidence that some drivers heard or read at least something about aggressive driving can be found in the 15 per cent of respondents who reported hearing about the issue at least once during the past six months, up from 7 per cent prior to the programme period. However, 11 per cent reported that they had never heard or read anything about aggressive driving until the survey interview, compared to about six per cent before the programme (Stuster 2004).

These negative findings may have been due to extraneous factors such as other events taking place at the same time, or simply due to the small sample size, which might not have targeted the appropriate individuals.

In relation to public education campaigns, especially those using mass media, prior research has found that road safety campaigns that are linked to enforcement can help to reduce crash rates, but there is little evidence to suggest that these campaigns in isolation have been effective (Elliott 1993, cited in the submission from Mr Colin Jordan, Managing Director and CEO, RACV). Mr Jordan considered it unlikely that generic education campaigns about 'road rage' would have any effect on the incidence of such assaults.³⁶⁴

A number of studies have found that publicity campaigns which have attempted to alter or to influence driver attitudes have met failure in reducing crash rates (Wilde 1971, cited in Naatanen & Summala 1976). Naatanen and Summala (1976) suggest that the reason for this failure is that a causal relationship between driver attitudes and crashes has yet to be firmly established. Griep (1970, cited in Naatanen & Summala 1976) suggested, for example, that a poor attitude toward the police may be a result of having been convicted for an offence. Poor driving attitudes and subsequent behaviour tend to satisfy the driver's 'extra motives' in addition to reflecting a lack of subjective risk on the part of the driver. Finally, the views about correct driving behaviour espoused by traffic safety experts may not be the same as those in the general community or sections of the community. In addition, as the driver already feels safe on the road, cooperating with traffic safety campaigns brings little personal gain (Naatanen & Summala 1976). The behaviour promoted by such campaigns also requires expending effort for little perceived gain, which in the majority of cases offers no immediate payoffs for engaging in the behaviour (Grey, Triggs & Howarth 1989).

Moreover, the cost of large-scale media campaigns raises concerns, as invariably this would lead to resources having to be diverted from other campaigns known to be effective. In the opinion of the RACV:

[I]n terms of public education campaigns, especially those using mass media, we know that road safety campaigns that are linked to enforcement can help to reduce crash rates, but there is little evidence to suggest that these campaigns in isolation have been effective (Elliott 1993; Rothengatter 1997). It is also unlikely that generic education campaigns about road rage would have any effect on the incidence of such assaults.³⁶⁵

There is, however, other general evidence that supports the effectiveness of road safety campaigns as a means of modifying road user behaviour. In

364 Submission from Mr Colin Jordan, Managing Director and CEO, RACV, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 18 June 2004.

365 *ibid.*

particular, some success has been achieved in modifying community attitudes towards drink driving. As one submission to the Committee pointed out:

If driver aggression is culturally and environmentally determined, then it is potentially amenable to change. There is good evidence for this from other health areas. Tobacco smoking in Australia was a highly prevalent and socially accepted behaviour prior to the commencement of tobacco control programs in the 1970s. Tobacco smoking is now socially unacceptable in most settings. Drink-driving and speeding are now less acceptable driver behaviours due to multi-faceted road safety strategies.³⁶⁶

Given such general evidence, the Committee believes it may be possible for a media campaign to be developed to address some of the factors that underlie the incidence of Road Violence, Road Hostility and Selfish Driving along the lines of the above health campaigns. However, given the relatively small incidence of Road Violence – and the extent to which it is already discussed in the media – the Committee does not believe it would be useful to mount an extensive campaign specifically targeting Road Violence. Arguably, this could create the impression that the problem is worse than it actually is and could increase community fear.³⁶⁷ If a media campaign were constructed carefully with specific objectives in mind, and avoided hyperbole, it could have the added effect of raising the profile of the issue, or having an ‘agenda-setting’ outcome.³⁶⁸

Content and style of media campaigns

Various suggestions have arisen from prior research as to the most effective manner in which media campaigns can be conducted. One of the elements that a media campaign could include would be to emphasise the need for drivers to take *responsibility* for their behaviour – a point made in the submission from the Inner South Community Health Centre, which had sought feedback on the issue of Road Violence from men who attended a recent weekly men’s discussion group session.³⁶⁹ The men surveyed considered the key message that should be conveyed was that such behaviour is unacceptable, particularly for male drivers. It was thought that this may begin to address some of the cultural factors underlying many acts of Road Violence (see Chapter 15). There was support for this type of campaign in

366 Submission from Dr Jan Garrard, Senior Lecturer in Health Promotion, School of Health and Social Development, Deakin University, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 21 June 2004.

367 Submission from Mr Colin Jordan, Managing Director and CEO, RACV, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 18 June 2004.

368 Mr David Healy, General Manager Road Safety, Transport Accident Commission, Evidence given at the Public Hearing of the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 22 June 2004.

369 Submission from Ms Michele Wright, Family Violence Project Worker, Inner South Community Health Service, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 18 June 2004.

other submissions received, as well as in the literature.³⁷⁰ In addition to emphasising responsibility and the unacceptability of such violent conduct, one submission recommended that ‘primary prevention strategies be developed’ to shift drivers in the direction of greater courtesy and consideration.³⁷¹ These would employ methods similar to those used in speeding, drink driving or driver fatigue campaigns.

In the Committee’s view, the benefit of such campaigns is that they stigmatise the targeted behaviour, and indeed the aim of any generalised media campaign which may develop from this Inquiry *should* be to stigmatise Road Violence or Selfish Driving in the same way as drink driving has been stigmatised. The Committee believes that attacking the cultural acceptance of this type of behaviour is an effective means of halting the behaviour. Dr Sarah Redshaw, Postdoctoral Research Fellow, Centre for Cultural Research, University of Western Sydney, for example, considered that there is a need to educate people that acts like tailgating and horn honking are aggressive and are not to be encouraged. In her view, too many drivers view such conduct as acceptable behaviour.³⁷²

The Committee suggests that if media campaigns are developed in Victoria, they need to be carefully evaluated by the TAC in conjunction with Victoria Police, and that relatively small-scale campaigns should be tried in the first instance. If these are found to be successful, a broader multi-pronged campaign employing television and radio advertising, print, billboards, posters, stickers, and other media could be developed. The Committee was told that the TAC would be willing to develop such a campaign.³⁷³

Of great importance, however, is the need to develop campaigns specifically targeted at those most at risk of becoming involved in Road Violence. On the basis of the Committee’s research (see Chapter 8), this would include predominantly young male drivers. Such a view has support from the academic literature. Crimmins & Callahan (2003), for example, said that:

There is a need to target young people, urban or rural, especially young men because they are most prone to road rage and their expressions of anger on the highway are more likely to lead to violence. They respond aggressively to

370 Submission from Ms Alison Cran, Director, Community and Cultural Services, Shire of Yarra Ranges, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 22 June 2004; Submission from Ms Colleen Pearce, Director, Victims Support Agency, Department of Justice, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 7 April 2004.

371 Mr Michael Burt, Chief Executive Officer, Victorian Institute of Forensic Mental Health to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 8 April 2004.

372 Dr Sarah Redshaw, Postdoctoral Research Fellow, Centre for Cultural Research, University of Western Sydney, in conversation with the Committee, Sydney, 17 June 2004.

373 Mr David Healy, General Manager Road Safety, Transport Accident Commission, Evidence given at the Public Hearing of the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 22 June 2004.

perceived insult. They likely feel pressured and a bit frustrated with their lives but they want to feel unrestrained and assertive. They place a great deal of importance on how they appear to others, and they want to be seen as fun-loving and intelligent even more than they want to be seen as assertive (Crimmins & Callahan 2003, p.8).

In terms of the message to be conveyed in any campaign, Crimmins & Callahan (2003) also suggest there is a need to:

raise the salience of the embarrassment... These young men want very much to be seen as capable, intelligent, and fun-loving but their failure to contain their rage on the road will make them appear foolish and pathetic. The most powerful deterrent to road rage will be the damage it might do to one's image. If people who are prone to road rage are to maintain their cool, it will be because, by doing so, they can avoid social disapproval. Advertisers have a long and successful history of using the fear of social disapproval to change behaviour. Whole categories of products have come about to help us avoid embarrassment – room deodorizers, personal deodorant, deodorant soap, dandruff shampoo, and breath-freshening mouthwash, toothpaste, gum, mints, aerosols, and strips. The danger of embarrassment from home odour, body odour, dandruff, or bad breath is real. Advertising made that danger more salient and changed society's behaviour as a result. Similarly, the danger of embarrassment from expressions of anger on the road is real, and advertising can make that danger much more salient and change the behaviour (Crimmins & Callahan 2003, p.8).

Although the Committee recognises the need to develop targeted campaigns, it is important not to restrict these solely to one demographic, such as young males. This view was supported by several submissions to the Committee.³⁷⁴ All of the causal factors discussed in Part D of this Report should also be taken into account in developing a campaign.

The Committee also believes that any campaign should be targeted in terms of the time and place at which the message is to be broadcast. Crimmins and Callahan (2003) suggest that useful guidance may be offered by marketing's use of 'impulse buying' techniques:

[R]oad rage is impulsive, not considered. The most effective reminder will be closest to the point of impulse. That is why grocers put candy bars and gum at the check-out counter. Radio and outdoor advertising offer a natural opportunity to reach elusive, mobile young people at the time when they are behind the wheel and susceptible to the road rage impulse (Crimmins & Callahan 2003, p.9).

374 Submission from Ms Colleen Pearce, Director, Victims Support Agency, Department of Justice, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 7 April 2004; Submission from Ms Alison Cran, Community and Cultural Services, Shire of Yarra Ranges, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 22 June 2004.

In addition, campaigns should not be too fear based or they may not seem realistic to drivers. They should, instead, be based on incidents that can easily arise and clearly be understood, with direct consequences indicated (fines, prison, injuries, and/or death). According to the Road Traffic Authority of New South Wales, the elements of a good advertising campaign include: a positive rather than a negative message (explicitly identify and reward desired behaviour); the depiction of probable rather than extreme or remote incidents; avoiding extreme levels of fear which are likely to lead to denial; a sequential logic to the campaign advertisements (bad behaviour = negative outcome, relief from negative outcome = positive behaviour); and that overall the campaign work on a reward system rather than a punishment system.³⁷⁵

Dr Soames Job, General Manager, Road Safety Strategy, Road Traffic Authority of New South Wales (1998) suggests that:

Rather than promoting messages like “don’t smoke” or “don’t drink and drive”, we need to promote messages like “do this specific behaviour” where the behaviour offered is a set of skills for refusing cigarettes or alcohol, or for getting a ride with someone else instead of driving (Job 1988, p.165).

This accords with contemporary belief that the most powerful learning principle for health promotion campaigns is the use of a response followed by reinforcement (Job 1988). It is thought to be far more effective to keep the level of fear low so that people do not use denial to deal with fear. It is, accordingly, more effective to focus on the immediate consequences such as fear of arrest, rather than fear of injury or death (Job 1988).

A number of studies have examined the effects of fear arousal on mood and attitude (LeGarde, Lubman & Hartnett 1971; Beach 1966 cited in Lucas 1970). LeGarde, Lubman and Hartnett (1971), after showing a highway safety scare film, found an increase in aggression, depression and anxiety after the film had been viewed, as measured by the Nowlis Mood Adjective Checklist. While female subjects were more affected than male subjects, they returned to pre-film mood levels more quickly than male subjects. Beach (1966, cited in Lucas 1970) hypothesised that high-threat messages will fail to cause an observable attitudinal or behavioural change because drivers are motivated to avoid the message and its recommendations. Beach showed a film with either low-threat (policeman performing routine duties) or high-threat (shots of dead and dying bodies near wrecked vehicles, complete with sound track) insertions. Attitudes were measured before and after the films were viewed. No significant differences in attitude were obtained between either group after they had viewed either the low-threat insertion or the high-threat insertion. However, when both groups were considered as a whole, certain attitude changes were observed, particularly those mentioned negatively in the films.

375 Dr Soames Job, General Manager, Road Safety Strategy, Road Traffic Authority of New South Wales, in conversation with the Committee, Sydney, 17 June 2004.

Some of the most effective types of media campaigns were referred to by Bay Street Communications (1997) as being those with deliberate persuasive intent as opposed to those with an informative/educative intent; those which include publicity and/or enforcement; those which use an emotional appeal as opposed to rational/informative approaches; and those which request or instruct a specific behaviour. Experts, celebrities and peers also have less impact than a simple voice-over (Bay Street Communications 1997).

The Committee is strongly of the opinion that, where possible, campaigns should be made available in languages other than English. This view was supported by the RACV, which argued that it is important that any road safety information, about aggressive driving or any other important issue, should be made available in a range of languages other than English.³⁷⁶ In addition, while the Committee does not want to prescribe the precise nature of any campaign, it may be advantageous to conduct any activities during dedicated 'driver courtesy weeks'.

Recommendations:

- 35 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.
- 36 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.
- 37 The Committee also recommends that any media campaigns should be multi-lingual and make use of a variety of communications media.

Safe driver reward campaigns

The Committee also learnt of the benefits that can be derived from reward-based responses as opposed to punitive responses. One idea, for example, would be to establish a 'safe driver reward programme' in conjunction with any Selfish Driving campaign that is developed. As indicated by its name, such a programme would aim to reward those drivers who are identified as having acted in a safe or courteous manner on the roads. The purpose of this type of programme would be both to encourage safe driving (with obvious safety benefits), as well as to help develop a culture of courtesy on the roads.

³⁷⁶ Submission from Mr Colin Jordan, Managing Director and CEO, RACV to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 18 June 2004.

The TAC's 'Drive Right' campaigns of 2002 and 2003, for example, provide a useful model for such campaigns. The 'Drive Right' campaigns asked members of the public to register to participate in a safe driving programme. Approximately 150,000 drivers (5% of those licensed in Victoria) publicly displayed the Drive Right sticker on their vehicle's windows. Other members of the public – 'spotters' – who observed these motorists driving safely in particular circumstances were asked to notify the TAC. Rewards were then provided from participating partners. Some 10,000 motorists were recognised for their safe and courteous driving during the period of the campaigns.³⁷⁷

Mr David Healey of the Victorian TAC stated:

We looked at rewarding safe driving through a program called Drive Right, which we conducted in two separate years. The notion there was that drivers agreed to sign up, abide by and participate in a series of safe driving practices, including courteous behaviour. You gave way to vehicles coming in from your right, as well as obeyed the obvious traffic laws such as speeding, travelling within the speed limit, everyone wearing seatbelts – quite straightforward traffic provisions. In both years, we had similar numbers of registrations – around 150,000 – which in rough terms is about five per cent of the licensed population. About one in 20 agreed to sign up and, in so doing, they publicly displayed a sticker on the back of their car saying, 'I'm a Drive Right participant', or words to that effect. We believe that that was worth a trial, a community based trial, because we are trying to change the climate; and, indeed, if you actually get some role models in driving, they in turn can influence others. We were hopeful of greater involvement potentially, but five per cent we still felt was a reasonable outcome in terms of the level of effort that went into it, given the degree to which people are busy. Sometimes, while they have every best intention, in the end they do not get around to participating.³⁷⁸

While a commendable programme, it has been observed that participants in such a scheme would tend to be motorists who are inclined to drive safely in any event, thus avoiding the targeted group of high-risk drivers. Although difficult to evaluate in terms of reduced road trauma, these types of campaigns may lead to the creation of a safer and more courteous driving culture on Victorian roads.³⁷⁹

In the opinion of the Committee, the effectiveness of such programmes is somewhat limited, both in terms of the difficulty of making the rewards sufficiently attractive to overcome ingrained behavioural patterns and the fact

377 Submission from Crime Prevention Victoria, Department of Justice, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 6 July 2004.

378 Mr David Healy, General Manager Road Safety, Transport Accident Commission, Evidence given at the Public Hearing of the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 22 June 2004.

379 Submission from Mr Colin Jordan, Managing Director and CEO, RACV, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 18 June 2004

that most of those taking part are likely to be people who are already inclined to drive courteously. It was thought that while rewarding safe driving 'can be beneficial, sustaining such an approach is very difficult'.³⁸⁰

Research literature also exists querying whether rewards designed to change aggressive driving behaviours could ever realistically be implemented.³⁸¹ In addition, it has been suggested that while benefits may be evident initially, they wane over time and people return to their habitual behaviours.³⁸² One submission to the Committee even suggested that such campaigns are actually *undesirable* insofar as they reward drivers for behaviour they should already be performing.³⁸³ In this way they were thought to be unnecessary and promoting the wrong message.

Despite these views, the Committee believes that such campaigns may be a useful method of engendering publicity for the need to be courteous when driving. The Committee suggests that launching such a programme at the same time as an Anti-Selfish Driving campaign is released – perhaps during Driving Courtesy Week – could be particularly effective. While the Committee does not want to pre-empt the best way in which such a campaign should be conducted, it suggests also that it may be useful to run it on an annual basis (perhaps developing an annual 'Driver Courtesy Week') involving other activities that also draw attention to the need for safe driving on the road. It may also be useful for the TAC to consider offering discounts on registration as a reward for non-Selfish Driving.

Recommendation:

- 38 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.

380 Submission from Mr David Healy, General Manager Road Safety, Transport Accident Commission, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 22 June 2004.

381 For example, the paper 'Theories of Aggression and Road Rage', submitted to the Committee by Mr Wayne Warburton, Doctoral Student, Department of Psychology, Macquarie University, in conversation with the Committee, Sydney, 17 June 2004.

382 Submission from Mr Colin Jordan, Managing Director and CEO, RACV, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 18 June 2004

383 Submission from Ms Alison Cran, Director, Community and Cultural Services, Shire of Yarra Ranges, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 22 June 2004.

Bicycle awareness (Share the Roads) campaigns

An important issue identified by the Committee concerns the interaction between car drivers and other road users. Many vulnerable road users, such as cyclists, consider that Victoria's roads are car-centred and potentially dangerous. It has been suggested that one way in which to redress this problem would be by conducting a specific media campaign to educate people about the need to *share* the roads with other users. Mr David Levin, Wigs on Wheels, drew the Committee's attention to a recent TAC advertisement that portrays a motorcyclist's perspective of the road. By very effectively depicting the perspective of motorcyclists, which could ease the anger and frustration that are the precursors to Road Violence between the two parties,³⁸⁴ this advertisement provides an excellent example of what could be done.

The potential for Road Violence between cyclists and motorists was thought to be particularly acute. One submission thought that due to cyclists' particular vulnerability on the roads, all road users should be made aware of cyclists' rights to use the road, and that government agencies should promote the message that the roads are not just for those using motorised vehicles.³⁸⁵ The Committee is particularly concerned at the growing mentality that cyclists should 'get off the road'. Arguably, there needs to be a concerted campaign to educate drivers of the rights (and responsibilities) of cyclists on the road as legal road users.

In the opinion of Mr Bart Sbeghen, Campaigns Manager, Bicycle Victoria, some media organisations, especially radio stations, propagate an anti-cycling message and almost condone or encourage aggressive behaviour by motorists by questioning the rights of cyclists to be on the road.³⁸⁶ Other submissions to the Committee also raised the acute problem of cyclist and motorist interaction on the roads.³⁸⁷

At present, the notion of sharing the roads is covered in the Victorian learner driver handbook, *Road to solo driving* (VicRoads 2003). VicRoads also produces brochures addressing this issue. In addition, a television advertisement has

384 Submission from Mr David Levin Q.C., Convenor, Wigs on Wheels, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 5 August 2004.

385 Submission from Mr Paul Baxter to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 16 June 2004.

386 Submission from Mr Bart Sbeghen, Campaigns Manager, Bicycle Victoria, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 15 June 2004.

387 See for example: Submission from Mr Damon Rao, urbanbicyclist.org to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 18 June 2004; Submission from Ms Josella Rye to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 16 June 2004; Submission from Ms Fiona Campbell to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 21 June 2004; Submission from Mr Mathew Strain to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 6 July 2004, all of whom supported the need for changed attitudes towards cyclists by motorists.

been screened recently urging car drivers to be aware of motorcycles. Bicycle Victoria has also developed its own *Share the Roads Campaign*.³⁸⁸ The Bicycle Victoria campaign seeks to reinforce the fact that cyclists are legitimate road users with rights and responsibilities, to:

raise motorists' awareness of cyclists' use of the roads and relevant road rules, to provide safety hints [and to] increase levels of cooperative and considerate behaviours between motorists and cyclists.³⁸⁹

This is, however, a small-scale campaign which lacks funding.

In Queensland, a similar campaign has also been developed, including a television commercial. This campaign has produced advertisements which, it was thought, could be used in Victoria. The campaign consisted of:

television, radio, bike events, and a t-shirt, as well as stickers, etc. When surveyed, half the respondent recognised it, with half of those respondents saying it 'would encourage them to drive in a manner that was more accepting of cyclists'.³⁹⁰

While such programmes have attempted to redress the car-centred nature of our roads, in the Committee's view more could be done.

Recommendation:

39 The Committee recommends that VicRoads and the Transport Accident Commission conduct a campaign designed to encourage cooperative use of the roads.

Media reporting of Road Violence

As the Committee noted in Chapter 6, the role of the media is not limited to its ability to promote anti-violence initiatives but is also a major source from which people learn about Road Violence, Road Hostility and Selfish Driving. Unfortunately, too often the reporting of 'road rage' appears to be out of proportion to the extent of the problem – leading people to believe that there is an 'epidemic' of Road Violence when there is not. In the Committee's view, this type of media conduct is unhelpful and could be dangerous. As the literature suggests, such 'coverage may cause people to mimic the behaviours described, or to judge less extreme examples of road-related aggression as

388 Submission from Mr Bart Sbeghen, Campaigns Manager, Bicycle Victoria, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 15 June 2004.

389 <http://www.bv.com.au> (under the title 'Campaigns'). See also the comments of Ms Lee O'Mahoney, Motorcycle Riders Association Australia, Evidence given at the Public Hearing of the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 21 June 2004.

390 Mr Ben Wilson, Bicycle Queensland, in conversation with the Committee, Brisbane, 15 June 2004

being acceptable relative to the severe examples described by the media' (Hatfield & Job 1998, p.4). On the other hand, more 'restrained media coverage of road-related aggression may alleviate the problems of copy-cat forms of road-related aggression' (Hatfield & Job 1998, p.7).

Lupton (2001) also noted that:

The sensationalist aspects of news reporting, particularly its focus on violent crimes, have been implicated in developing fear of crime among members of the public. The news media have also been criticised for their attempts to construct a "crime wave" or "crisis" from very few disparate cases, and for failing to acknowledge criminological knowledge about patterns in crime incidence, shifts in these patterns over time, or the broader socio-cultural conditions in which crimes are committed, in their efforts to frame stories with the "bad news" discourse (Lupton 2001, p.24).

The submission from Dr Soames Job, supported this view, arguing that 'road rage' incidents were growing in direct proportion to their inflated coverage by the media:

My impression is that it is growing and the media reports themselves are in two ways contributing to that appearance of growth. In one way they are contributing to the growth itself. While they are not reflecting this behaviour in a positive light, they are normalising it, and anything which you normalise becomes more acceptable. It becomes seen as more of the norm. Especially what you do by presenting the most extreme instances is make the less extreme instances seem more acceptable, so the fact that the media focuses on the most extreme instances where somebody is actually really physically hurt or perhaps even killed means that people who drive around yelling and screaming and threatening each other feel that by comparison what they are doing is very mild. My experience of asking people in our surveys to estimate the extent of problems which are identified in newspapers indicates that people dramatically overestimate the extent of the problem, and the same thing would be happening here. If they see five reports in a year of people who have been assaulted in road rage incidents they would probably think there were 50,000 of them and so, by comparison with those 50,000 people, what they are doing is very minor or pretty normal. In a way, the sensationalism of it is contributing to its actual occurrence. It is also contributing to the appearance that it is increasing because people are just more aware of it and when you give it a label people are more likely to talk about it and more likely to report to each other that it has happened to them. The more important consequence socially is the risk that they are increasing the actual incidence by normalising it.³⁹¹

391 Dr Soames Job, General Manager, Road Safety Strategy, Road Traffic Authority of New South Wales, in conversation with the Committee, Sydney, 17 June 2004.

Although the media have a legitimate interest in instances of Road Violence, the Committee believes that it is the conflation of Road Violence with instances of Road Hostility, Selfish Driving and other aggressive driving instances that leads to confusion and over-exposure of the issue.

To help address this problem, the Committee recommends that a protocol about the reporting of Road Violence be incorporated into the Journalists Code of Practice. This protocol could contain guidance concerning appropriate use of terminology,³⁹² as well as guidance about the importance of not overestimating the size and impact of the problem. It should aim to encourage responsible reporting of Road Violence, which shows that such behaviour is not overly common but is unacceptable nonetheless. In addition, the Committee believes it would be helpful if the media were to describe violent road incidents when they occur within the nature of violent crime as a whole (Marshall & Thomas 2000). This would be in keeping with the general societal stigmatisation of violence that has occurred with other crime prevention campaigns (for example, domestic violence campaigns).

Recommendation:

- 40 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.

A number of submissions received by the Committee, observed that broadcasters have used the forum of Talkback radio to incite anti-cycling and anti-motorcycling sentiment.³⁹³ While Commercial Radio Australia's Code of Practice does not specifically address this issue per se, it does prohibit commercial radio stations from inciting violence or brutality in their broadcasts. Complaints about such behaviour can be made to the Australian Broadcasting Authority.³⁹⁴ While it would be possible to strengthen these

392 'We suggest that you somehow discourage the media from using the terms "road rage" and "air rage" and all the rages that are happening around at the moment and educate them about what they may be doing in terms of causing more harm to people' (Ms Lee O'Mahoney, Motorcycle Riders Association Australia, Evidence given at the Public Hearing of the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 21 June 2004).

393 'Some media organisations, especially radio stations, propagate an anti-cycling message and almost condone or encourage aggressive behaviour by motorists by questioning the rights of cyclists to be on the road' (Submission from Mr Bart Sbeghen, Campaigns Manager, Bicycle Victoria, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 15 June 2004). See also the views of Ms Lee O'Mahoney, Motorcycle Riders Association Australia, Evidence given at the Public Hearing of the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 21 June 2004, who equated the media coverage of 'road rage' with racial vilification.

394 Australian Broadcasting Authority – see <http://www.aba.gov.au/radio/complaints/index>. The ABA can only accept a complaint if you have already made a written complaint to the particular station and it is a complaint about something that is covered by a code of practice.

provisions with regard to such comments, the Committee believes this would be an unjust restriction on speech. People should be allowed to make their views clear, even if those views are disagreed with. They should not, however, be allowed to incite violence against others, and it is this that is already prohibited by the current Code.³⁹⁵

Recommendation:

- 41 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.

Motor vehicle advertising

The role which motor vehicle advertising plays in contributing to the current state of driving culture was discussed in Chapter 15. It was pointed out in that chapter that many advertisements tend to focus on issues such as speed and power, often including scenes of reckless driving. There have been suggestions that some attempts should be made to regulate the content of such advertisements.³⁹⁶ In recent years, some attempts have indeed been made to regulate motor vehicle advertising through the use of a voluntary code developed by the Federal Chamber of Automotive Industries and administered by the Advertising Standards Bureau. The Federal Chamber of Automotive Industries' Voluntary Code of Practice for Motor Vehicle Advertising aims to promote responsible driving behaviour³⁹⁷ and contains a complaints mechanism which enables complaints to be lodged with the Advertising Standards Bureau.³⁹⁸

The Code originally allowed advertisements that showed reckless driving behaviour as long as it was not performed on a public road. This led to a number of advertisements still featuring drivers speeding or braking suddenly in places such as the desert. On 1 July 2004, however, an amended version of the guidelines was passed which removed the exemption in connection with public roads. The explanatory material at the beginning of the Code is now much stronger, and urges car manufacturers to comply with the spirit of the

395 *Broadcasting Services Act 1992*, s. 123(3)(e): The portrayal in programs of matter that is likely to incite or perpetuate hatred against, or vilifies, any person or group on the basis of ethnicity, nationality, race, gender, sexual preference, age, religion or physical or mental disability.

396 Ms Anne Harris, RACV, Evidence given at the Public Hearing of the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 22 June 2004. See also Hoke 1997, p.78.

397 http://www.advertisingstandardsbureau.com.au/PDF/FCAL_code.pdf

398 The complaints process is outlined at http://www.advertisingstandardsbureau.com.au/PDF/FCAL_code.pdf

Code, and not to avoid its purpose through technicalities. While it would be possible to pass an even stronger Code, or to make the code mandatory, the Committee believes the recent amendments should be given a chance to operate, to see if they are effective.

The Committee hopes that the Code will help to encourage motor vehicle manufacturers to focus their advertising campaigns on pro-social elements such as the safety features of cars. The Committee received a number of submissions suggesting that rewards be provided for advertisements that reflect pro-social community attitudes about motor vehicle use.³⁹⁹ A clause detailing the social desirability of focussing on these elements should perhaps be included in the introductory material of the Code during its next review, which is planned for December 2005.⁴⁰⁰ Under the amended Code, provision has also been made to allow car manufacturers to have their advertisements reviewed by the Advertising Standards Bureau before going to air. While this measure is not compulsory, the Committee recommends that car manufacturers should be encouraged to comply.⁴⁰¹ This will avoid the problem of complaints being upheld after the advertising campaign has already been conducted and has had its detrimental effect.⁴⁰²

Recommendations:

- 42 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.
- 43 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.

399 Dr Sarah Redshaw, Postdoctoral Research Fellow, Centre for Cultural Research, University of Western Sydney, in conversation with the Committee, Sydney, 17 June 2004; Dr Malcolm Vick, School of Education, James Cook University, Townsville, in conversation with the Drugs and Crime Prevention Committee, 22 June 2004.

400 Submission from Ms Valerie Yule to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 15 June 2004.

401 Mr Ken Ogden of the RACV has argued that mandatory codes should only be used if voluntary codes are proved not to work (Mr Ken Ogden, RACV, Evidence given at the Public Hearing of the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 22 June 2004).

402 A problem identified by Ms Anne Harris, RACV, Evidence given at the Public Hearing of the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 22 June 2004.

Road Violence film and television warnings

Motor vehicle advertising is not the only medium through which irresponsible driving behaviour may be conveyed to the public. Many television programmes and movies also feature such behaviour. This may either be incidental (a car chase in a movie) or may even form the premise of the entire show (*Gone in 60 Seconds*; *The Simpsons* episode on 'road rage'). Additionally, computer games also often feature scenes of Road Violence, with a range of games encouraging this behaviour in the virtual world (for example, *DeathKarz* and *Carmageddon*). When these media are combined with images seen in motor vehicle advertisements, the behaviour of parents and other role models, and observations regarding the driving behaviour of other road users, they contribute to a general culture in which such behaviour can appear to be acceptable.

The Committee does not believe it is possible to prohibit movies with such scenes or to prevent computer games from showing such behaviour. However, the Committee does consider it worthwhile to draw strong critical attention to the existence of such violence in our culture. At present, this behaviour may be covered by other statutory schemes. The classification scheme run by the Australian Office of Film and Literature Classification contains warnings about drugs, sexual content, and violence generally. Under this scheme if the scene were one of extreme Road Violence it would likely receive a 'V' warning. However, as many incidents of Road Violence are not currently considered to be 'real violence', they may not be covered at present.

To counter this problem, the Committee suggests that the current classification for films, television and computer games be reviewed to ensure all instances of Road Violence fall within the classification of 'Violence' and receive a 'V' warning. This may help parents prevent their children from viewing the material, as well as draw attention to the undesirability of such behaviour generally. Consideration should also be given to preventing scenes of Road Violence being shown on advertisements for television programmes or movies.⁴⁰³

403 'Censorship of violent rage in shows themselves is not possible, but trailers and promotions can be required not to show violent rage and meaningless anger, especially as these are out of context and viewed by everyone, not just those who wish to see the shows' (Submission from Ms Valerie Yule to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 15 June 2004).

Recommendations:

- 44 The Committee recommends that the Victorian Government request the Australian Broadcasting Authority to:
- 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.

Road Violence website

One of the main problems regarding Road Violence is the lack of reliable information about the nature, incidence and causes of Road Violence. This is in some way due to problems with definitions and the use of the term ‘road rage’ itself, which the Committee has found to be unclear and unhelpful. This lack of a clear definition and misuse of the term has led to miscommunication and misunderstandings, with an accompanying over-emphasis on the extent of the problem. While there is no lack of information available on the Internet,⁴⁰⁴ in many cases the quality of the information is dubious and/or unhelpful.

The Committee is of the view that a Road Violence website should be developed containing accurate and informative information about Road Violence. The website should be linked to the Department of Justice, Victoria Police and RACV websites. The Committee recommends the website include information about definitions (the difference between Road Violence, Road Hostility, and Selfish Driving) and a brief summary of the incidence and causal data presented in this Report (and updated when possible). The website should also contain information about the new police reporting mechanism and victim support services, as well as practical tips about how to avoid becoming a perpetrator and/or victim of Road Violence (see the following section).

Recommendation:

- 45 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.

404 See Rathdown & Huckabee 1999.

Road Violence avoidance tips

During this Inquiry the Committee encountered considerable information and advice on how individual road users can avoid becoming the victim or perpetrator of Road Violence (and associated 'road rage' related conduct). Appendix 12 sets out a compendium of these suggestions which, in the opinion of the Committee, could usefully be placed on any website devoted to Road Violence and its prevention.

Although the Committee is aware that many of the responses to Road Violence cannot be influenced by motorists themselves, there are some practical measures that individuals can take to avoid triggering situations which could lead to Road Violence. Sources for these suggestions are provided in Appendix 12, but, in short compass, the principal ones are as follows.

- ◆ Avoid eye contact
- ◆ If you are being bothered by another motorist try not to react
- ◆ Keep your distance from other drivers
- ◆ Keep doors and windows locked
- ◆ Don't carry weapons
- ◆ Use or pretend to use mobile phones to call police
- ◆ Report bad driving behaviour
- ◆ Leave plenty of time for a journey
- ◆ Call ahead if running late
- ◆ Don't drive if angry, tired or emotionally stressed
- ◆ Listen to relaxing music
- ◆ Make your vehicle as comfortable as possible
- ◆ Give others the benefit of the doubt for their driving mistakes – try to ignore perceived slights
- ◆ When stopped in traffic, leave enough space to pull out from behind the car in front if it should become necessary
- ◆ Be careful about the messages your car sends – including details such as arrogant vanity plate messages
- ◆ Keep your hands to yourself – sign language should only be friendly or conciliatory
- ◆ If hassled or confronted, drive to nearest police station or busy location for help
- ◆ Overall, be a courteous driver.

Information such as this could usefully be included in the VicRoads Novice Driver's handbook and questions on these tips included in the licensing

examination. The tips could also be reproduced on a double-sided glove-box sized card, to be provided by organisations such as VicRoads, Victoria Police, the RACV and Crime Prevention Victoria during their educational activities and on demand. They should also be available in various languages and distributed to schools. As is the case with other violence reduction strategies, those responsible for preparing and disseminating such information should ensure that it does not give the impression that victims are responsible for Road Violence.

Recommendation:

- 46 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.

Conclusions

This chapter has endeavoured to canvass the primary ways in which education and information strategies could be used to eradicate or at least reduce Road Violence, Road Hostility and Selfish Driving. In changing attitudes, the Committee takes the view that various media could be used including campaigns conducted in schools, via the Internet, on television, film and radio, and in the newspapers.

The Committee has also considered whether or not educational change can best be promoted through measures such as more rigorous licence testing, licence re-testing and even graduated licensing schemes. Finally, this chapter has examined a number of practical measures including the development of 'Road Violence avoidance tips', that could help to lessen the chances of becoming either a perpetrator or victim of Road Violence.

The Committee has focussed on both international and domestic developments to assist it in understanding the nature of the difficulties associated with changing attitudes and behaviour through educational measures. The Committee believes that educational approaches are only one way of dealing with the problem, albeit an extremely important one. Educational measures must be viewed as part of an overall package to reduce Road Violence incidents, which also includes, in equal measure, law enforcement and rehabilitative approaches.

As it has done throughout this Report, the Committee stresses that the incidence, prevalence and severity of Road Violence or Road Hostility and its consequences should not be exaggerated or over-estimated. Approaches to Road Violence, particularly those pertaining to educational or informational techniques, need to be viewed as part of a series of measures relating to safe

driving and road safety generally. Road Violence cannot from this perspective be divorced from wider issues such as drink driving, driver fatigue, the enhancement of driving skills or ways in which to reduce speeding. This is particularly true when preparing young people for a 'life on the road', as it is they who are at greatest risk of becoming both perpetrators and victims of unacceptable violence in connection with vehicle usage.

Part F: Legal Responses to Road Violence

19. Criminal and Traffic Offences

Current laws

At present there are no specific offences of Road Violence, Road Hostility or Selfish Driving in Victoria.⁴⁰⁵ Instead, a wide variety of general criminal and traffic offences can be used to regulate such behaviour, depending on the nature of the act, the intention of the perpetrator and the degree of harm caused.⁴⁰⁶ For example, individuals who deliberately drive into another person causing death or injury may be charged with culpable driving causing death,⁴⁰⁷ or dangerous driving causing death or serious injury.⁴⁰⁸ If they get out of their car and physically injure another road user, they may be charged with intentionally causing injury⁴⁰⁹ or serious injury,⁴¹⁰ depending on the extent of the injury. If the injury was unintentional, they may instead be charged with recklessly⁴¹¹ or negligently⁴¹² causing serious injury. By contrast, a person who damages another party's car may be charged with intentionally damaging property⁴¹³ or criminal damage.⁴¹⁴

405 In 1990 an attempt was made to introduce an offence of 'menacing driving' in Victoria, but the relevant provision of the *Road Safety (Drivers) Act 1991* was never proclaimed (see below).

406 A number of these offences are outlined in the submission from Crime Prevention Victoria, Department of Justice, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 6 July 2004 and in 'VicRoads' Responses to Questions by the Parliamentary Drugs and Crime Prevention Committee for the Inquiry into Violence Associated with Motor Vehicle Use ('Road Rage'), submitted to the Committee by Dr Jeffrey Potter, Manager, Road User Behaviour, VicRoads, at the Public Hearing of the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 9 September 2004.

407 *Crimes Act 1958* (Vic) s.318.

408 *Crimes Act 1958* (Vic) s.319.

409 *Crimes Act 1958* (Vic) s.18.

410 *Crimes Act 1958* (Vic) s.16.

411 *Crimes Act 1958* (Vic) s.17.

412 *Crimes Act 1958* (Vic) s.24.

413 *Crimes Act 1958* (Vic) s.197.

414 *Summary Offences Act 1966* (Vic) s.9.

Even in the absence of any physical harm or property damage, there is a range of offences that can be charged. These include using obscene, indecent or threatening language and behaviour,⁴¹⁵ making threats to kill⁴¹⁶ or cause serious injury,⁴¹⁷ and dangerous⁴¹⁸ or careless⁴¹⁹ driving. Any breaches of the *Road Rules – Victoria*⁴²⁰ will also be subject to penalties. These include acts such as failing to keep a safe distance behind another vehicle⁴²¹ and unreasonably obstructing drivers or pedestrians.⁴²²

The variety of possible charges that can be brought when an act of Road Violence occurs was evident in the Committee’s analysis of incidents reported in the media (see Chapter 6). Of the 55 incidents examined, the newspapers reported that charges were laid in 32 cases. The following charges were reported as used:

- ◆ Affray
- ◆ Armed robbery
- ◆ Assault with a weapon
- ◆ Assaulting police
- ◆ Attempted murder
- ◆ Conduct endangering life
- ◆ Conduct endangering persons
- ◆ Criminal damage
- ◆ Culpable driving
- ◆ Dangerous driving
- ◆ Drug trafficking
- ◆ Extortion
- ◆ Failing to stop after an accident
- ◆ Having a handgun without a licence
- ◆ Intentionally causing injury
- ◆ Intentionally causing serious injury
- ◆ Kidnapping
- ◆ Murder

415 *Summary Offences Act 1966 (Vic)* s.17.

416 *Crimes Act 1958 (Vic)* s.20.

417 *Crimes Act 1958 (Vic)* s.21

418 *Road Safety Act 1986 (Vic)* s.64.

419 *Road Safety Act 1986 (Vic)* s.65.

420 The *Road Rules – Victoria* have been incorporated into Victorian law by virtue of the Road Safety (Road Rules) Regulations 1999 (Vic).

421 *Road Rules – Victoria* rule 126.

422 *Road Rules – Victoria* rule 125.

- ◆ Offensive behaviour
- ◆ Recklessly causing injury
- ◆ Recklessly causing serious injury
- ◆ Reckless conduct endangering lives
- ◆ Reckless conduct endangering serious injury
- ◆ Theft
- ◆ Unlawful assault.

In their analysis of ‘road rage’ cases reported in the media in 1997, the Victorian Community Council Against Violence (1999) found a similarly diverse range of charges were laid.

A road violence offence?

Instead of relying on this assortment of charges, it has been suggested that the government should enact one or more offences specifically targeted at Road Violence, Road Hostility or Selfish Driving. In a submission to the Committee, for example, Ms Alison Cran from the Shire of Yarra Ranges argued that:

A specific *Act* might see an increase in charges being laid and therefore improve the likelihood of convictions, therefore broadening the web within which people can be charged and convicted. It will importantly see the establishment of a clearer definition of ‘road rage’ as seen by the criminal justice system. The recognition that ‘road rage’ exists may instil confidence in the community that this issue will be pursued seriously by the criminal justice system.⁴²³

Mr Russell Lindsay similarly recommended the enactment of a ‘road rage’ offence ‘with varying scales of intensity. From cutting into lanes, to physical violence’.⁴²⁴

As seen from Ms Cran’s submission, such specific legislation may assist the police in bringing charges in relevant cases. This may help reduce the incidence of Road Violence by temporarily removing perpetrators from the road, as well as hopefully discouraging them from re-offending. In addition, it may act as a deterrent to would-be offenders, especially if it is widely publicised and has significant penalties attached.⁴²⁵ The enactment of such specific legislation may also provide the community with an indication that Parliament believes ‘road rage’ to be a sufficiently serious problem that it merits legislative

423 Submission from Ms Alison Cran, Director, Community and Cultural Services, Shire of Yarra Ranges, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 22 June 2004.

424 Submission from Mr Russell Lindsay, Officer in Charge of the Melbourne Police Bicycle Patrol Group, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 22 June 2004.

425 This was the main argument of the New South Wales Road Traffic Authority in supporting the passage of such laws in New South Wales (Victorian Community Council Against Violence 1999).

sanctions. This may help overcome the view that ‘road rage’ is sometimes justified, as well as helping to raise the profile of the need for courteous and cooperative driving.⁴²⁶

New South Wales

This approach has been adopted in New South Wales where the following three offences were created by *The Traffic and Crimes Amendment (Menacing and Predatory Driving) Act 1997*:

Menacing Driving (possibility of menace): A person must not drive a motor vehicle on a road or road related area in a manner that menaces another person if the person ought to have known that the other person might be menaced (*Road Transport (Safety and Traffic Management) Act 1999* (NSW) s.43(2)).

Menacing Driving (intent to menace): A person must not drive a motor vehicle on a road or road related area in a manner that menaces another person with the intention of menacing that other person (*Road Transport (Safety and Traffic Management) Act 1999* (NSW) s.43(1)).

Predatory Driving: The driver of a vehicle who, while in pursuit of or travelling near another vehicle (a) engages in a course of conduct that causes or threatens an impact involving the other vehicle, and (b) intends by that course of conduct to cause a person in the other vehicle actual bodily harm, is guilty of an offence (*Crimes Act 1900* (NSW) s.51A).

These three offences are listed in increasing order of seriousness. The first offence – Menacing Driving (possibility of menace) – does not require proof that the perpetrator intended to ‘menace’ the other driver. All that is necessary is proof that they engaged in ‘menacing behaviour’.⁴²⁷ The maximum penalty for a first offence is 18 months imprisonment and/or a \$2,200 fine. Subsequent offences can incur a maximum penalty of 18 months imprisonment and/or a \$3,300 fine.

By contrast, Menacing Driving (intent to menace) does require proof that the intimidatory behaviour is intentional. Given this additional level of criminality, the maximum penalties are higher: 18 months imprisonment and/or a \$3,300 fine for a first offence, and two years imprisonment and/or a \$5,500 fine for a subsequent offence.

Although both of these offences are relatively serious, and can lead to harsh penalties, they are still considered to be traffic offences. Predatory Driving, by comparison, is a criminal offence. To be found guilty of Predatory Driving, a defendant must be shown to have done more than perform a one-off act of intimidation. The defendant needs to have engaged in a *course of conduct*,

426 One further benefit would be the ability to collect better data about the incidence of Road Violence. As seen in Chapter 3, at present this is quite difficult given the disparate range of charges that can be brought in such cases.

427 ‘Menacing’ behaviour is not defined in the legislation – see below.

which either leads to an impact with another vehicle or threatens to do so. An example would be continual swerving at another car in an attempt to force it off the road. In addition, it must be proven that the defendant intended to harm the other party. The maximum penalty is five years imprisonment, and/or a \$100,000 fine. Each of these three offences also carries with them the possible disqualification of the offender's driver's licence.

Although these offences have been in operation for a number of years, they have not been frequently used. This is particularly the case for Predatory Driving. According to information provided to the Committee by the New South Wales Police, by June 2004 only 60 Predatory Driving charges had been laid over the past six years (see Table 19.1 below). Of these 60 charges, only five were proved (with an additional one defendant being convicted in his absence).

Table 19.1: Number of Predatory Driving charges brought per calendar year in NSW

Year	Number of Charges
1999	12
2000	1
2001	16
2002	13
2003	12
2004	6
Total	60

Source: Information provided to the Committee by Inspector David Evans, Commander Traffic Policy, Traffic Services Branch, New South Wales Police in conversation with the Committee, Sydney, 16 June 2004.

Sergeant Peter Vromans from New South Wales Police suggested that this low level of usage is likely to be due to the difficulty of proving Predatory Driving.⁴²⁸ Proving this charge is challenging, as proof is required of both a particular conduct and an appropriate level of intention. As a result, he contended that police and prosecutors are probably instead choosing to rely on other offences that address the same type of behaviour and may be easier to prove. For example, in many cases it may instead be possible to charge a perpetrator with attempted assault, which has the same possible penalties but does not require proof of a course of conduct.

The Menacing Driving offences are not as difficult to prove, and have been charged in a greater number of cases (see Table 19.2). The success rate for securing convictions in such cases is also greater, with the offences being proven in about half of the cases.⁴²⁹ Most of those convicted received fines, although a range of sentencing dispositions – including Community Service Orders, Bonds (with or without supervision), suspended sentences and home detention – were also used. In five cases the offenders were imprisoned.

428 Sergeant Peter Vromans, Legal Consultant, Operational Legal Advice Unit, Legal Services, New South Wales Police, in conversation with the Committee, Sydney, 16 June 2004.

429 *ibid.*

Table 19.2: Number of Menacing Driving (possibility of menace) and Menacing Driving (intent to menace) charges brought per calendar year in NSW

Year	Number of Charges
1999	3
2000	176
2001	169
2002	172
2003	173
2004	82
Total	775

Source: Information provided to the Committee by Inspector David Evans, Commander Traffic Policy, Traffic Services Branch, New South Wales Police in conversation with the Committee, Sydney, 16 June 2004.

Despite this greater level of use and success, in absolute terms the use of the Menacing Driving offences is fairly small. This was pointed out by Inspector David Evans in conversation with the Committee, when he explained that in his own operational experience he can recall there being approximately 300–350 cases of malicious injury per week in one region of Sydney alone, with 18–19 armed robberies occurring per weekend. By contrast, only 775 charges of both Menacing Driving offences have been laid over a six-year period. Not one person was convicted of Menacing Driving (possibility of menace) as their principal offence.⁴³⁰

While it is possible this low number of charges is due to a low incidence of Menacing Driving, there may be a number of other reasons for this phenomenon. For example, as with Predatory Driving, it may be due to the difficulty of proving such behaviour. In particular, it may be difficult to prove that a person intended to engage in menacing behaviour, for the purpose of the Menacing Driving (intent to menace) offence. This difficulty can be compounded by the one-on-one nature of such cases, which generally arise in the absence of police or independent witnesses.⁴³¹ In addition, the police have a range of other charges at their disposal (such as speeding or following too close) which they may prefer to rely on.

There may also be problems with the definition of ‘menacing’ driving. Exactly what comprises ‘menacing’ behaviour is not defined in the legislation. In determining what amounts to Menacing Driving ‘regard can be had to the conduct complained of: for example, approaching the rear of another vehicle at high speed, with either glaring lights or sounding of the horn.’⁴³² While this may appear to be a commonsensical approach, in practice it makes the determination of the prohibited behaviour quite subjective. This may lead to

430 A principal offence is one for which an offender receives the most serious penalty.

431 Sergeant Peter Vromans, Legal Consultant, Operational Legal Advice Unit, Legal Services, New South Wales Police, in conversation with the Committee, Sydney, 16 June 2004.

432 *ibid.*

different judges interpreting the requirements differently, leading to uncertainty in the law. As a result of such uncertainty, police may choose to rely on other well-established alternative charges.

The Committee acknowledges that this difficulty in providing an adequate definition of 'menacing' driving behaviour was one of the main reasons why a previous attempt to pass a Menacing Driving offence in Victoria was unsuccessful. The *Road Safety (Drivers Act) 1991* contained such a provision, but due to debate over the definitional issue, as well as over the issue of the appropriate level of intentionality that should be required, the relevant provision was never proclaimed.⁴³³ Similar difficulties have also been experienced in the United States (see below).

United States

While the Committee was unable to find any evidence of United States legislation specifically designed to address Road Violence, in recent years a number of jurisdictions have introduced bills targeting 'aggressive driving'.⁴³⁴ For example, in 1998 nine states introduced 26 'aggressive driving' bills into their respective parliaments (NRMA 2002; Bowles 1999b). By 2003, the number of legislatures reviewing bills directed at 'aggressive driving' was approximately 20 (Miles & Johnson 2003). While not all of these bills have been implemented, by May 2004 at least nine states had enacted 'aggressive driving' legislation or had modified existing reckless driving statutes to include 'aggressive driving' (see Table 19.3).⁴³⁵

433 Superintendent Peter Keogh, Traffic Support Division, Victoria Police, Evidence given at the Public Hearing of the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 19 August 2004.

434 Although the main focus of these bills is on what the Committee calls Selfish Driving, some also cover more serious acts of Road Violence.

435 For a detailed discussion of 'aggressive driving' laws in the United States, see National Association of Governors' Highway Safety Representatives (2002).

Table 19.3: United States jurisdictions that have passed ‘aggressive driving’ legislation and a summary of the relevant provisions

State	“Aggressive” Driver Actions
Arizona	Speed plus at least two of the following: failure to obey traffic control device, passing on the right out of regular lanes of traffic, unsafe lane change, following too closely, or failure to yield right of way.
Delaware	At least three of the following: failure to obey traffic control device, passing on the right, driving outside of regular lanes of traffic, following too closely, failure to yield right of way, failure to use turn signal, speeding, passing a stopped school bus.
Florida	At least two of the following: speeding, unsafe or improper lane change, following too closely, failing to yield right of way, improper passing, failure to obey traffic control device.
Georgia	Operation with the intent to annoy, harass, molest, intimidate, injure or obstruct another person.
Maryland	At least three of the following: failure to obey traffic control device, passing on the right, driving outside of regular lanes of traffic, following too closely, failure to yield right of way, speeding.
Nevada	Within 1 mile: speeds, creates a hazard for other drivers, and at least two of the following: fails to obey traffic control device, passing on the right of paved roadway, following too closely, failure to yield right of way.
Rhode Island	At least two of the following: failure to obey traffic control device, passing on the right, driving outside the lanes of traffic, following too closely, failure to yield right of way, failure to use turn signals, use of emergency lane for travel.
Utah	Amended reckless driving law to include aggressive driver actions.
Virginia	Is a hazard to others with the intent to harass, intimidate, injure or obstruct another person and commits at least one of the following: failure to drive on the right side of highway, failure to drive in lanes marked for traffic, following too closely, failure to yield right of way, failure to follow traffic control device, passing on right, speed, stopping on a highway.

Sources: National Conference of State Legislatures Transportation Series (December 2003), National Highway Traffic Administration, State Highway Safety Offices. Current as of May 2004. This table is a modified version of one compiled by the Governors’ Highway Safety Association (2004).

While the precise provisions of these laws vary, it can be seen from Table 19.3 that many of them share common features. They each define ‘aggressive driving’ as separate from other driving offences (such as speeding). In most cases, to be found guilty of ‘aggressive driving’ a road user must have committed a combination of offences (such as speeding, tailgating and running a red light) within a defined area or time period. Penalties for these offences involve fines, licence suspension or mandatory re-education for convicted offenders (Rathbone & Huckabee 1999; National Association of Governors’ Highway Safety Representatives 2002).

Unfortunately the Committee could find no evaluations of the effect of such legislation.⁴³⁶ While often considered effective by representatives of the relevant states (National Association of Governors’ Highway Safety

436 This problem was also noted in the submission from Crime Prevention Victoria, Department of Justice, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 6 July 2004.

Representatives 2002), such views are anecdotal only. In a number of cases the laws have in fact been criticised on the grounds of uncertainty. For example, James and Nahl have argued that many of the relevant bills and laws contain vague phrases such as 'passing improperly' or 'operating a vehicle in a threatening or intimidating manner', without making clear the precise bounds of such behaviour (2000, pp.7-8). This can undermine the deterrent function of the law, as people may not be aware of precisely what behaviour is prohibited. It can also make the laws difficult to enforce. These difficulties have led to a number of 'aggressive driving' bills not being passed, due to a perception that they will be unenforceable due to ambiguous phrasing (Rathbone & Huckabee 1999; James & Nahl 2000).⁴³⁷

To help resolve such difficulties, the National Committee on Uniform Traffic Laws and Ordinances (NCUTLO) was asked to develop a provisional model law regarding 'aggressive driving' that could be used by each state (Miles & Johnson 2003). After careful consideration, the NCUTLO concluded that:

Aggressive driving is a serious problem, but new laws are not required to combat it. Rather, vigorous and consistent enforcement of the traffic violations that comprise aggressive driving would curtail this threat to highway safety (National Association of Governors' Highway Safety Representatives 2002, p.59).

In drawing this conclusion, the NCUTLO made the point that current laws, such as those prohibiting speeding and unsafe driving, already cover the relevant problem behaviours. Instead of passing a new law to address the situation in which a combination of these offences is committed within a short period, police should be instructed to charge aggressive drivers with each of the relevant offences (rather than just one primary offence).

A similar conclusion was reached by each of the focus groups conducted by the Mid-America Research Institute for the National Highway Traffic Safety Administration (Lacey 1998). These focus groups, which were comprised of judges, lawyers and police, were asked whether, in their opinion, specific legislation was necessary. In light of the existing road traffic laws, none of them considered that specific legislation was required to address 'road rage'.

Despite such pronouncements, a number of jurisdictions in the United States continue to propose bills to address 'road rage' and 'aggressive driving'. Most recently, in April 2004 the New York State Senate passed a bill to 'combat road rage'. This bill (which has not yet been passed by the Assembly) contains provisions which will:

- Create the crime of criminal aggressive driving in the first, second and third degrees, ranging from a class D felony to a class A misdemeanor;

⁴³⁷ Submission from Crime Prevention Victoria, Department of Justice, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 6 July 2004.

- Add the crimes of first and second degree criminal aggressive driving to the list of offenses for which a conviction results in mandatory revocation of an offender's licence;
- Provide for a mandatory 120-day suspension of an offender's licence upon conviction of third degree criminal aggressive driving;
- Require pre-licensing education and approved defensive driving courses be completed before a revoked licence is reinstated;
- Prohibit the issuance of restricted licences to persons convicted of criminally aggressive driving (Anonymous 2004).

The Committee's conclusion

There would be a number of benefits to be derived from the enactment of laws specifically targeting Road Violence, Road Hostility or Selfish Driving. These include making it clear that such behaviour is unacceptable, deterring people from committing such acts, and punishing those who have acted in contravention of the legislation. Despite these advantages, however, the Committee received little support for the creation of such laws. One of the main counter-arguments put to the Committee was that such laws are unnecessary, given current criminal and traffic offences.⁴³⁸ This point was made clearly by Mr Colin Jordan, Managing Director and CEO of the RACV, in his submission to the Committee:

One of the accepted ways of dealing with aggressive driving is via enforcement. A range of traffic laws exists to address aggressive driving. Traffic laws, demerit point systems, penalties, and extensive enforcement in Victoria have contributed to a reduction in many aggressive driver behaviours and have, in general, had a positive outcome in terms of a reduction in casualty crashes.

There is a range of laws that address aggressive driving. There are laws and related penalty systems that apply to speeding, keeping left and overtaking. In addition, there are specific laws that address aggressive driving more generally and offenders can be charged with careless driving or dangerous driving offences. RACV does not believe that any further laws related to aggressive driving are warranted, as the current legislation provides an adequate system for police to detect and charge offending drivers.⁴³⁹

438 Submission from Mr Colin Jordan, Managing Director and CEO, RACV, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 18 June 2004; Submission from Mr Tony Parsons, Managing Director, Victoria Legal Aid, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 29 July 2004; Superintendent Peter Keogh, Traffic Support Division, Victoria Police, Evidence given at the Public Hearing of the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 19 August 2004; Mr Paul Coghlan, Director of Public Prosecutions, Evidence given at the Public Hearing of the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 19 August 2004.

439 Submission from Mr Colin Jordan, Managing Director and CEO, RACV, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 18 June 2004.

Mr Tony Parsons, Managing Director of Victoria Legal Aid, also noted the range of laws that already exists. He went on to state that he was 'concerned that the creation of additional overlapping offences may lead to the laying of alternative charges. We think this will cause confusion and add to the cost of justice.'⁴⁴⁰

In confirming that Victoria Police also do not believe there is a need for specific offences, Superintendent Peter Keogh pointed to existing legislation that already 'appropriately deals' with the issues.⁴⁴¹ In her submission to the Committee, Ms Christine Nixon, Chief Commissioner of Victoria Police, also argued that it would be inappropriate to treat acts of Road Violence any differently from other violent acts:

Victoria Police expresses its concern with any proposal to separate any action resulting in violence against persons or property from criminal acts that are well entrenched within existing law. Such actions occurring in the context of a road rage incident should not be categorised or dealt with any differently than similar acts in other circumstances.⁴⁴²

In addition to such concerns, any proposed legislation would most likely face the same definitional difficulties experienced in both New South Wales and the United States. This is not surprising, given the general definitional difficulties faced in this area (see Chapters 1 & 2). This disagreement about precisely what constitutes 'aggressive driving' or 'road rage' takes on additional significance when attempts are made to criminalise such behaviour, as James and Nahl explain:

As the legal system attempts to formalize the definition of aggressive driving, the public already has ingrained notions of what is or is not aggressive behind the wheel. When asked to rate specific aggressive driving behaviors listed in the new laws, between 20% and 70% of respondents did not agree that specific violations are aggressive. For example, in a survey in Los Angeles, 50% did not agree that speeding up to a yellow light, honking or blocking the passing lane are aggressive. One in three drivers did not agree that tailgating or flashing high beams should be considered aggressive. This definition gap creates a disparity in legal versus popular meanings, and excites conflict between public norms and enforcement (James & Nahl 2000, p.8).

440 Submission from Mr Tony Parsons, Managing Director, Victoria Legal Aid, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 29 July 2004.

441 Superintendent Peter Keogh, Traffic Support Division, Victoria Police, Evidence given at the Public Hearing of the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 19 August 2004.

442 Submission from Ms Christine Nixon, Chief Commissioner, Victoria Police, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 30 June 2004. See also the written submission provided to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, by Dr Jeffrey Potter, Manager, Road User Behaviour, VicRoads, which asserts that the laws in Victoria relating to aggressive driving should be the same as the laws relating to other forms of assault.

The combination of these arguments has led other inquiries into 'road rage' to conclude that new legislation is not necessary. This was the conclusion reached by the Victorian Community Council Against Violence (1999) following a forum with key stakeholders in which there was consensus that existing criminal laws were satisfactory. In the United Kingdom the Home Office's review of 'road rage', Marshall and Thomas concluded similarly that 'Considering that the full range of charges, both vehicle and non-vehicle related, are available to the police, it is unlikely that any new legislation would be needed to deal with road rage' (2000, p.3).

The Committee agrees with these conclusions. It believes that with some minor amendments (see below) existing legislation is sufficient to deal with any offences that arise. New laws are likely to lead to confusion about how to proceed, and would probably be very difficult to draft. Moreover, as pointed out throughout this Report, it is the Committee's view that Road Violence is simply another form of violence, and as such should not be treated any differently. The Committee therefore does not recommend the introduction of laws specifically targeting Road Violence, Road Hostility or Selfish Driving.

Establishing a safe distance between motor vehicles and bicycles

Over the course of this Inquiry, the Committee received many submissions from cyclists expressing concern about the interaction between motor vehicles and bicycles,⁴⁴³ particularly in relation to cars passing too close to the side of bicycles. While in some cases it is likely that such behaviour will be accidental, it was suggested that occasionally it occurs deliberately, in order to 'scare' the cyclist. Given the vulnerability of cyclists, who lack the protection offered by the steel frame of a car, such behaviour should, in their opinion, be considered to be a form of Road Violence.

At present, the only law governing the requisite distance between motor vehicles and bicycles is Rule 140 of the *Road Rules – Victoria*. This rule provides that a road user cannot overtake another vehicle (which includes a bicycle)

443 See, for example, submission from Mr David Levin Q.C., Convenor, Wigs on Wheels, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 5 August 2004; Submission from Mr Russell Lindsay, Officer in Charge of the Melbourne Police Bicycle Patrol Group, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 22 June 2004; Submission from Ms Fiona Campbell to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 21 June 2004; Submission from Mr Bart Sbeghen, Campaigns Manager, Bicycle Victoria, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 15 June 2004; Submission from Cogsgirls, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 18 June 2004; Submission from Mr Damon Rao, urbanbicyclist.org, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 18 June 2004; Submission from Mr Mathew Strain to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 6 July 2004; Correspondence from Ms Natalie Maguire, Psychologist, Centrelink Fitzroy, by email to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 16 June 2004.

unless it is safe to do so. Unfortunately, the rule provides no guidance as to when it is safe to overtake a bicycle, leaving this to the driver's discretion.

It was suggested to the Committee that one way to address this issue would be to enact legislation specifying the minimum safe distance that should be maintained between motor vehicles and bicycles.⁴⁴⁴ It was submitted that such laws currently exist in a number of European countries, as well as in many United States jurisdictions:

Australia is one of the few places in the western world that does not have specific legislation governing the safe distance between motor vehicles and cyclists. Most US states and Western Europe, save for the UK, have such laws. In Florida and Arizona there is a law requiring cars to pass not less than 3 feet from cyclists. In some jurisdictions the required safe distance is triggered by a particular speed differential between the vehicle overtaking and the cyclist. From the cyclist's perspective it is certainly more intimidating when a fast vehicle passes very close.⁴⁴⁵

While acknowledging that there may be some difficulties in enacting such a law, 'given the various types of roads and also situations in which motorists encounter cyclists',⁴⁴⁶ it was argued that such laws would still be preferable to the current rules, which do not provide drivers with any guidance:

The alternative is for there to be a requirement that motorists pass at a safe speed and distance. It is the group's view that such a flexible rule would serve little purpose. It would not provide motorists with any real guidance or notion of what is safe. Furthermore it would not provide cyclists with a definite manner in which to judge a driver's actions. Most importantly it would not give any assistance to police who will have to make an extremely difficult value judgment, in the event of an accident.

If there were a mandatory distance all road users would know where they stood. Such a definite rule might assist drivers who are prone to frustration and anger as it provides them with certainty as to what is expected of them.⁴⁴⁷

As well as providing clear guidance to drivers about the requisite distance they need to maintain from cyclists, such laws can also provide guidance to police. Under the current system, police officers would need to make a subjective decision about whether the passing distance was 'safe'. This can be quite difficult, and is likely to result in few penalty tickets being issued. If a minimum

444 Submission from Mr Mathew Strain to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 6 July 2004; Submission from Mr David Levin Q.C., Convenor, Wigs on Wheels, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 5 August 2004.

445 Submission from Mr David Levin Q.C., Convenor, Wigs on Wheels, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 5 August 2004.

446 *ibid.*

447 *ibid.*

distance were specified, however, it would be easier for police to determine whether the rule had been breached and issue the appropriate penalty. Hopefully, this would not only prevent those who were fined from repeating their behaviour, but may also have both an educative and deterrent effect:

In keeping with the mandatory *one metre* passing law the group supports legislation that would allow police to issue tickets to motorist who transgress the passing law. This would have an educative effect on the community as to rights of cyclists and the obligations of motorists. It also enforces the barrier between cyclists and motorists and removes an area of potential friction between them. The fine for transgression need not be severe, but may increase depending on the nature of the infringement and its effect.⁴⁴⁸

The Committee finds these arguments persuasive. Given the high level of concern expressed to the Committee by cyclists, it seems that the current system is not operating effectively. By passing specific laws that address the minimum safe distance between motor vehicles and cyclists, it is hoped that drivers will be made more aware of the vulnerability of bicycle riders, and the need to maintain their distance. In addition to potentially preventing some incidents of Road Violence (due to a fear of being fined), the Committee believes such laws will enhance cyclist safety generally. It therefore recommends that a new road rule be enacted specifying the minimum safe distance to be maintained between motor vehicles and bicycles.

If this change is to be effective, it is important that it be both widely advertised and enforced. To this end, the Committee further recommends that information regarding the new road rule should form a part of the 'Share the Roads' campaign, which will address the issue of the interaction between cyclists and motor vehicles more generally (see discussion below).

Recommendations:

- 47 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.
- 48 The Committee recommends that Victoria Police should be given the ability to issue penalty tickets for transgressions of the minimum safe distance road rule.
- 49 The Committee recommends that information regarding the new road rule should form a part of the 'Share the Roads' campaign.

448 *ibid.*

Keeping to the left

In Chapter 11 it was shown that one of the main triggers for Road Violence is people driving too slowly for the flow of traffic. While driver anger at 'slow drivers' can arise in any conditions, it is often considered particularly frustrating if the 'slow driver' is driving in the right-hand (overtaking) lane of a multi-lane road. Such behaviour can lead to anger occurring both as a result of the impediment, as well as the lack of courtesy shown by such drivers in refusing to move into the left lane.

It has been suggested in the literature that one way to prevent some incidents of Road Violence from arising would be to pass a law requiring drivers to always remain in the left lane unless overtaking, and to strongly enforce the law (see, for example, Willis 1997). It is argued that such a law would act as a deterrent to 'slow drivers' remaining in the overtaking lane, preventing some triggers for Road Violence.

At present, Rule 130 of the *Road Rules – Victoria* only requires drivers to keep to the left on a multi-lane road if the speed limit is over 80 kilometres per hour, or if there is a 'keep left unless overtaking' sign in operation. Even in such circumstances a driver need not keep left if:

- (a) the driver is turning right, or making a U-turn from the centre of the road, and is giving a right change of direction signal; or
- (b) the driver is overtaking; or
- (c) a left lane must turn left sign or left traffic lane arrows apply to any other lane and the driver is not turning left; or
- (d) the driver is required to drive in the right lane under rule 159;⁴⁴⁹ or
- (e) the driver is avoiding an obstruction; or
- (f) the traffic in each other lane is congested; or
- (g) the traffic in every lane is congested (*Road Rules – Victoria* Rule 130(2)).

It can be seen from this Rule that the requirement to keep left unless overtaking is not absolute. In particular, it does not apply to roads where the speed limit is not over 80 kilometres per hour (unless there is a 'keep left' sign). It would be possible to amend this Rule to require drivers on all multi-lane roads to keep left unless overtaking.

While such a change is superficially appealing, the Committee does not support it for a number of reasons. First, changing this law to prevent acts of Road Violence would encourage the view that 'slow drivers' are to blame for Road Violence. As stated throughout this Report, it is the Committee's view that it is the perpetrators' choice to act violently – this decision is not caused by the victims, no matter how slowly they drive. The choice to commit acts of Road Violence against 'slow drivers' is most likely influenced by the current culture of

449 Rule 159 requires drivers to obey any traffic signs or markings indicating that they must drive in a specific lane.

speed and mobility that exists on Victorian Roads (see Chapter 15). Instead of punishing those who do not comply with this culture, steps should be taken to change the culture, so that people do not become angry or react with violence when confronted by those who drive in a way they consider to be too slow.

In addition, such a change to the law is unlikely to be of great effect, given that there is already a requirement to keep left on roads where the speed limit is over 80 kilometres per hour. It is likely that it is on these roads, where drivers are frustrated by the fact that they cannot drive at the high speed limit, that most instances of Road Violence committed against 'slow drivers' occur. Instead of making a change to the road rules – which would put Victoria out of harmony with the rest of Australia – it would be preferable to simply enforce the existing law.

While the Committee does not recommend requiring drivers to keep left at all times on all roads, it does recommend that VicRoads should place additional signs advising people of the need to keep left and the penalties for failure to do so (See Chapter 17).

Music volume laws

It has been conjectured that noise (such as loud music) may in some cases act as a trigger for Road Violence (see Chapter 11). There is also some evidence that listening to loud music, or being subjected to uncontrollable noise, may increase the possibility that a person will act violently (see Chapter 13). It is also possible that such noise can distract drivers, leading them to drive in a careless fashion and triggering acts of violence or hostility in response.

One way in which this problem could be alleviated to some extent would be to pass a law preventing people from driving with their stereos playing too loudly. An offence could be created of using sound equipment in a vehicle that exceeds a specified level of decibels, or which is unreasonable. This may both prevent some triggers for Road Violence, as well as having a calming effect on those who may become agitated or aggressive under the influence of such music.

At present, Part VIII of the *Environment Protection Act 1970* regulates a range of noises, such as noise from residential premises (s.48A) and noise from entertainment venues (s.48AB). Noise emissions from motor cars are also regulated,⁴⁵⁰ although these provisions are aimed at noise that arises due to inadequate muffling, rather than due to sound equipment. No legislation exists which specifically targets the problem of unreasonably loud music being emitted from a vehicle.⁴⁵¹

450 *Environment Protection Act 1970* s.48B; Environment Protection (Vehicle Emissions) Regulations 2003.

451 In some limited circumstances other legal remedies, such as an action in nuisance or a charge of breaching the peace, may be available.

It is unclear whether Section 48b of the EPA regulations was designed to cover the issue of noise from car stereos/CD players/horns etc, although it could be argued that the generalities of the provision 'noisy vehicle' could apply in such a case. In the EPA legislation the definition of *highway* is very wide and includes ordinary roads, streets and even parking lots. It could also possibly be argued as a matter of interpretation that it could include cars parked in private driveways if the effect of the noise was such as to be heard in or create a nuisance in a public street.

Other avenues of redress could include action by municipal councils under the *Local Government Act*. Part 9 of Division 2 of this Act gives local councils the power to prescribe by laws with regard to traffic in its municipality. Local government officers also have powers to prosecute with regard to noise levels that amount to a common law or statutory nuisance (see *Health Act 1958*).

For example, clause 702(2) of the *Stonnington Council Local Laws* provides that a person must not:

- (a) on or adjacent to; or
 - (b) in or on any premises adjacent to any road or other premises allow noise which is unreasonable or objectionable to occur by:
 - (c) using, operating or working any instrument,⁴⁵² machinery, device or tool; or
 - (d) shouting or making any loud outcry; or
 - (e) singing or haranguing;
- so as to materially interfere with the reasonable comfort of any other person on the road or other premises.

Street signs have been posted advising of this law, notifying the public of the \$500 penalty for breaching this provision.

On 29 October 2004, Stonnington Council, in conjunction with Victoria Police and the Environment Protection Agency, launched a 'blitz' in Chapel Street, Prahran. While the main foci of this 'blitz' were drink driving and hooning behaviour, unreasonable levels of music issuing from cars was also targeted.⁴⁵³ In the space of one evening, 45 noise notices were issued (Mahonen 2004).

While there is some evidence that noise can both trigger and encourage Road Violence, this evidence is very limited. No studies have been conducted examining this connection in detail. Given the lack of such evidence, the Committee is reticent to recommend instituting a measure that would impinge upon people's personal freedom.

452 Clause 702(4)(2) defines 'instrument' to include musical instruments (whether or not amplified), microphones, megaphones or similar electronic devices.

453 As seen from clause 702(2) of the *Stonnington Council Local Laws*, the relevant standard is whether the music is sufficiently loud so as to 'materially interfere with the reasonable comfort of any other person on the road or other premises'. This is a subjective determination to be made by the police or Environmental Protection Agency officers.

The Committee is also concerned about exactly how such an offence would be defined and enforced. While it would be possible to leave the determination as to whether the level of noise is ‘unreasonable’ to the discretion of the relevant officers (as is the case with the Stonnington Council bylaw), this is a very uncertain standard and does not provide much guidance to the public. It would alternatively be possible to specify a maximum decibel level. This would, however, require police to use expensive sound measuring equipment, limiting the ability to enforce the laws on a broad scale.

The Committee therefore does not recommend enacting a law regulating music volume at this time. In view of the opinions of some researchers that loud music may act as a potential trigger to Road Violence, the Committee believes that the relationship between loud music and Road Violence should be further investigated and that the Environment Protection Agency would be an appropriate agency to investigate this relationship.

Recommendation:

50 The Committee recommends that the Environment Protection Authority undertake research to determine if there is a relationship between loud music and Road Violence.

Returning numberplates

In the course of this Inquiry, it came to the Committee’s attention that there is currently no law in Victoria requiring owners of motor vehicles that become deregistered to return their numberplates to VicRoads unless requested to do so. This creates the possibility that some people will use old numberplates from deregistered cars to avoid detection when intending to commit acts of Road Violence, Road Hostility, Selfish Driving or other crimes.

To overcome this problem, the Committee recommends that the *Road Safety Act 1986* be amended so as to require numberplates to be returned to VicRoads upon deregistration of a motor vehicle. Failing to do so, in the absence of a legitimate excuse, should lead to the imposition of a fine or other criminal sanction.

In order to ensure that this legislative change operates effectively, when a motor vehicle’s registration is about to expire, VicRoads should send a letter to the owner advising them of the need to either renew their registration or return their numberplates within the specified period. Owners should also be advised of the relevant penalties for failing to comply.

The Committee is aware that there may be legitimate reasons for wishing to retain a numberplate from a deregistered vehicle. For example, some people may collect numberplates, or may have sentimental reasons for wishing to keep a particular plate. The Committee is of the view that any legislative

provision should allow people to seek approval from VicRoads to retain their numberplates in such circumstances. Such owners should, however, be responsible for such plates, and take steps to ensure that they are not used inappropriately.

Recommendation:

- 51 The Committee recommends that the *Road Safety Act 1986* 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.

20. Law Enforcement

Law enforcement campaigns

Introduction

Although the Committee does not recommend enacting specific laws targeting Road Violence, Road Hostility or Selfish Driving, this does not mean these behaviours should not be the subject of a law enforcement campaign. It would be possible for police to implement a campaign addressing these actions, using current criminal and traffic laws. In the same way that Victoria Police currently targets drink driving and speeding, it could implement a campaign focussed upon either Road Violence, Road Hostility and/or Selfish Driving in general, or upon specific aspects of these behaviours (such as tailgating). A number of submissions supported the introduction of such a campaign.⁴⁵⁴

Law enforcement campaigns are seen to be one of the most effective ways of addressing these issues. For example, John Moffat, Chairman of the United States National Association of Governors' Highway Safety Representatives (NAGHSA), argued that to address 'aggressive driving' 'Frequent and well-publicized enforcement of [traffic] laws has been shown to be one of the most effective methods of reducing the problem' (Anonymous 2001, p.3). David Willis, President of the American Automobile Association, also emphasised the importance of law enforcement when giving evidence to the Surface Transportation Subcommittee's Inquiry into 'road rage':

While public information about the dangers of "road rage" and educational tips on how to deal with it are important, ultimately it will take strong law enforcement to reduce this problem (Willis 1997, p.5).

A law enforcement campaign targeted at Road Violence, Road Hostility or Selfish Driving could take a variety of forms. It could, for example, involve the use of marked and unmarked police cars especially instructed to watch for the relevant behaviours. Billboards and posters advising of a police 'crackdown' on

⁴⁵⁴ See, for example, submission from FC Michie to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 9 March 2004; Submission from Ms Alison Cran, Director, Community and Cultural Services, Shire of Yarra Ranges, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 22 June 2004.

such actions could also be used, as well as television and radio advertising. Technologies, such as red-light cameras and speed cameras, could also assist in detecting some relevant breaches of the law.

The main aim of such a campaign would be to reinforce the fact that acts of Road Violence, Road Hostility and Selfish Driving are dangerous and illegal, and are taken seriously by the police. This should prevent some road users from committing such acts, due to a fear of being punished. It is hoped that those who do commit such acts would be detected. This may serve the dual function of both penalising them for their behaviour (making it clear that they have acted unacceptably), as well as discouraging them from re-offending.⁴⁵⁵ In addition, as some acts of Road Violence are triggered by people violating road rules (see Chapter 11), preventing such breaches from occurring may further reduce the incidence of violence on the roads (Joint 1995).

As well as reducing the incidence of Road Violence, Road Hostility and Selfish Driving, such a campaign may have the added benefit of preventing road crashes. While the evidence linking these actions to road crashes is limited (see Chapter 16), some studies have found a relationship. For example, 53,000 summonses were issued as a result of a 1998 campaign in New Jersey targeting 'aggressive driving'. By the end of the year, police reported that fatalities had decreased 18 per cent from the previous year (Bowles 1999b).

To date, Victoria Police has not undertaken any operations specifically targeting Road Violence, Road Hostility or Selfish Driving,⁴⁵⁶ nor has the New South Wales Police.⁴⁵⁷ However, certain aspects of Selfish Driving, such as speeding and running red lights, are the subject of ongoing law enforcement measures. The Victorian police also address any other driving-related breaches of the law they observe, such as tailgating. In 2003, for example, 3,444 tickets were issued to car drivers who followed other vehicles too closely, with a further 34 tickets for this action being issued to truck drivers.⁴⁵⁸

'Aggressive driving' campaigns in the United States

By contrast, in recent years a number of jurisdictions in the United States have run campaigns focussed on 'aggressive driving'.⁴⁵⁹ This has been in part the

455 This will particularly be the case if the offender is required to attend a programme addressing the causes of their behaviour (see below).

456 Mr Conor Flanagan, Senior Legal Policy Adviser, Organisational Development Department, Victoria Police, Evidence given at the Public Hearing of the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 19 August 2004.

457 Inspector David Evans, Commander Traffic Policy, Traffic Services Branch, New South Wales Police, in conversation with the Committee, Sydney, 16 June 2004. The Committee was unable to find evidence that any jurisdictions in Australia have implemented such a campaign.

458 Superintendent Peter Keogh, Traffic Support Division, Victoria Police, Evidence given at the Public Hearing of the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 19 August 2004.

459 While some of these campaigns claim to address 'road rage', none of them appear to specifically target what the Committee calls Road Violence. They seem mostly to focus on Selfish Driving.

result of efforts made by the Department of Transportation, which in 1999 provided USD\$10 million to a number of communities in an attempt to address the issue (Bowles 1999b). By 2001, 31 states were taking special enforcement measures to tackle 'aggressive driving'. These included using unmarked vehicles, aircraft or helicopters to patrol for such behaviour, increasing the number of police patrols searching for 'aggressive drivers', training officers to recognise 'aggressive driving', equipping cars with computers to track negligent motorists' driving histories and mounting cameras on freeway overpasses and intersections (Bowles 1999a, Bowles 1999b; Anonymous 2001).

Some of the specific programmes that have been instituted in the United States include:⁴⁶⁰

- ◆ In Ohio, under the TRIAD programme (Targeting Reckless and Intimidating Aggressive Drivers) 13 airplanes are used by police to monitor highways constantly for 'aggressive drivers' (Bowles 1999b; Rathbone & Huckabee 1999).
- ◆ In Maryland, Project ADVANCE (Aggressive Driving Video and Non-Contact Enforcement) has equipped a number of Ford Broncos with USD\$400,000 in laser, video and camera equipment to locate and record 'aggressive driving' violations (Bowles 1999b; Blomquist 2001).
- ◆ In South Florida, undercover police officers record 'aggressive driving' violations using a variety of non-traditional 'stealth' vehicles (ranging from motorcycles to trucks), which have been confiscated from criminals and equipped with video cameras. Police officers are also shown training videos about particular bad driving habits to watch out for (Sharp 1999).
- ◆ In Dallas, under the STARR programme (Strategic Target Against Road Rage) police target speeding, swerving across lanes, tailgating and red light running (Burns & Katovich 2003).

One of the main programmes, which has been instituted in at least three states (Maryland, Virginia and Washington D.C.), is known as 'Smooth Operator'. This is a comprehensive driver awareness education and enforcement campaign, designed to prevent and detect 'aggressive driving' behaviours:

Smooth Operator will encourage motorists to be smart, responsible drivers by educating the public regarding these driving issues. The program will also inform the public about law enforcement efforts to target the aggressive driver, that person who will not learn from what we're trying to teach them. The project's objectives are to identify the top causes of crashes and injuries and fatalities in the Washington capital area, to develop a public information

⁴⁶⁰ For a brief summary of a number of these and other programmes, see Appendix 10. For a more comprehensive discussion, see National Association of Governors' Highway Safety Representatives (2002).

and education and enforcement campaign targeting and identifying those issues, to enlist the aid of local media and corporate agencies to provide manpower and support for the campaign, to coordinate and execute community events which bring together the components and agencies involved with Smooth Operator, to aggressively enforce local laws and impact those that refuse to be taught...

For the Smooth Operator program, the definition of aggressive driving that we have come up with is a combination of unsafe and unlawful driving actions that show a disregard for safety. Area law enforcement officers have been using this definition to target offenders throughout the year during four enforcement waves. Officers have been targeting speeding, improper passing, following too close, improper lane changing, running red lights, disregarding stop signs and signals, passing loading and unloading school buses, DWI, failure to wear safety belts, and improper and no use of child safety seats (United States Subcommittee on Surface Transportation 1997, evidence given by Captain Beach).

This programme operates in 'waves' of enforcement, when officers specifically target the relevant behaviour. During the first two 'waves' which were run in Washington D.C. in 1997 and covered a period of 14 days, almost 30,000 tickets were issued (United States Subcommittee on Surface Transportation 1997, evidence given by Captain Beach).

Programme evaluations in the United States

Unfortunately, few comprehensive evaluations have been conducted to determine the effectiveness of such campaigns at either reducing the incidence of 'aggressive driving' or improving road safety in general.⁴⁶¹ While most of the evaluations that have been conducted have found such programmes to be effective, these results must be treated with some caution:

Program evaluations of these efforts seem promising, however most have been conducted by the implementing organizations themselves. Maryland's enforcement program, which is combined with a public information campaign, is said to have reduced the state's fatality rate by 22 percent since 1995. Pennsylvania's TAG-D program reportedly resulted in a 24 percent drop in total crashes including fatalities. Since 1995, San Francisco's STOP program has reportedly resulted in an 80 percent reduction in crashes involving injuries and a 44 percent reduction in hit-and-runs. A report released by New Jersey State Attorney General Peter Verniero claims an 18 percent reduction in traffic fatalities throughout the six-county area selected for enhanced enforcement activity. New York's Campaign Safe and Sober reports that 6,805 aggressive driving moving violations were recorded during the week of August 6–11,

461 There is some information available as to the numbers of citations issued for violations of the relevant laws (see, for example, National Association of Governors' Highway Safety Representatives 2002). This information does not, however, provide any indication as to the effectiveness of such campaigns. It is possible that despite issuing a large number of tickets, the desired behaviour change is not taking place.

1997. However, the impact of this operation on fatalities and crashes was not available.

Notwithstanding the glowing results just reported, the effectiveness of enhanced enforcement is difficult to distinguish from other efforts. In addition, most evaluations are done in-house, so it is possible that favorable outcomes reflect the implementing organizations' perceived need to demonstrate success. Moreover, the results generally do not distinguish true road rage incidents from other types of incidents. Consequently, extrapolation on the effectiveness of increased law enforcement from these incidents is difficult (Rathbone & Huckabee 1999, pp.13–14).

This lack of comprehensive evaluative material was made clear in Rathbone and Huckabee's 1999 study. They sent surveys to 504 law enforcement agencies across the United States, seeking information about any programmes instituted that addressed 'road rage'. Only 139 agencies responded, with 54% of those stating that they considered 'road rage' to be a problem. Despite this high level of concern, only 40 agencies indicated that they had implemented any initiatives to address the problem. Of these agencies, only five had conducted any efforts to monitor the effectiveness of those initiatives. Rathbone and Huckabee sought additional information from these agencies, but only one – the New Jersey State Police – responded. Rathbone and Huckabee reported on this programme as follows:

New Jersey's program began in April of 1997, with the goal of reducing fatal and serious motor vehicle accidents caused by aggressive drivers. An aggressive driver is defined as "anyone who operates a motor vehicle in an offensive, hostile, or belligerent manner, thereby creating an unsafe environment for the remainder of the motoring public." The following violations of New Jersey's traffic regulations are classified as aggressive driving: speeding; following too close; unsafe lane changes; driving while intoxicated; reckless, careless or inattentive driving; disregard of traffic signs and signals; improper passing; and driving while suspended.

The program targets offenders through the use of both unmarked and marked patrol cars. In addition, troopers are assigned to units that operate stationary and mobile radar to enforce speed limits, and state and municipal police have joined forces to conduct roving drunk driving patrols and establish sobriety checkpoints to detect drunk drivers. The effort is publicized through a public awareness and outreach effort that has produced public information, brochures, and bumper stickers, and includes 77 cellular and 1-888-SAF-ROAD hotline numbers. It is a cooperative effort, involving numerous enforcement agencies at the state, county, and municipal levels.

The Aggressive Driver/Aggressive Enforcement Report issued by the New Jersey State Police, with statistics compiled by the New Jersey State Police Traffic Bureau and the Division of Highway Traffic Safety, indicate an 18% decrease in highway fatalities in the six-county area where aggressive driver

patrols were concentrated.... The monitored period extended from April 1, 1997 (the program start-up date) through December 31, 1997, and the number of fatalities was compared with the same time period in 1996 to arrive at the 18 percent figure (Rathbone & Huckabee 1999, pp.25–26).

While it is not possible to definitively state that this reduction in fatalities was due to the 'aggressive driving' programme, it is likely that this decline was at least partly attributable to the efforts of the police. It seems probable that the extensive publicity surrounding the campaign, as well as the additional policing of the roads, prevented people from driving in a selfish manner, enhancing general road safety.

The only other major evaluative study the Committee found was one conducted by the National Highway Traffic Safety Administration (NHTSA) (see Stuster 2004). It selected two proposals for funding from a large number of offers to develop and conduct programs intended to reduce the incidence of 'aggressive driving'. Each of these programmes received grants of \$200,000, subject to a number of conditions, including a requirement that they provide the NHTSA with data to enable it to conduct a proper evaluation.

One of the proposals selected was a programme called 'Rub Out Aggressive Driving' (ROAD), run by the Marion County Traffic Safety Partnership.⁴⁶² This programme included an enforcement and education component (as required by the NHTSA). The enforcement component involved deployment of marked and unmarked police vehicles in five areas identified from crash records as being characterised by a disproportionate incidence of 'aggressive driving'. On 61 days over a six-month period, rotating squads of five officers and a supervisor were deployed to these areas during morning and evening drive times. They were instructed to focus on drivers who exhibited two or more of the traffic violations frequently associated with 'aggressive driving': speeding; failing to obey traffic devices; failing to yield; improper or unsafe lane changes; and following too closely. In total, 1,400 officer hours were dedicated to this element of the program, by a total of 42 officers from six law enforcement agencies.

The education component of the programme⁴⁶³ included:

a website, brochures, 20 billboards announcing the program, and frequent paid advertising on radio and television stations. The radio and television "spots" that were developed for the program were extremely high quality and featured racing celebrities familiar to residents of the Indianapolis area. Program managers spent half of their total budget on publicity, but purchasing air-time encouraged station managers to donate considerable public service time to the Marion County program, resulting in extensive

462 The Marion County Traffic Safety Partnership is a consortium of agencies in the vicinity of Indianapolis, Indiana.

463 While educational initiatives are discussed in detail in Chapter 18, these particular initiatives are discussed in this chapter as this evaluation included both enforcement and educational elements.

publicity by broadcast media. In particular, the program paid a local television station to broadcast a 30-second Public Information and Education message on 50 occasions during the first five months of the program period, but records show that the message was broadcast a total of 125 times. Similarly, the purchase of two hundred radio spots resulted in additional free air time, and the aggressive driving program served as a topic of discussion on drive-time radio “talk shows.” The Marion County Traffic Safety Partnership issued press releases regularly to remind the public of the aggressive driving program by announcing the dates and locations of the special enforcement patrols. Several articles concerning the program were published in *The Indianapolis Star* during the study period. The articles were supportive of the program and usually included tallies of the citations issued. News coverage also stimulated the publication of letters to the editor, mostly opposed to the special enforcement effort (Stuster 2004, pp.10–11).

The other proposal selected by the NHTSA was submitted by the Tucson Police Department in Arizona. This programme was known as ‘We’ve Got Your Number’ – a reference to a telephone number that could be called to report incidents of ‘aggressive driving’ to the police.⁴⁶⁴ As with the Marion County programme, this proposal also included both enforcement and educational elements. Similar to Marion County, the enforcement component involved deployment of marked and unmarked cars in four areas characterised by a disproportionate incidence of ‘aggressive driving’. However, whereas the Marion County police were instructed to focus on drivers who committed two or more relevant violations, the Tucson Police issued tickets to drivers who committed any one such behaviour.

Another difference between the two proposals related to the issue of staffing. Whereas in Marion County 42 different officers worked on the programme over the six-month period, in Tucson there were two officers who worked exclusively on this project for the six-month period. They patrolled the enforcement zones nearly every day in unmarked cars, with motorcycle backup nearby. Two additional officers also patrolled the zones in unmarked vehicles one day per week. In total, these four officers devoted a total of 2,400 officer hours over 168 days.

The educational aspect of the Tucson programme differed significantly from that in Marion County. It did not include any paid radio or television advertising, instead using public-access cable stations to discuss the programme and inviting reporters to ride with the officers during their patrols. This resulted in several news stories by local television stations, as well as frequent discussion during drive-time radio talk shows. In addition, the Tucson police developed brochures, key chains, pens and pencils, bumper sticker inserts to accompany all citations issued, and flyers that were attached to Domino’s pizza boxes. Officers distributed these materials and also

464 The issue of ‘hotlines’ such as this is discussed in more detail below.

displayed their aggressive driving enforcement vehicles at several special events, such as at a Public Safety Appreciation Night. An outdoor advertising company also donated 10 billboards located throughout the city to announce the programme's aggressive driving hotline, while Alltel Corporation, a mobile telephone provider, donated the service and answering machine to record reports of aggressive driving.

This 'aggressive driving hotline' was perhaps the major component of the Tucson Police Department's enforcement and educational programme. The programme received considerable free publicity as a result of the hotline, with many drive time talk-show hosts advertising the number over the six-month period. In addition,

Officers announced the hotline and discussed the reasons for conducting the enforcement program on local radio and television talk shows and news programs. The report line telephone number was printed on the brochures, bumper stickers, and other items that were distributed, and it was prominently displayed on billboards throughout the city. Motorists were encouraged to call the telephone number to describe serious incidents of aggressive driving and report the license plate numbers of the vehicles involved. The lieutenant in charge of the program personally responded to each report of aggressive driving with letters to the caller and to the registered owner of the offending vehicle. Letters of appreciation were sent to callers, while owners of offending vehicles received letters that described the incident and warned that further reports could result in enforcement action (Stuster 2004, p.14).

The major differences between these two programmes are summarised in Table 20.1 below.

Table 20.1: Summary of 'aggressive driving' programmes in Marion County, Indiana and Tucson, Arizona

Marion County Traffic Safety Partnership "R.O.A.D. Team Program"	Tucson Police Department "We've Got Your Number Program"
<p>Enforcement 3 special enforcement zones; 6 local law enforcement agencies; 1,394 officer-hours devoted to the special patrols; Special enforcement conducted on 61 days during the 6 month program period.</p> <p>Tactics: Squads of five officers deployed to the special enforcement zones during morning and evening commuting periods on selected days to focus on vehicles exhibiting two or more aggressive driving violations. Experimented with police helicopters but ground units could not reach offenders.</p> <p>Publicity Press releases Posters Brochures Outdoor display advertising Corporate Campaign (links to companies) Television and radio paid advertising Television and radio public service announcements Several articles in the Indianapolis Star</p>	<p>Enforcement 4 special enforcement zones; 1 law enforcement agency; 2,400 officer-hours devoted to the special patrols; Special enforcement conducted on 168 days during the 6 month program period.</p> <p>Tactics: Two officers were assigned fulltime responsibility to patrol the special enforcement zones in unmarked police vehicles (with motorcycle backup nearby) nearly every day throughout the program; two additional officers each deployed in unmarked vehicles one day per week.</p> <p>Publicity Pizza boxtop flyers Flyers distributed to motorists Outdoor display advertising Bumper stickers Ride-alongs by news reporters Television and radio coverage of the program Special events displays Aggressive Driver Hot Line</p>

Source: Stuster 2004, p.16.

Both programmes stopped a large number of cars over the six-month period. In Marion County, 1,334 cars were stopped, with 2,215 citations being issued for offences such as speeding, following too closely and making unsafe lane changes. In Tucson, 1,907 cars were stopped, and 2,383 citations issued for similar offences.

The NHTSA evaluated these programmes on two grounds – vehicle speed and incidence of crashes in the enforcement zones. These were measured both before and after the programmes were instituted. Due to some difficulties, measurements were only taken at three of the selected sites in Marion County.

Upon completion of the programme, the average speed of vehicles had decreased at two of the sites in Marion County, but actually increased at the third site – for an average 1 per cent decline in speed overall. The Tucson programme fared slightly better, with the average speed increasing slightly at one site, decreasing slightly at two sites, and decreasing substantially at the fourth – for an average 3 per cent decline overall.

The Tucson programme was also more successful in terms of crash reduction. This was measured by looking at crashes that resulted in injury, as well as those that resulted in property damage only. In Marion County there was a substantial increase in both types of crashes at all three sites over the six-

month period, with an overall increase of 32 per cent. While this is likely to have been in part due to factors such as poor weather conditions and increased traffic volume, there was a 6 per cent increase in crashes that the NHTSA deduced were likely to have been due to ‘aggressive driving’. This result led Stuster to question whether specifically targeted enforcement has a stimulating, rather than an inhibiting, effect on the incidence of ‘aggressive driving’:

One interpretation might be that the special enforcement and Public Information and Education programs influenced some motorists to drive more slowly, resulting in increased opportunities for aggressive drivers, whose behavior is less likely to be influenced by the programs, to overtake the slower drivers, with the encounters leading to the increase in crashes (Stuster 2004, p.27).

It appears, however, that not all ‘aggressive driving’ campaigns will have this effect; while Tucson also experienced an increase in property damage-only crashes, there was a decrease in crashes that caused injury and in crashes attributed to ‘aggressive driving’. While overall crashes increased by 10 per cent across the four sites, when the NHTSA examined those crashes it attributed to ‘aggressive driving’ it found an 8 per cent decrease. This represents approximately 13 fewer crashes over the six-month period. It seems, therefore, that if law enforcement campaigns are properly developed they can have a positive effect. Such campaigns can also be cost-effective. In the case of the Tucson programme, economists calculated that the savings to society of preventing 13 crashes greatly exceeded the cost of the programme.

It is interesting to note that in Marion County, a small-scale evaluation of the educative element of the campaign was also undertaken. One hundred people were surveyed before and after the programme was run, with one question asking ‘Besides your experiences of aggressive driving while driving or as a passenger, what is your level of awareness of aggressive driving as a potential problem?’ (Stuster 2004, p.25). The results are presented in Table 20.2 below:

Table 20.2: Responses of Marion County respondents to the question ‘Besides your experiences of aggressive driving while driving or as a passenger, what is your level of awareness of aggressive driving as a potential problem?’

Response	Pre-Program (per cent)	Post-Program (per cent)
I read or hear about it on a daily basis.	15.1	13.0
I read or hear about it on a weekly basis.	32.6	27.0
I have read or heard about it at least once in the past month.	39.5	33.0
I have read or heard about it at least once in the past six months.	7.0	15.0
I have not read or heard anything about it until this interview.	5.8	11.0

Source: Stuster 2004, p.25.

It can be seen from this Table that fewer drivers reported awareness of “aggressive driving” as a problem at the conclusion of the Marion County program than before it began. This was despite the extensive advertising campaign implemented by the Marion County Traffic Safety Partnership. This shows the importance of ensuring that educational campaigns are properly developed and targeted – otherwise they may be completely ineffective.⁴⁶⁵

These results can also be taken as an indication that ‘limited resources might be better spent on officer labor than on publicity’ (Stuster 2004, p.31). As seen above, the Tucson programme – which must be considered to have been much more successful than that run in Marion County – devoted considerably more of their resources to the enforcement effort than in Marion County. By contrast, Marion County spent about half of its budget on paid advertising – which according to the results in Table 20.2, were relatively ineffective. None of the Tucson Police Department’s resources were spent in this way.

One other conclusion that can perhaps be drawn from this study is that focussing enforcement responsibility on a small team assigned full-time to policing ‘aggressive driving’ is probably more effective than sharing the responsibility among a large number of officers as an occasional duty. As seen above, the Tucson programme assigned two officers full-time and two officers part-time to conduct the enforcement activities and deployed the officers nearly every day of the six-month program period. In contrast, the Marion County programme was conducted as overtime duty by 42 officers from six different law enforcement agencies, with teams of five officers deploying, on average, one day in three.

Arguments against a law enforcement campaign targeting Road Violence, Road Hostility or Selfish Driving

Given the limited amount of material evaluating the effectiveness of law enforcement campaigns targeting Road Violence, Road Hostility or Selfish Driving, and in light of the equivocal nature of the evaluation examined in detail above, some concern has been expressed about investing money in such a programme. For example, Mr David Healy, the General Manager of Road Safety at the Transport Accident Commission (TAC), argued in his submission to the Committee that:

Research evidence seems to suggest that road rage is a relatively small road safety problem, despite its salience as an issue. Therefore, on a road safety basis, whilst law enforcement is a legitimate means of targeting this issue, it should not take away enforcement resources and funds from well documented programs and strategies that lead to specific and general deterrence of significant road safety problems.⁴⁶⁶

⁴⁶⁵ For a further discussion of education campaigns, see Chapter 18.

⁴⁶⁶ Submission from Mr David Healy, General Manager Road Safety, TAC, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 22 June 2004.

Similar concerns have been raised in the literature, with it being pointed out that ‘only four types of driver behaviour can be said to be firmly associated with the number and severity of traffic accidents’ (Vaa 2000, p.3). These are speeding, drink driving, failure to wear seat belts and fatigue. In addition, Vaa notes that there is some evidence that right-of-way and red-light violations are associated with crashes. By contrast, a solid link has not yet been shown between Road Violence, Road Hostility or Selfish Driving and road crashes. Vaa therefore concludes by questioning whether such behaviour is a legitimate target for police enforcement.

It has further been suggested that a law enforcement campaign may be ineffective in addressing Road Violence or Road Hostility in particular, due to the heated emotions involved:

Road rage deals with very emotional high points. You may well argue that in some instances that may even take place irrespective of whether there is a visible similar enforcement in the vicinity. I am not best placed to answer whether that is the case. They are times of such emotional peaks that maybe the normal processes of reason holding sway in terms of probability of detection do not rise to the fore in the perpetrator’s mind.⁴⁶⁷

The general road safety literature has raised related concerns about the ability to change the behaviour of any ‘deviant’ drivers through punitive sanctions (see Burns & Katovich 2003 for a number of examples). In some circumstances, such as in the case of recidivist drink drivers, it is argued that rational judgments are not being made when they get into the car, so ‘neither enforcement nor education will act to prevent problems’ (Matthew-Wilson 2004, p.64). In other cases, such as in the case of Selfish Driving, people may perceive advantages in their driving behaviour, so do not wish to change, regardless of the penalty (Grey, Triggs & Howarth 1989).

In one submission received by the Committee, concerns were also raised about the use of technology, such as speed cameras, in any law enforcement campaign:

We would not suggest using more cameras. We think cameras are quite dehumanising and there is a lot of resentment in the community about them. There are also issues of technology faults and cameras may add to existing stress levels of people on the road.⁴⁶⁸

The Committee’s conclusion

Despite such concerns, it is clear that law enforcement campaigns can be effective in addressing ‘deviant’ road user behaviour. This has been seen in the

467 Mr David Healy, General Manager Road Safety, TAC, Evidence given at the Public Hearing of the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 22 June 2004.

468 Ms Lee O’Mahoney, Motorcycle Riders Association Australia, Evidence given at the Public Hearing of the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 21 June 2004.

effectiveness of Victorian drink driving campaigns, which have both acted to stigmatise the behaviour as well as decrease its incidence.⁴⁶⁹ Similarly, the results from the Tucson Police Department's campaign were also encouraging, showing that if properly designed and implemented such a campaign can lead to a reduction in road crashes caused by Selfish Driving behaviour.

The Committee acknowledges, however, that Road Violence is a fairly minor concern when compared with other road safety issues such as drink driving and speeding. The Committee is therefore not in favour of a law enforcement campaign solely focussing on Road Violence, for this would most likely divert resources from areas where they are needed more urgently. This decision is reinforced by the Committee's concern that such a campaign may increase public fear of Road Violence – a fear that is already somewhat exacerbated by the extensive media reporting (see Chapter 6) and which seems to be out of proportion with the extent of the problem.

This is not, however, the case for Selfish Driving and Road Hostility, which are much more prevalent on Victorian roads. While in most cases such acts will not have the same impact as Road Violence, they can act as triggers for such violence, as well as potentially increasing the possibility of road crashes. They also contribute to a culture of incivility on our roads, which should be addressed.

The Committee therefore recommends that Victoria Police, in conjunction with the TAC, develop, conduct and evaluate a pilot enforcement and education campaign targeting Selfish Driving and encouraging driver courtesy. If successful at reducing the incidence of the relevant behaviours, a more large-scale campaign should be conducted.

As noted above, the Committee is aware that Victoria Police already target some of the behaviours which comprise the act of Selfish Driving, such as speeding. The Committee does not believe this poses a problem, for the campaign that is recommended will focus more broadly on a range of acts – for example, tailgating, improper lane changes, speeding – in seeking to address the issue of driver courtesy generally. Even if there is a slight overlap, the Committee does not believe this is important, as the campaign will be addressing dangerous behaviour.

In light of the results from the NHTSA study reported above, it is essential to ensure that any programme is properly developed and evaluated, to avoid the results experienced by Marion County. Particular regard should be had to the results of this study. For example, while the Committee does not want to specify the precise nature of the campaign, it may be worthwhile considering the development of a small unit to work in the area. As will be discussed in the following section, it should also incorporate the use of a specific reporting mechanism. In addition, any educative materials developed to coincide with

469 Mr David Healy, General Manager Road Safety, TAC, Evidence given at the Public Hearing of the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 22 June 2004.

the campaign should be based on well-researched principles for communicating socially desirable behaviour (see Chapter 18).

Recommendation:

52 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.

Reporting mechanism

As part of this enforcement campaign, it would be possible to establish a specific reporting mechanism or ‘hotline’ to enable road users to report acts of Road Violence, Road Hostility and/or Selfish Driving to the police or another agency. As seen above, such a ‘hotline’ formed an integral part of the successful ‘aggressive driving’ programme run by the Tucson Police Department, with road users encouraged to call a well-advertised telephone number to report any incidents of ‘aggressive driving’ they witnessed (Stuster 2004).

It has been suggested that the development of such a mechanism may encourage reporting of a highly under-reported phenomenon. This was seen to be one of the main benefits of such a system by Mr Bart Sbeghen, Campaigns Manager of Bicycle Victoria, in his submission to the Committee:

Incidents of road rage are enormously under reported. Most people do not attempt to report the matter to the police even though it is usually a case of threatened physical violence with a potentially lethal weapon. For those that do try to report the incident or behaviour, it is very difficult or sometimes impossible, to have the police take a report and follow up. Time and time again, as the following records show, we are told that police refuse to take a report on aggressive behaviour towards cyclists. In many cases this is despite there being multiple witnesses to the incident who are willing to testify. This means that there is no follow up of aggressive behaviour and potentially serial offenders are left to continue their actions with no repercussions. Given that it is likely that a minority of road users commits most road rage incidents, this is an alarming reality. A simple report mechanism, that is not a burden to police, would allow automatic follow up with offenders. If a case came to court then the evidence of previous behaviour could be referred to. Hopefully though, a pattern of behaviour could be picked up early and remedial action taken before the behaviour escalates.⁴⁷⁰

470 Submission from Mr Bart Sbeghen, Campaigns Manager, Bicycle Victoria, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 15 June 2004.

In the passage above, Mr Sbeghen also refers to the possibility that perpetrators will be identified at an early stage, and hopefully prevented from re-offending. Dr David Indermaur also highlighted the advantage of having a specific reporting mechanism for Road Violence:

Hotlines are probably likely to be somewhat effective if they increase the chances or belief that the offenders will actually be detected and prosecuted for the offence.⁴⁷¹

In the event that such people continue to offend, such a reporting mechanism may enable them to be readily identified and targeted by law enforcement officers.⁴⁷²

A Road Violence 'hotline' may have the added benefit of preventing people from committing acts of Road Violence, Road Hostility or Selfish Driving due to a fear of being reported, without the need for a substantial increase in law enforcement resources. This point was made by in evidence given to the Committee by Mr David Healy, the General Manager of Road Safety at the TAC:

I turn now to the issue of hotlines. I only say that because once again we are dealing with the issue, potentially, of deterrence: what may deter a would-be road rager? Potentially – I only say potentially; it would need to be subject to further analysis. If you had a well-developed and publicised hotline, to the extent that people knew in advance if they transgressed in some way their car registration would be within minutes at the nearest police centre and the reality is their chances of detection are very high, I can only surmise that that may well be a very effective means of being a de facto enforcement regime. Where police simply do not have the resources to be everywhere to counter every offence or potential offence in the environment, and road rage being a relatively – thankfully – rare occurrence but nevertheless incredibly severe, this may well be worthy of consideration by the Committee in terms of a deterrence process involving the greater community.⁴⁷³

In his discussion of 'aggressive driving' and 'road rage', Dukes suggests that many incidents of violence arise partly because of a 'belief that the law cannot (or will not) do anything about fleeting transgressions'. He suggests also that if 'collective sanctions such as retaliation remain more effective than the bureaucratic solution offered by police, road rage will continue' (Dukes 2001, p.4). It is possible that the establishment of a specific reporting mechanism may prevent this escalation of incidents, by providing road users with an outlet by which they can non-violently express their displeasure with the behaviour

471 Dr David Indermaur, Senior Research Fellow, Crime Research Centre, University of Western Australia, in conversation with the Drugs and Crime Prevention Committee, 21 June 2004.

472 Submission from Crime Prevention Victoria, Department of Justice, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 6 July 2004.

473 Mr David Healy, General Manager Road Safety, TAC, Evidence given at the Public Hearing of the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 22 June 2004.

of other road users.⁴⁷⁴ This may help road users 'to not feel so powerless',⁴⁷⁵ and in need of taking the law into their own hands.

Furthermore, at a more general level, the development of such a reporting mechanism will make it clear to the community that Road Violence, Road Hostility and Selfish Driving are unacceptable. This can help in the creation of a culture of civility on our roads. It will also provide a useful source of data for monitoring the extent of the problem,⁴⁷⁶ and for targeting intervention strategies.

Current reporting mechanisms

Australia

At present in Victoria there is no specific system for making complaints about road user behaviour. Of course, Victoria Police can always be contacted on 000 to report criminal acts, such as those involved in most incidents of Road Violence, but this is a general reporting mechanism for all types of criminal behaviour. There is no specific form that has been developed to deal with the issues of Road Violence, Road Hostility or Selfish Driving, and no guidelines developed for handling complaints received.

There are, however, similar systems in existence in relation to other areas of the law. For example, the Environmental Protection Agency (EPA) has developed a reporting mechanism to enable the public to report incidents of people throwing litter from a car. Those who witness such behaviour can fill out a written form made available by the EPA, or make an online complaint. On the basis of the information provided, the EPA can issue perpetrators with fines.⁴⁷⁷

Other Australian jurisdictions have also made some attempts to develop a 'hotline' for reporting illegal road user behaviour. The New South Wales Road Traffic Authority, for example, established a 'Sharing the Roads Hotline' in 1996 to take complaints or comments from the public about road user behaviour. This 'hotline', however, only ran for two months (Victorian Community Council Against Violence 1999). Unfortunately, the Committee was unable to obtain any material evaluating the effectiveness of this programme.

More recently, the Queensland Police Service has developed a Traffic Complaints System, which can also be used by road users to complain about particular types of driving behaviour. Members of the public are invited to call

474 Submission from Ms Fiona Campbell to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 21 June 2004.

475 Mr Ben Wilson, Bicycle Queensland, in conversation with the Committee, Brisbane, 15 June 2004.

476 Submission from Ms Christine Nixon, Chief Commissioner, Victoria Police, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 30 June 2004.

477 See <http://www.epa.vic.gov.au/Litter/>. There are mechanisms by which those who have been reported can deny the allegation: see http://www.epa.vic.gov.au/Litter/motor_vehicles.asp.

a specific telephone number to make such complaints. When complaints are received, depending on the nature of the complaint, police may either send the perpetrator a letter (to make them aware a complaint has been made), or may personally visit them to discuss the matter.⁴⁷⁸

While the Traffic Complaints System was initially established to monitor non-compliance with newly introduced 50 kilometre per hour speed zones, a decision was made to expand the system to enable all types of complaints about road user behaviour. The aim of the system is to help identify 'problem drivers'. Ultimately, it is intended that this system will form part of a broader 'traffic data warehouse', which will capture a variety of information about road use, such as crash data, speeding and red light ticket information, breath analysis information and traffic complaints. This will assist police in addressing road safety issues.⁴⁷⁹ Unfortunately the system has not yet been evaluated, so it is difficult to know if it is operating effectively.

New Zealand

A similar reporting mechanism, known as 'Community Roadwatch', was established by New Zealand Police in 1998. However, unlike the Queensland Police Traffic Complaints System, which can lead to specific police action being taken against perpetrators, Community Roadwatch is primarily an educative system. Members of the public fill out a form, either in writing or online, which asks them to describe the action that they witnessed. A number of options are provided, such as:

- A driver overtaking in the face of oncoming traffic causing another driver to take evasive action;
- A driver crossing the centre line on bends in the road;
- A driver following too close (tailgating) behind your/another vehicle;
- A slow driver holding up traffic and not making allowance for others to pass;
- A driver failing to obey a traffic light (<http://www.police.govt.nz/service/road/roadwatch.php>).⁴⁸⁰

A space is also provided in the event that the relevant behaviour does not fall into any of these categories, in which people can describe 'other dangerous driving' acts.

Upon receipt of a report, the owner of the offending vehicle is sent a letter by the police outlining the nature of the complaint. The aim of the letter is to make the driver aware that he or she has been seen acting improperly, in the hope that the driver will amend his or her driving behaviour. The letter does not identify the complainant, nor are any legal proceedings initiated. If,

478 Mr Peter Kolesnik, Queensland Police, in conversation with the Committee, Brisbane, 15 June 2004.

479 *ibid.*

480 The Community Roadwatch form is reproduced in full in Appendix 11.

however, a vehicle is reported more than three times within a two-year period by different drivers, another letter is sent to the owner, and the local police station is notified:

Each police station is given a poster showing the vehicle's registration number and a basic description, the owner's name and licence number, details of all other vehicles associated with the owner, and a request that patrols look out for the vehicle (Land Transport Safety Association 2002, p.6).

Since its inception the New Zealand Police has received approximately 13,000 complaints a year (Land Transport Safety Association 2002).⁴⁸¹ One Senior Sergeant who works on the scheme handles these complaints, assisted by two university students. Only a small amount of resources are required, despite the large number of complaints, because most of the process is automated.⁴⁸² There are a number of stock letters that are sent out, depending on the nature of the complaint. Staff are generally required simply to determine which is the appropriate letter and ensure that it gets sent to the owner of the reported vehicle.

While the Committee was unable to obtain any material comprehensively evaluating the Community Roadwatch programme, the Senior Sergeant in charge of the programme, Kevin Knox, sees it to be 'remarkably effective' (Land Transport Safety Association 2002, p.6). He claims that in most cases, once a letter has been sent a complaint is seldom heard again about the vehicle. By May 2002 – four years after the system had been in operation – only six vehicles had been reported more than three times. Since sending a letter to the relevant owners advising them that the details of their vehicle had been circulated to local police stations, no reports of unsafe driving associated with those vehicles had been received (Land Transport Safety Association 2002).

United States

'Hotlines' for reporting dangerous or 'aggressive' driving behaviour have been used much more extensively in the United States than in Australia. As discussed above, the Tucson Police Department used such a hotline as a key part of their programme to address 'aggressive driving'. This programme was called 'We've Got Your Number', in reference to this 'hotline'. Billboards and posters, such as that reproduced in Figure 20.1 below, were placed around the county, encouraging the public to report 'aggressive' driving behaviour.

481 Submission from Ms Fiona Campbell to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 21 June 2004.

482 *ibid.*

Figure 20.1: Poster from the Tucson Police Department's 'We've Got Your Number' campaign



Source: Stuster 2004, p.13.

The lieutenant in charge of the programme, Martin Moreno, personally responded to each report of 'aggressive driving'. He sent a letter of appreciation to the complainant, as well as a letter to the registered owner of the offending vehicle describing the incident and warning that further reports could result in enforcement action. While in many cases those who received warning letters called Lieutenant Moreno to complain, he reported that the process of defending their driving behaviour

usually caused them to realize that they had acted inappropriately while driving, and in some cases, dangerously. Most of the conversations ended with a sincere apology and a promise to drive with more consideration in the future (Stuster 2004, p.14).

This response by the drivers was considered by the officers involved in the programme to be among its most important outcomes.

The 'hotline' received 87 calls during the first month of operation, and averaged 64 calls per month during the six-month programme period. Although it is not possible to determine whether the success of the Tucson programme (see above) was due to this aspect of the campaign, it seems probable that the reduction in road crashes was at least partly attributable to this 'hotline'. It formed a central part of the programme, receiving a great deal of publicity. In addition, it was one of the main elements that differentiated the Tucson programme from the unsuccessful programme run in Marion County, providing further reason for believing it was effective in both raising the profile of the campaign and discouraging people from driving inappropriately.

A number of other United States jurisdictions have also used similar reporting mechanisms to address the problem of 'aggressive driving'. In New Jersey, for example, radio and television advertisements promote a statewide, toll-free telephone number for mobile phone users to call #77 to report 'aggressive drivers' to the nearest police agency. Nearly 12,000 calls were received during its first month of operation, with more than 900 tips received monthly by 1999 (Bowles 1999b). A similar scheme in Colorado logged 5,000 calls between July 1997 and 1999, with the top three complaints relating to unsafe lane changes, speeding and following too closely (Bowles 1999b).

In Maryland, drivers have also been urged to telephone #77 to report 'aggressive driving'. This 'hotline' was instituted midway through 1995, due to road crash figures which showed collisions to be running 33 per cent ahead of the previous year (Johnson 1997). 'Aggressive driving' was identified as the main source of the increase. Police run a public-service advertising campaign urging motorists who spot 'aggressive drivers' to dial #77 on their mobile phones. Police in the area are then contacted to search for relevant offenders. Those who are spotted driving aggressively receive fines and/or demerit points on their driving record. In 1999, it was reported that police were receiving 300 calls per day (Rathbone & Huckabee 1999). While not comprehensively evaluated, it seems likely that this campaign has been somewhat effective. By the end of 1995, collisions were only 15 per cent ahead of 1994, while the 1996 crash rate was 15 per cent below 1995 (Johnson 1997). While targeting 'aggressive driving' is unlikely to have been the only reason for this decrease, it is likely that it helped.

Disadvantages of reporting mechanisms

While a great deal of support for the introduction of a reporting mechanism for incidents of Road Violence, Road Hostility and/or Selfish Driving has been expressed in the literature (see, for example, James 1997; Willis 1997), as well as in the submissions and evidence received by the Committee,⁴⁸³ some concerns about such a system have also been articulated. Superintendent Peter Keogh, for example, argued that a 'hotline' is unnecessary, given that people can already report incidents to 000.⁴⁸⁴ This concern was also raised in the submission of Ms Christine Nixon, Chief Commissioner of Victoria Police. While acknowledging that a 'self-reporting system may provide useful

483 Submission from Ms Michele Wright, Family Violence Project Worker, Inner South Community Health Service, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 18 June 2004; Submission from Mr Russell Lindsay, Officer in Charge of the Melbourne Police Bicycle Patrol Group, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 22 June 2004; Submission from Crime Prevention Victoria, Department of Justice, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 6 July 2004; Submission from Mr Russell Stevens to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 5 August 2004; Submission from Mr Bart Sbeghen, Campaigns Manager, Bicycle Victoria, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 15 June 2004; Ms Lee O'Mahoney, Motorcycle Riders Association Australia, Evidence given at the Public Hearing of the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 21 June 2004; Dr David Indermaur, Senior Research Fellow, Crime Research Centre, University of Western Australia, in conversation with the Drugs and Crime Prevention Committee, 21 June 2004; Submission from Ms Fiona Campbell to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 21 June 2004; Mr David Healy, General Manager Road Safety, TAC, Evidence given at the Public Hearing of the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 22 June 2004; Mr Ben Wilson, Bicycle Queensland, in conversation with the Committee, Brisbane, 15 June 2004.

484 Superintendent Peter Keogh, Traffic Support Division, Victoria Police, Evidence given at the Public Hearing of the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 19 August 2004.

information that contributes to the understanding of the road rage phenomenon in Victoria', she stated that:

Victoria Police would be concerned however if the existence of such a facility led to a drop in the number of incidences reported to police for criminal investigation. Victoria Police will await the Committee's findings before forming a settled view on any such scheme.⁴⁸⁵

In his submission to the Committee, Mr Colin Jordan, Managing Director and CEO of the RACV, expressed disquiet about the cost-effectiveness of such a reporting mechanism, in light of the fact that it is unlikely to lead to prosecution of those reported:

Other initiatives suggested in the Inquiry Discussion Paper, like the use of hotlines might also have some intuitive appeal, but are likely to be costly and would have no legal status so would not be an effective measure.⁴⁸⁶

Another concern that was expressed to the Committee was the possibility that such a 'hotline' would be flooded with complaints.⁴⁸⁷ This was seen to be particularly likely if complaints could be made over the telephone. It was suggested that given the high level of concern about dangerous driving behaviour seen among cyclists in particular, many would be liable to have the 'hotline' number on 'speed dial' on their mobile telephones, leading to the system being overloaded.⁴⁸⁸ The Queensland Police Service was similarly worried about this possibility when they established the Traffic Complaints System. As a result, they chose not to publicise the system widely. Their fears, however, turned out to be unfounded, with about 400 complaints being made per month. As a result, the system is now being publicised more widely.⁴⁸⁹

The ability to use telephones to report Road Violence, Road Hostility or Selfish Driving was also criticised on two other grounds. First, it was argued that it may encourage the use of mobile telephones while driving – an act which is both illegal and dangerous.⁴⁹⁰ Second, it was suggested that the ease of reporting matters over the telephone may lead people to make frivolous or malicious complaints.⁴⁹¹

485 Submission from Ms Christine Nixon, Chief Commissioner, Victoria Police, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 30 June 2004.

486 Submission from Mr Colin Jordan, Managing Director and CEO, RACV, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 18 June 2004.

487 Mr John Nightingale, Bicycle Queensland, in conversation with the Committee, Brisbane, 15 June 2004;

488 *ibid.*

489 Mr Peter Kolesnik, Queensland Police, in conversation with the Committee, Brisbane, 15 June 2004.

490 Ms Lee O'Mahoney, Motorcycle Riders Association Australia, Evidence given at the Public Hearing of the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 21 June 2004.

491 Submission from Crime Prevention Victoria, Department of Justice, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 6 July 2004.

It was also suggested that the establishment of a 'hotline' may lead to the community expecting that those who are reported will be immediately apprehended and penalised. When this does not occur, it may result in a community backlash.⁴⁹²

The Committee's conclusion

In light of the many advantages of establishing a 'hotline', and in view of the evaluations which have been conducted showing that such reporting mechanisms can be effective at addressing 'aggressive driving', the Committee is in favour of developing such a system. In making this determination, the Committee is not disregarding the many legitimate concerns raised in the previous section. It is of the view, however, that designing the reporting mechanism appropriately, as discussed below, could alleviate each of these concerns.

In determining the proper design of such a 'hotline', there are a number of decisions that must be made. First, it is necessary to determine the precise scope of the mechanism. While it would be possible to limit the 'hotline' to reports of Road Violence, the Committee is of the view that it would be more beneficial if all types of Road Violence, Road Hostility and Selfish Driving could be reported. As noted at the beginning of this chapter, it is the Committee's view that the best way to address the problem of Road Violence is to help develop a culture of civility on the roads. The Committee believes that one of the best ways of achieving this is to make it clear that all forms of rude, dangerous or illegal driving are unacceptable. This can be effectively achieved by encouraging people to report such behaviour, and educating those who have been driving in an improper fashion.

Second, it is necessary to determine exactly how complaints are to be made – by telephone or in writing. As seen above, concerns have been expressed that allowing people to make complaints over the telephone will encourage malicious reporting, as well as the use of mobile phones while driving. To overcome these problems, the Committee recommends that reports must be made in writing. A specific form, to be filled out manually or online, such as that developed for the New Zealand Community Roadwatch programme (see Appendix 11) should be developed and made available.

To further reduce the likelihood of malicious reporting,⁴⁹³ the Committee recommends that complainants should be required to identify themselves on the written form, and sign a statement indicating that they would be willing to act as witnesses in a trial if necessary. This is currently required for those who

492 Submission from Ms Alison Cran, Director, Community and Cultural Services, Shire of Yarra Ranges, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 22 June 2004.

493 The Committee notes that despite there being a fear of malicious reporting, the Queensland Police Service does not believe it has received any such reports (Inspector Brian McDonald, Queensland Police, in conversation with the Committee, Brisbane, 15 June 2004).

lodge an EPA littering complaint form,⁴⁹⁴ and is seen to act as a strong disincentive to filing vexatious complaints.⁴⁹⁵ Such information should, however, be kept confidential. Unless the matter proceeds to court, complainants should not be identified.

The third issue to be decided is to which agency complaints should be made. While VicRoads could run such a hotline – in the same way that the New South Wales Road Traffic Authority operated the ‘Sharing the Roads Hotline’ – it is the Committee’s view that it would be preferable for the reporting mechanism to be conducted by Victoria Police. Having the police involved makes it clear that the relevant behaviours are both unacceptable and taken seriously. Involving the police in the process also provides for the possibility of taking legal action against those who are reported, if the circumstances are appropriate (see below). Furthermore, the Committee believes that those who are reported will be more likely to address their problem behaviour if contacted by the police than by another agency, due to a fear of potential prosecution.

In Stuster’s (2004) evaluation of the Marion County and Tucson Police Department’s ‘aggressive driving’ programmes, it was found that having a small number of officers working full-time on such a programme was more effective than a large number of part-time officers (see above). The New Zealand Community Roadwatch programme also has a small number of dedicated staff within the Police Infringement Bureau working on the programme, with apparent success. The Committee therefore recommends that a similar system should be developed in Victoria. A small unit should be established within Victoria Police to both receive and respond to complaints.

This unit should be responsible not only for the ‘hotline’, but also for the operation of the Selfish Driving law enforcement campaign (see above). The reporting mechanism will form an integral part of this campaign and should be publicised and evaluated as part of the pilot programme recommended above.

Fourth, it is necessary to determine how complaints will be handled. As seen from the examples provided above, possibilities range from taking no further action to charging the perpetrator with a criminal offence. While the prospect of being able to charge those involved is superficially appealing, the Committee is concerned about such action being taken when the police have not observed the behaviour, or when there are no independent witnesses. The Committee believes that such a system would be open to abuse. The Committee is therefore in agreement with Ms Fiona Campbell that a scheme such as the New Zealand Community Roadwatch programme is preferable:

494 http://www.epa.vic.gov.au/Litter/docs/litter_form.pdf

495 Mr David Healy, General Manager Road Safety, Transport Accident Commission, Evidence given at the Public Hearing of the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 22 June 2004; Ms Lee O’Mahoney, Motorcycle Riders Association Australia, Evidence given at the Public Hearing of the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 21 June 2004; Mr Bart Sbeghen, Campaigns Manager, Bicycle Victoria, Evidence given at the Public Hearing of the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 21 June 2004.

Community Roadwatch [is] a scheme to give the vigilantes, as well as those concerned about road safety, a voice and an outlet to avoid the escalation. It takes the “upset” and redirects it into education for the driver with the faulty tail-light, one who runs the red light in front of the school, the mobile phone user and the tailgater.

Because there is no offence, no conviction, no fine, only an educational letter sent to the owner of the vehicle, there is no burden of proof. It is a middle way, an educative alternative where there isn't sufficient evidence to justify valuable police resources. Because it results only in a letter and because it requires the reporter to provide their details, it doesn't serve the vexatious complainant, who can order their neighbour a pizza or report them to crime-watch or any number of other anonymous government reporting systems.

Because the system is automated it requires a tiny amount of police resources, and saves police time at every station counter when they can say – here, just fill in this form... It is a zero-tolerance, education approach that overcomes the feelings of anonymity and improves traffic compliance across the network while saving police resources.⁴⁹⁶

While the Committee recommends that the main function of the reporting mechanism would be to educate road users who have been observed driving in an unsafe manner, and to encourage them to amend their driving behaviour, it agrees with Chief Commissioner Nixon that such a system should not replace the traditional role of police in investigating criminal behaviour.⁴⁹⁷ This is particularly the case in relation to acts of violence; in such circumstances a mere educative letter is not sufficient. Where criminal acts are committed they should be thoroughly investigated by the police and perpetrators charged with relevant offences.

To this end, the Committee recommends that staff should undertake a preliminary assessment of all complaints received by Victoria Police. If they involve an instance of Road Violence, an ordinary criminal investigation should be undertaken. If they involve Road Hostility or Selfish Driving, an educative letter should be sent to the perpetrator advising them of the nature of the complaint. Victoria Police should develop guidelines to assist in this process (see below). However, people making complaints about acts of Road Violence should not be required to use this service – calls to 000 should still be encouraged for those wishing to report such serious crimes.

Although the Committee is concerned about charging people with traffic or criminal offences solely on the basis of one complaint, the extent of this concern is significantly diminished where a vehicle is reported on multiple occasions by different road users. The Committee believes, therefore, that one

496 Submission from Ms Fiona Campbell to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 21 June 2004.

497 Submission from Ms Christine Nixon, Chief Commissioner, Victoria Police, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 30 June 2004.

of the benefits of establishing a hotline is that police would be able to make use of all instances that are reported for investigation and intelligence purposes. If multiple complaints are made concerning one motorist, this will become apparent, and police may be able to make use of this information in deciding how to proceed.

The Committee recommends that if a vehicle is reported by different drivers on three or more occasions within a two-year period, the owner's name and the vehicle's registration number – as well as that of all other vehicles associated with the owner – should be circulated to police stations. Police would then be requested to keep a lookout for the vehicle(s). Police officers should personally call the registered owner of the vehicle, or attend his or her home, to provide a warning. They should inform the owner that his or her details have been circulated to police and that enhanced penalties may apply if they are subsequently charged with relevant road traffic or criminal offences. If the owner is subsequently apprehended on charges related to dangerous or unsafe driving, evidence of the prior complaints made against him or her, and of the warning provided by the police, should be taken into account by courts at sentencing.

The data contained in the complaint forms received by Victoria Police will provide a useful source of information for monitoring the nature and extent of Road Violence, Road Hostility and Selfish Driving. The Committee recommends that this data should be thoroughly analysed by Victoria Police, to help provide the basis for future intervention strategies.

Recommendations:

- 53 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.
- 54 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.

- 55 The Committee recommends that the 'hotline' should be run by a small unit established within Victoria Police for this purpose. This unit should also have responsibility for the Selfish Driving law enforcement campaign. The 'hotline' should form an integral part of this campaign, and should be publicised and evaluated as part of the pilot programme. Officers should undertake a preliminary assessment of all complaints received. If they involve an instance of Road Violence, an ordinary criminal investigation should be undertaken. If they involve acts of Road Hostility or Selfish Driving, a letter should be sent to the registered owner of the vehicle, outlining the behaviour that has been reported. The main purpose of the letter should be educative.
- 56 The Committee recommends that the data contained in the complaint forms should be used by Victoria Police for intelligence and prevention purposes.
- 57 The Committee recommends that people making complaints about incidents of Road Violence should, in addition to being able to make reports to the 'hotline', be encouraged to report serious Road Violence-related crimes using the Victoria Police 000 reporting number.

Police guidelines

It was suggested in Chapter 3 that one of the main reasons for under-reporting Road Violence is the failure of police to take such matters seriously or to follow up reports to the complainant's satisfaction. This is especially seen to be the case in relation to cyclists who report incidents of Road Violence, as noted by Mr Damon Rao from the Urban Bicyclist Project in his submission to the Committee:

Anecdotal evidence suggests that cyclists who are the victim of road rage, even including damage or injury, are often turned away from police stations by police members who consider that either there is insufficient evidence or information to proceed with a case. Often this is perceived by the cyclist to mean that police do not seriously consider the needs of cyclists as road users.⁴⁹⁸

Mr Bart Sbeghen, Campaigns Manager of Bicycle Victoria, made a similar claim in his submission:

Bicycle Victoria receives an increasing number of reports on road rage against cyclists each year. Police follow up on very few, if any, of these incidents. It would seem that it's only when someone is seriously injured or killed that the police get involved and the incident is registered.⁴⁹⁹

498 Submission from Mr Damon Rao, urbanbicyclist.org, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 18 June 2004.

499 Submission from Mr Bart Sbeghen, Campaigns Manager, Bicycle Victoria, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 15 June 2004.

Mr Russell Lindsay, the Officer in Charge of the Melbourne Bicycle Patrol Group, agreed that police often fail to take appropriate action in such cases, providing the following excuses:

“It is only your word against theirs so there is nothing that can be done.”

“It appears that you did something wrong as well (meaning a minor traffic infraction), so you will definitely get charged whether or not we can charge the road rage perpetrator as well.”⁵⁰⁰

Mr Lindsay goes on to note that ‘these type of demeaning responses from a nonchalant police member give the reporter of road rage a negative outlook as to what may happen to the offender’, often leading them to abandon their report.⁵⁰¹

While the reporting mechanism recommended in the previous section may help increase reporting rates, people are still likely to be reluctant to report incidents if they do not believe their complaint will be taken seriously. One way of addressing this would be to develop specific guidelines for police, in which procedures for taking complaints from road users – including cyclists – are spelled out.⁵⁰² These guidelines could cover the way reports are taken, what to tell the complainant, and procedures for advising complainants of the outcome of the matter.

In response to the number of complaints about road user behaviour received from cyclists, as well as concerns about police inaction, the Melbourne Police Bicycle Patrol Group have developed their own guidelines for use in such cases.⁵⁰³ The ‘Policy for Receiving Complaints of Accident & Road Rage Incidents Involving Bicycles’ specifies precisely how the Bicycle Patrol Group should respond to complaints about ‘road rage’ that are made by cyclists. However, these guidelines are only used by the Bicycle Patrol Group and do not have application across Victoria Police.

The Committee is of the view that the development of state-wide guidelines would act to reinforce the grave nature of Road Violence, making it clear that police take such complaints seriously. This may encourage more people to report such matters, helping to address the problem. Such guidelines would also ensure that complaints are dealt with uniformly across the state.

500 Submission from Mr Russell Lindsay, Officer in Charge of the Melbourne Police Bicycle Patrol Group, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 22 June 2004.

501 *ibid.*

502 Submission from Mr Damon Rao, urbanbicyclist.org, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 18 June 2004; Submission from Mr Russell Lindsay, Officer in Charge of the Melbourne Police Bicycle Patrol Group, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 22 June 2004.

503 Submission from Mr Russell Lindsay, Officer in Charge of the Melbourne Police Bicycle Patrol Group, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 22 June 2004.

The Committee therefore recommends that Victoria Police develop guidelines outlining procedures for taking complaints about acts of Road Violence, including complaints from cyclists. These guidelines, which could be based on the current guidelines used by the Melbourne Police Bicycle Patrol Group, should not only include procedures for investigating such complaints but also for advising victims of the outcome of any matters. Concerns were expressed to the Committee that currently this does not always take place.⁵⁰⁴ Police should be trained in the relevant procedures.

The Committee recommends that the unit established to operate the reporting mechanism outlined above develop these guidelines. Guidelines should also include procedures for determining whether a complaint relates to an act of Road Violence (requiring further criminal investigation) or is an act of Road Hostility or Selfish Driving (requiring an educative letter).

Recommendation:

58 The Committee recommends that Victoria Police develop guidelines outlining procedures for taking complaints about acts of Road Violence, including complaints from all road users and pedestrians. These guidelines should not only include procedures for investigating such complaints, but also for advising victims of the outcome of any matters. Police should be trained in the relevant procedures.

504 Submission from Mr Russell Stevens to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 5 August 2004.

21. Sanctions

Sentencing

As there are no specific laws governing Road Violence, Road Hostility or Selfish Driving in Victoria, there is no specific sentencing regime applicable. The sentences given to people convicted of relevant offences vary according to the type and nature of the offence, as well as according to other general sentencing principles such as the offender's criminal history and whether the offender shows remorse for his or her actions.⁵⁰⁵ In its submission to the Committee, Crime Prevention Victoria noted that sentencing options include:

suspension and cancellation of the defendant's driving licence, fines, imprisonment, forfeiture of property associated with the offence and the imposition of community-based orders.⁵⁰⁶

Instances of each of these types of sentences were reported in the newspaper articles analysed by the Committee (see Appendix 8). For example:⁵⁰⁷

- ◆ Mr S, who was reported to have gone on a six-day 'road rage' and shooting spree, pleaded guilty to a number of counts of attempted murder, drug trafficking and recklessly causing serious injury. He was sentenced to a maximum of 20 years imprisonment, with a non-parole period of 15 years.
- ◆ Mr T, who was reported to have driven into a person who he had previously 'cut off' in traffic, and who had challenged him to a fight, pleaded guilty to recklessly causing serious injury and failing to stop after an accident. He was given a six-month sentence of imprisonment, suspended for two years. He also received a \$1,500 fine.
- ◆ Ms W, who was reported to have threatened another driver with a toy gun, was found guilty of assault with a weapon. She received a \$250 good behaviour bond and no conviction was recorded.

505 For a list of the principles governing sentencing in Victoria, see *Sentencing Act 1991 (Vic)* s.5.

506 Submission from Crime Prevention Victoria, Department of Justice, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 6 July 2004.

507 More details about each of these incidents, as well as sentences provided in a number of other cases examined by the Committee, are contained in Appendix 8.

While the current sentencing system is very flexible, it has been suggested that particular difficulties can arise in this area due to the nature of the perpetrators. Unlike most other criminal offences, it has been argued that many perpetrators of Road Violence-related offences do not have a prior criminal history.⁵⁰⁸ For example, Bob Kumar, Senior Magistrate for the Western Region of Victoria in 1997, told the Victorian Community Council Against Violence that:

Sentencing is often a difficult area in relation to “road rage” cases as often the defendant has no prior conviction, is gainfully employed, is a family man and shows remorse for his actions (Victorian Community Council Against Violence 1999, p.18).

According to this argument, people who commit Road Violence are usually ‘ordinary’ law-abiding people, who just happen to ‘snap’ as a result of a particular ‘triggering event’. While on the one hand it is clearly important to send a message that such behaviour is not acceptable, this can be difficult to balance against the need to take the perpetrator’s circumstances into account – making sentencing in such cases ‘almost impossible’ (Victorian Community Council Against Violence 1999, p.31).

The Committee received evidence that this difficulty can be enhanced by the sympathy some judges – as car drivers – may feel for the perpetrators of some acts of Road Violence.⁵⁰⁹ This is a problem that has been noted around the globe. For example, in conversation with the Committee, Mr Ludo Kluppels referred to the comments of a prosecutor in Antwerp who said to him:

I understood something with these people because they are normal people just like everyone, just like me and I can’t put them in jail all the time so I must do something else with it.⁵¹⁰

This has led some to seek a specific sentencing regime to be established for cases of Road Violence. In particular, there have been calls for harsher penalties to be given in such cases (see, for example, Willis 1997).⁵¹¹ This could be achieved either by amending the *Sentencing Act 1991* to provide that offences committed in the context of the road should be subject to more severe sentencing, or by creating aggravated versions of the relevant offences.

Such a sentencing scheme was introduced in Belgium in 2000 in relation to ‘aggressive driving’. Under this scheme, if police officers note that a traffic violation was committed with the intention to harm someone, and that a dangerous situation was created by the behaviour, the relevant fine for that

508 As seen in Chapter 11, however, this is not always the case. In a large number of cases it is people who act violently in other aspects of their lives who also act violently on the road.

509 Submission from Ms Fiona Campbell to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 21 June 2004.

510 Mr Ludo Kluppels, Policy Coordinator, Belgian Road Safety Institute, in conversation with the Committee, Brussels, 7 July 2004.

511 Submission from Mr Russell Stevens to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 5 August 2004.

violation can be doubled.⁵¹² Unfortunately, the Committee was not able to obtain any information as to how frequently this occurs, or whether it has been effective in reducing the incidence of ‘aggressive driving’.

It is likely that establishing more severe penalties for cases of Road Violence would send a message to the community that such behaviour is unacceptable, as well as addressing some of the current dissatisfaction with the seemingly ‘light’ sentences some perpetrators receive. Despite these advantages, however, the Committee is not in favour of developing a specific sentencing regime for cases of Road Violence. It is the Committee’s view that the present sentencing scheme – whereby judges have a range of options at their discretion – provides an appropriate balance for deterring potential perpetrators, as well as providing judges with the necessary flexibility to hand down sentences appropriate to the circumstances.

In particular, the Committee does not believe that sentences handed down under the current law are too light, when all of the circumstances are taken into account. Such cases appear to be taken very seriously by the judges involved. For example, in the recent Victorian Supreme Court case of *R v Winter*, in which the defendant stabbed another road user, Justice Osborn made the following comments when sentencing the defendant to seven years imprisonment:

I come, firstly, to what is colloquially referred to as “road rage”. For present purposes I mean by this term the failure of a motorist to control his or her emotions when confronted with frustration while driving and the resort to aggression as a consequence. It is apparent that such behaviour has the potential to result in totally unjustified and tragic outcomes as indeed occurred in the present case. The court must send a clear message that frustration and high emotion on the part of a driver is simply no excuse to resort to violence. It is not enough to say of the victim “he started it” *R v Winter* [2004] VSC 329 (3 March 2004) para 32.

Similarly, in *R v Arico*, in which the defendant shot at another road user, Justice Coldrey denounced the defendant’s conduct in the following terms when sentencing the defendant to nine years imprisonment:

The offence you have committed is an extremely serious one. The courts have a duty to denounce the use of lethal weapons such as handguns in the perpetration of illegal acts. The use of such weapons against fellow road users constitutes a new and deplorable dimension to such illegal conduct. The introduction of this additional level of danger to those driving on our roads will not be tolerated. The courts also have a responsibility to deter others who might be minded to resort to lethal weapons as a perceived problem-solving technique whether those problems are encountered on the roads, in domestic

512 ‘Road rage in Belgium: An overview of facts and actions’, submitted to the Committee by Mr Ludo Kluppels, Policy Coordinator, Belgian Road Safety Institute, in conversation with the Committee, Brussels, 7 July 2004.

situations, or in the myriad of other circumstances where human conflict arises
R v Arico [2001] VSC 216 (27 June 2001), para 21.

In both of these cases, the judges paid particular attention to the need for general deterrence in determining the appropriate sentence. They were particularly aware of the need to ensure that Road Violence was clearly denounced and penalised, in an attempt to prevent others from committing such acts.

In addition, the Committee would be concerned about establishing a separate sentencing scheme for cases of Road Violence, as this would lead to a fragmentation of the sentencing system.⁵¹³ This seems particularly unnecessary in light of the small incidence of Road Violence, which in the Committee's view is neither more nor less serious than any other acts of violence. Such acts should therefore continue to be treated in the same way as all other violent crimes are treated.

The Committee does, however, acknowledge that it may be useful for courts to have some guidance about how to sentence perpetrators in cases of Road Violence, given the difficulties outlined above. The Committee is also aware that the Sentencing Advisory Council was established in Victoria on 1 July 2004. Part of the functions of the Council is to conduct research and to disseminate information to members of the judiciary and other interested persons on sentencing matters. The Committee recommends, therefore, that the Sentencing Advisory Council 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.

Recommendation:

59 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.

Alternative sanctions

It has been argued in the literature on 'road rage' that problems often arise when prosecuting such cases, due to the lack of independent witnesses (University of Western Australia Crime Research Centre 1997).⁵¹⁴ This is often seen to result in police or prosecutors deciding not to proceed with such cases, or in defendants securing an acquittal. It has been noted that in such circumstances police may recommend that victims take civil action instead of

513 Submission from Crime Prevention Victoria, Department of Justice, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 6 July 2004.

514 Sergeant Peter Vromans, Legal Consultant, Operational Legal Advice Unit, Legal Services, New South Wales Police, in conversation with the Committee, Sydney, 16 June 2004.

proceeding with criminal charges (University of Western Australia Crime Research Centre 1997). In addition, it is likely that some victims of Road Violence will be reluctant to proceed to trial, due to feeling partly responsible for the incident (either due to being the cause of the 'triggering' event or initiating or escalating the violence). This increases the difficulty of obtaining convictions in such cases.

Suggested ways of overcoming this problem include offering people suspected of having committed a Road Violence-related offence the option of paying an on-the-spot fine or the option of attending an educational or anger management course, instead of facing criminal prosecution (University of Western Australia Crime Research Centre, 1997). Such options could be offered in all relevant cases, or at the discretion of the victim and/or the police.

Providing perpetrators with such options would enable them to avoid the risk of a criminal conviction, while at the same time ensuring that they either suffer some consequences for their behaviour (by virtue of having to pay a fine), or learn techniques for controlling their behaviour. It also avoids the expense of a potentially costly trial, which is likely to see the perpetrator acquitted.

One such option is currently available in Belgium.⁵¹⁵ Under a project known as 'Alternative Punishment', prosecutors are given the discretion to offer some offenders the choice of attending a specifically designed 'road rage' anger management course instead of facing criminal charges. This is a 20-hour course, which starts on a Saturday and has four evening sessions over the following fortnight. The aim of the course is to teach people to take responsibility for their behaviour, to learn to identify their own signs of stress, and to discover ways to modify their responses to stress. A similar option is also available for some traffic offences in England, with police having the option of giving people a fine or allowing them to instead attend an educational session.⁵¹⁶

While the Committee can understand concern over not being able to obtain convictions due to a lack of independent witnesses, it does not believe that allowing offenders to avoid criminal charges by the use of fines or educational sessions is appropriate in relation to Road Violence. As noted throughout this report, Road Violence is simply another form of violence, and as such should not be treated differently from other violent crimes.

In addition, unless the victim's consent is required, such a scheme is likely to result in a (potentially justifiable) community backlash over the light sentencing of violent offenders.

The Committee therefore agrees with Chief Commissioner Nixon that although enabling police to issue on-the-spot fines or require attendance at an

515 Mr Ludo Kluppels, Policy Coordinator, Belgian Road Safety Institute, in conversation with the Committee, Brussels, 7 July 2004.

516 Ms Nerys Thomas, author of 'The reality of road rage', in conversation with the Committee, London, 5 July 2004.

anger management course may be useful in relation to a range of offences, issuing such penalties for ‘violent crimes is clearly untenable’.⁵¹⁷ Thus, the Committee does not recommend the implementation of such a scheme in Victoria.⁵¹⁸ People who are charged with Road Violence-related offences should be required to abide by the usual criminal procedures.

Licence suspension and disqualification

As noted above, in the absence of specific offences targeting Road Violence, Road Hostility or Selfish Driving, the sentencing options available will depend on the particular offence that is charged. If the offence is one that is ‘in connection with’ the driving of a motor vehicle, courts are provided with the option of suspending the defendant’s driver’s licence or disqualifying the defendant from obtaining a licence during a stated period of time.⁵¹⁹

Such an option will be available in relation to most cases of Selfish Driving. Courts may also use suspension and disqualification of licences in some cases of Road Violence or Road Hostility, such as where a car is used as a weapon. However, where an incident starts in a car, but the defendant leaves the car in order to commit the act of violence with which they are charged, the offence may no longer be considered to be ‘in connection with’ the driving of a motor vehicle. In such a case, licence suspension or disqualification may not be an option.⁵²⁰

Over the course of this Inquiry, the Committee received much support for the use of licence suspension or disqualification as a sanction for incidents of Road Violence.⁵²¹ It is argued that driving should be seen as a privilege, which will be withdrawn if people act unacceptably on the roads (Hoke 1997). In none of these submissions was it suggested that such a penalty should only be available where the offence is committed while driving a car.

It is the Committee’s view, therefore, that the current law is unacceptably narrow in that licence suspension and disqualification can be used only where the offence is one that is committed ‘in connection with’ the driving of a motor

517 Submission from Ms Christine Nixon, Chief Commissioner, Victoria Police, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 30 June 2004.

518 In making this recommendation, the Committee is not disputing the potential usefulness of anger management courses. It is simply making the point that perpetrators should not be able to avoid criminal charges by electing to attend such courses. For a more detailed discussion of such courses, see below.

519 *Road Safety Act 1986 (Vic)* s.28.

520 Mr Paul Coghlan, Director of Public Prosecutions, Evidence given at the Public Hearing of the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 19 August 2004.

521 Submission from Ms Alison Cran, Director, Community and Cultural Services, Shire of Yarra Ranges, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 22 June 2004; Submission from Mr Russell Stevens to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 5 August 2004; Mr John Bolitho, Manager, Legal Policy, Transport Accident Commission, Evidence given at the Public Hearing of the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 22 June 2004. (See also Hoke 1997; James 1997.)

vehicle.⁵²² While in some ways Road Violence is only incidentally about driving (being more about the intentional use of violence as a problem-solving mechanism), it does occur on the road. As such, some incidents may be prevented if people are prevented from driving by virtue of having their licence taken away.⁵²³ In particular, those perpetrators who exhibit high driving trait anger, but not general trait anger (see Chapter 12) – that is, people for whom the road is a particularly aggravating place – may be prevented from acting violently if barred from driving. In addition, as driver's licences are one of the most highly valued commodities in our society, knowing that suspension or disqualification is a sentencing option in relation to all cases of Road Violence, Road Hostility or Selfish Driving may act as a deterrent in some cases.

The Committee is therefore of a view section 28 of the *Road Safety Act 1986* (Vic) should be amended to enable licence suspension or disqualification to be ordered in relation to any Road Violence, Road Hostility or Selfish Driving-related offence. The Committee suggests that section 28 could be modified to provide that licence suspension/disqualification is available in relation to any offence 'arising out of' the use of a motor vehicle.⁵²⁴

Although it would be possible to make licence suspension or disqualification mandatory for Road Violence-related offences, the Committee agrees with Mr Tony Parsons, Managing Director of Victoria Legal Aid, that this is not a desirable solution:

Mandatory sentencing orders do not allow the courts the flexibility to determine what justice requires in all the relevant circumstances of the particular case. The suspension of a driver licence may have significant social and financial consequences because our society relies heavily on motor vehicles.

The Court of Appeal has recognised that licence suspension can cause hardship and have detrimental consequences on rehabilitation.⁵²⁵ The community has an interest in aiding reintegration and avoiding further offences. In some circumstances, it will be in the community's interest for a driver to retain his or her licence.

522 See also Mr Paul Coghlan, Director of Public Prosecutions, Evidence given at the Public Hearing of the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 19 August 2004; Connell & Joint 1996.

523 The Committee notes that some people may continue to drive while unlicensed. There are, however, additional penalties if such people are apprehended, including imprisonment: *Road Safety Act 1986* (Vic) s.30.

524 Mr Paul Coghlan, Director of Public Prosecutions, Evidence given at the Public Hearing of the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 19 August 2004.

525 *R v Tran* [2002] VSCA 52 at paras 39-40 (the period of disqualification was reduced to assist the appellant to find employment and be reintegrated into the community).

In contested cases, the automatic suspension of a licence will result in a sentence-like penalty being imposed prior to any finding of guilt.⁵²⁶

In particular, the Committee is of the view that licence suspension or disqualification may not be appropriate in some cases, especially given the significant social and financial consequences that can follow from its loss. The Committee therefore does not recommend making the loss of licence mandatory.

Recommendations:

- 60 The Committee recommends that the Victorian Government should amend section 28 of the *Road Safety Act 1986* (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.
- 61 The Committee recommends further that such a sanction continue to be discretionary rather than mandatory.

Conditions for licence restoration

At present, a person who is convicted of a drink or drug driving offence, and who has his or her driver's licence suspended, can be required to attend an accredited driver education programme prior to having the licence restored.⁵²⁷ These are programmes that are run by an agency approved by the Secretary to the Department of Human Services, and which aim to address the root of the drivers' drug or alcohol problems.

It would be possible to establish a similar scheme for people who have had their licences suspended for a Road Violence-related offence.⁵²⁸ These offenders could be required to attend some form of treatment programme, such as an anger management or behaviour change course, prior to having their licences returned. These programmes can help address the underlying reasons for the perpetrators' violent behaviour, as well as provide them with strategies for dealing with their anger (see below). It is hoped this would prevent them from re-offending.

While such courses may not be appropriate in all cases, the Committee believes that they can be of great benefit. As such, later in this chapter the Committee recommends the development of a specifically designed

526 Submission from Mr Tony Parsons, Managing Director, Victoria Legal Aid, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 29 July 2004.

527 *Road Safety Act 1986* (Vic) s.50A.

528 Submission from Mr Michael Burt, Chief Executive Officer, Victorian Institute of Forensic Mental Health, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 8 April 2004.

programme addressing Road Violence, Road Hostility and Selfish Driving. It is the Committee's view that it would be useful to allow courts to make licence restoration contingent upon attendance at such a course (when developed), or at any other appropriate anger management or behaviour change programme.

The Committee therefore recommends that the *Road Safety Act 1986* be amended so as to provide courts with the power to make the restoration of an offender's driver's licence, which has been suspended due to a Road Violence, Road Hostility or Selfish Driving-related offence, contingent upon attendance at an approved anger management or behaviour change programme. Courts should also be allowed to order these offenders to pay for this course, either in addition to or in lieu of a financial penalty. It is the Committee's view that this will be appropriate in most cases, apart from those involving impecunious defendants. Such defendants should not be denied the opportunity of attending the approved programmes due to a lack of funds.

Recommendation:

- 62 The Committee recommends that the Victorian Government amend the *Road Safety Act 1986* so as to provide courts with a discretion to make the restoration of an offender's driver's licence, which has been suspended due to a Road Violence, Road Hostility or Selfish Driving-related offence, contingent upon attendance at an approved anger management or behaviour change programme. Courts should also have a discretion to order such offenders to pay for any courses undertaken, either in addition to or in lieu of a financial penalty.

Vehicle confiscation and forfeiture

Another sentencing option that could be made available in relation to Road Violence-related offences would be vehicle confiscation or forfeiture. People convicted of relevant offences could have their cars taken away from them, on a temporary or permanent basis. As noted by Mr David Healy, General Manager of Road Safety at the Transport Accident Commission, such a penalty would have two main purposes:

One is that your intention is to reduce the risk of that individual offending again by virtue of access to a car, which is the specific deterrence. The other is that you choose to introduce that in broad terms and hence you see that it is important to educate the public that this problem is there, so that, 'Should you stray from the straight and narrow, this is the likely consequence'. You are then using it in a general deterrence sense, as opposed to the specific exposure reduction sense.⁵²⁹

529 Mr David Healy, General Manager Road Safety, Transport Accident Commission, Evidence given at the Public Hearing of the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 22 June 2004.

In this respect, vehicle confiscation is similar to licence suspension insofar as it aims both to prevent offenders from re-offending by removing them from the roads, as well as deter others from offending out of fear of losing their means of transport. In the case of licence suspension, however, it is possible for perpetrators to continue driving while unlicensed (although this is an offence). This may not be possible for those who have their vehicles removed, unless they have access to a second vehicle.⁵³⁰

In Victoria at present, vehicles can only be confiscated or forfeited when they are intrinsically tied up in the commission of a crime, or where their sale is required for the purposes of compensation.⁵³¹ Thus, while this penalty may be available to courts in some cases of Road Violence, Road Hostility or Selfish Driving, in most circumstances it will not be an option.

In recent years, a number of Australian jurisdictions have passed laws enabling vehicle confiscation or forfeiture in relation to ‘hooning’ offences.

‘Hooning’ activities generally relate to the use of vehicles in connection with speed trials or manoeuvrability tests on public roadways. In New South Wales, for example, section 40 *Road Transport (Safety and Traffic Management) Act 1999* (NSW) proscribes races, attempts on speed records and other speed trials by providing that:

- (1) A person must not organise, promote or take part in:
 - (a) any race between vehicles on a road or road related area, or
 - (b) any attempt to break any vehicle speed record on a road or road related area, or
 - (c) any trial of the speed of a vehicle on a road or road related area, or
 - (d) any competitive trial designed to test the skill of any vehicle driver or the reliability or mechanical condition of any vehicle on a road or road related area,

unless the written approval of the Commissioner of Police to the holding or making of the race, attempt or trial has been obtained.

Maximum penalty: 20 penalty units.

In addition, in New South Wales, under section 41 *Road Transport (Safety and Traffic Management) Act 1999* (NSW) certain other conduct associated with road and drag racing is proscribed:

- (1) A person must not, on a road or road related area, operate a motor vehicle in such a manner as to cause the vehicle to undergo sustained

530 Ms Anne Harris, RACV, Evidence given at the Public Hearing of the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 22 June 2004.

531 Mr Paul Coghlan, Director of Public Prosecutions, Evidence given at the Public Hearing of the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 19 August 2004.

loss of traction by one or more of the driving wheels (or, in the case of a motor cycle, the driving wheel) of the vehicle.

Maximum penalty: 5 penalty units.

- (2) A person must not operate a motor vehicle contrary to subsection (1) knowing that any petrol, oil, diesel fuel or other inflammable liquid has been placed on the surface of the road or road related area beneath one or more tyres of the vehicle.

Maximum penalty: 7 penalty units.

- (3) In any proceedings for an offence under subsection (1) or (2), it is a defence if the person charged satisfies the court that the vehicle, although operated as referred to in subsection (1), was not so operated deliberately.

- (4) A person must not, on a road or road related area, engage in conduct prescribed by regulations made for the purposes of this section, being conduct associated with the operation of a motor vehicle for speed competitions or other activities specified or described in the regulations.

Maximum penalty: 5 penalty units.

One possible response to such offences has been for legislation to be enacted to allow the confiscation and/or forfeiture of vehicles used in connection with such crimes. In New South Wales, for example, sections 39–40 of the *Road Transport (General) Act 1999* (NSW) authorise police to impound vehicles used in connection with such offences. Vehicles can be confiscated for up to three months for a first offence, and forfeited for subsequent offences. New South Wales Police confiscated 262 vehicles in 2001, 319 vehicles in 2002, 296 vehicles in 2003, and had already confiscated 184 vehicles by 31 May 2004.⁵³² In Queensland, similar powers were given to police in 2002, with the amendment of the *Police Powers and Responsibilities Act 2000* (Qld). By the end of April 2004, approximately 1,500 vehicles had been confiscated.⁵³³

In Victoria, offences currently exist in connection with the conduct of speed trials on highways (s. 68, *Road Safety Act 1986* (Vic)), but these do not extend to the same range of 'hooning' activities as are proscribed in New South Wales.

While these acts provide for vehicle confiscation and or forfeiture in relation to a range of offences, most of the specified offences are not related to Road Violence, Road Hostility or Selfish Driving activities. In all states, some 'hooning' activities may also involve the commission of other offences such as dangerous or careless driving (e.g. ss. 64–65, *Road Safety Act 1986* (Vic)).

In October 2004, the the question of confiscation of vehicles was raised following the death of two young men when the car in which they were

532 Inspector David Evans, Commander Traffic Policy, Traffic Services Branch, New South Wales Police, in conversation with the Committee, Sydney, 16 June 2004.

533 Mr Peter Kolesnik, Queensland Police, in conversation with the Committee, Brisbane, 15 June 2004.

passengers crashed into a pole on Dandenong Road in St Kilda. The driver of the vehicle was charged with two counts of culpable driving and police described where the men were killed as having a history over the years of cars using this sector of road for racing (Dowling 2004). Victoria Police is supportive of such an initiative, requesting that police be given the power to confiscate vehicles for 'hoon-type behaviour such as street racing, drag racing and burnouts, where large groups congregate and pretty much cause havoc and cause danger to spectators'.⁵³⁴ The need for confiscation legislation was also recently supported by the Member for Preston in the Legislative Assembly to deal with 'hooning' in Reservoir.⁵³⁵

In evidence and submissions received by the Committee, some support was given to the idea of extending such laws to also cover cases of Road Violence. For example, Ms Alison Cran argued for vehicle confiscation after a third offence had been committed,⁵³⁶ while Mr Harold Scruby saw vehicle confiscation as likely to provide a strong disincentive for committing acts of Road Violence.⁵³⁷ Crime Prevention Victoria similarly argued that:

There are potential benefits in vehicle impoundment for a broader range of traffic offences, such as those committed by recidivist traffic offenders (serial drink driving, disqualified or unlicensed drivers) and "hoon" behaviour, which could include road rage-related incidents.⁵³⁸

Mr Paul Coghlan, Director of Public Prosecutions, also suggested that vehicle confiscation 'ought to be looked at as one of the options' for some cases of Road Violence.⁵³⁹ He did note, however, that it may not be appropriate in all cases and is a very complex issue:

Confiscation of cars is a pretty big step in those cases dealing with young people. They are certainly their pride and joy and they are certainly the source of this particular kind of offending, but they also might be what they need to get to their jobs and a whole lot of other things. It is extremely complex. The mere taking of a car, particularly from young people when it is connected with their work, job opportunities and so on, has a lot of complications about it.⁵⁴⁰

534 Superintendent Peter Keogh, Traffic Support Division, Victoria Police, Evidence given at the Public Hearing of the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 19 August 2004.

535 Parliamentary Debates, Legislative Assembly, 3 November 2004, p. 1157, Mr Leighton.

536 Submission from Ms Alison Cran, Director, Community and Cultural Services, Shire of Yarra Ranges, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 22 June 2004.

537 Mr Harold Scruby, Chairman, Pedestrian Council of Australia, in conversation with the Committee, Sydney, 17 June 2004.

538 Submission from Crime Prevention Victoria, Department of Justice, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 6 July 2004.

539 Mr Paul Coghlan, Director of Public Prosecutions, Evidence given at the Public Hearing of the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 19 August 2004.

540 *ibid.*

Mr Coghlan's concerns about the use of vehicle confiscation or forfeiture as a sentencing option were also submitted in other evidence to the Committee. Ms Anne Harris from the RACV, for example, argued that:

The difficulty is in terms of social equity issues. We found with the drink-driving experience that the family car is taken away from the family for one to three months, depending on the jurisdiction, and, of course, there goes their livelihood, or they ask, "How do we get the children to school?" or, "How do we get to university?" You are probably disadvantaging disadvantaged groups even more.⁵⁴¹

These concerns about the social impact of such a sentencing option led the RACV to question whether such an extreme sanction was warranted in this area. Such an option was thought to be more appropriate for offences which are intrinsically related to the act of driving, such as drink driving or 'hooning', rather than to Road Violence offences, which are more about violence than driving:

The Inquiry's Discussion Paper suggested the possibility of vehicle immobilisation or impoundment for "road rage" offenders. While it might be the prerogative of the magistrate dealing with assault cases to suspend an offender's driver's licence, the area of vehicle impoundment is a far more extreme measure. Some jurisdictions in other countries use vehicle immobilisation or impoundment as a sanction for repeat drink driving offenders who are caught driving while unlicensed. There is some evidence to suggest that these programs can be effective when used as part of a broader program for recidivist drink drivers.

In relation to using vehicle impoundment as a drink driving sanction, RACV believes that these sanctions should only be considered after there has been a thorough investigation of practical issues related to the limitation of such sanctions and investigation of societal and equity factors. However, whether such sanctions are warranted for road rage offenders, as compared with recidivist drink drivers is very questionable.⁵⁴²

A similar point was made by Sergeant Ron Dorrough of the New South Wales Police, who argued that unlike cases of 'hooning', which tend to involve the commission of unsafe driving acts over a number of occasions, acts of Road Violence are often one-off occurrences, committed by people without a prior history of crime. Vehicle confiscation may be inappropriate in such circumstances.⁵⁴³

541 Ms Anne Harris, RACV, Evidence given at the Public Hearing of the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 22 June 2004.

542 Submission from Mr Colin Jordan, Managing Director and CEO, RACV, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 18 June 2004.

543 Sergeant Ron Dorrough, Senior Traffic Adviser, Traffic Policy Section, Traffic Services Branch, New South Wales Police, in conversation with the Committee, Sydney, 16 June 2004.

A number of other concerns about vehicle confiscation have also been raised.⁵⁴⁴ For example, Sergeant Dorrrough also noted that many cases of Road Violence are not witnessed by police (unlike drink-driving or 'hooning' offences). This may result in vehicles being confiscated or forfeited simply on the basis of evidence provided by the victim – a situation which may be unacceptable, given the potentially severe consequences for the defendant.⁵⁴⁵

Other problems can also arise if the vehicle that is confiscated or forfeited does not belong to the offender. This can cause hardship to the owner of the vehicle, who will lose its use due to the actions of another. While it could be argued that owners should be required to take some responsibility for actions committed in a vehicle that they have chosen to lend,⁵⁴⁶ in some cases the actions of the offender may have been genuinely unanticipated and beyond the owner's control, leading to potentially unjust results.

Furthermore, depending on how the confiscated vehicles are impounded, this sentencing option could have serious financial consequences for the state. Superintendent Peter Keogh of Victoria Police, for example, noted that while New South Wales has legislation enabling them to confiscate vehicles, it is only used infrequently because police are required to seize the car, as well as paying fees to keep the car impounded.⁵⁴⁷ This need not, however, be a problem if the legislation is defined appropriately. For example, Superintendent Keogh pointed out that in New Zealand the power to confiscate vehicles has been outsourced commercially. It is up to the commercial operators to recoup any costs incurred from the owner of the confiscated vehicle.⁵⁴⁸

Some of these concerns could be overcome by the use of orders prohibiting people from driving particular vehicles for a specified time, but not actually confiscating the vehicle (a 'vehicle driving prohibition order'). Such orders would, for example, alleviate concerns about the impact confiscation may have on other members of the family, who would still be able to drive the relevant vehicle – only the convicted offender would be prohibited from driving that vehicle. However, like licence suspension, people may continue to drive prohibited vehicles despite the existence of such an order, undermining its effectiveness to some extent.

In view of the potential problems associated with the use of orders requiring the forfeiture and/or confiscation of vehicles, the Committee does not believe

544 For a more detailed discussion of the advantages and disadvantages of vehicle confiscation and forfeiture, see Jarred 2002.

545 Sergeant Ron Dorrrough, Senior Traffic Adviser, Traffic Policy Section, Traffic Services Branch, New South Wales Police, in conversation with the Committee, Sydney, 16 June 2004.

546 Mr David Healy, General Manager Road Safety, Transport Accident Commission, Evidence given at the Public Hearing of the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 22 June 2004.

547 Superintendent Peter Keogh, Traffic Support Division, Victoria Police, Evidence given at the Public Hearing of the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 19 August 2004.

548 *ibid.*

it should make a specific recommendation concerning their use at this time. Instead, the Committee believes that further research is required into the many social, legal and practical issues that would arise if vehicle forfeiture and/or confiscation orders were used in connection with Road Violence-related offences, and that such research should be undertaken by the Sentencing Advisory Council.

Recommendation:

- 63 The Committee recommends that the Victorian Government, when asking the Sentencing Advisory Council to undertake a review of sentencing that occurs in Victoria in cases involving Road Violence-related offences (see Recommendation 59), also ask the Council to investigate the question of whether the courts should be empowered to confiscate and/or forfeit vehicles used by offenders in connection with Road Violence-related offences, and also whether vehicle driving prohibition orders might be appropriate in such cases.

22. Treatment Orders

Introduction

Having considered some of the specific sentencing options that could be used to respond to offenders convicted of offences involving Road Violence, this chapter examines various related issues concerning the ways in which identified perpetrators of Road Violence can be dealt with following, or as an alternative to, court proceedings. The Committee believes this to be an area in which some of the most beneficial results and effective solutions to Road Violence are located, as perpetrators, once identified, need to be dealt with in constructive ways which are likely to result in a change of attitude and behaviour. Less-targeted measures, such as general educational campaigns for motorists, although potentially useful, cannot deal with problematic behaviours in a thorough and intensive manner.

This chapter therefore examines the various opportunities that arise for perpetrators of Road Violence to be offered either compulsory or voluntary programmes that seek to address their violent behaviour. Some may be directed by the courts as part of conditional sentencing orders, others may be offered by correctional agencies either with or outside correctional institutions, while others may be made available as voluntary programmes for identified individuals who demonstrate problematic conduct and are likely to break the law. By responding to known perpetrators and seeking to prevent the continuance of their violent conduct, the Committee believes that a high proportion of instances of Road Violence could be prevented.

There have been a variety of programmes devised to address the problem of Road Violence and its perpetrators both within and outside Australia. Many of these are based on psychological and behaviourally-based interventions such as cognitive behavioural therapy (CBT). This chapter outlines a selection of these programmes and reviews the research on their effectiveness, where evaluations have been undertaken. The concluding section of this chapter discusses why and how offender programmes should be adopted in Victoria.

At the outset, however, it is important to consider who should undertake the initial identification of problems and the need for treatment. The Committee then examines by whom treatment programmes should be provided, and

whether they should be taken voluntarily by interested individuals or whether they should be mandatory in nature following a court disposition.

Screening and assessment

During its Inquiry, the Committee heard of the difficulties that arise in identifying individuals who might be in need of treatment for their anger and violence-related behaviour. This problem, of course, is not restricted to Road Violence but applies to other kinds of violence and aggression.

Given the many different causes underlying the commission of acts of Road Violence, it is very important that any or each contributory element be correctly identified, as each will require a different treatment strategy. For example, where the incidence of Road Violence is found to be caused by mental illness, medication or ongoing therapy may be required (Kowalski 1998). In other cases, resisting violent impulses or reactions may be more difficult for people who have been victims of abuse and may have learnt to deal with anger through explosions of rage. This can be helped with professional guidance or targeted programmes (Kowalski 1998).

The overall treatment plan suggested for Road Violence offenders should vary according to the type of person involved. The treatment approaches adopted could include an analysis of the behaviour and incident, review of any contributory contextual matters, assessment of factors such as personality/frequency and duration of anger, whether any mental health issues (such as depression) need to be addressed and whether any substance use or abuse issues are involved.

In evidence given to the Committee it was suggested that it would be useful to have courts refer people convicted of Road Violence-related offences to the Victorian Institute of Forensic Mental Health, known as Forensicare, for assessment about appropriate dispositions. This currently occurs in relation to stalking.⁵⁴⁹ Mr Michael Burt, Chief Executive Officer of Forensicare, believes that this would enable trained professionals to assess perpetrators to determine whether the act of Road Violence arose due to anger management issues, mental health problems, or substance abuse or other issues, and to determine the appropriate form of treatment. He recommended that:

Specialist assessment and treatment services be established as a secondary prevention strategy for offenders involved in violent incidents associated with motor vehicles. Participation in this service could be a component of sentencing. Consideration may necessarily need to be given to some form of coercion for participation – e.g. return of licence contingent on attendance at treatment. In working with offenders convicted of “road rage” offences, we

549 Submission from Mr Michael Burt, Chief Executive Officer, Victorian Institute of Forensic Mental Health (Forensicare), to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 8 April 2004.

propose that a similar model be used to that adopted in our work with stalkers. This includes growing clinical understanding of “road rage” behaviour through client contact, developing hypotheses about the behaviour and testing them, and then developing “new knowledge,” including typologies that assist everyone in understanding and making some sense of the behaviour – from legislators to police, to clinicians, to the offenders themselves.⁵⁵⁰

Dr Carroll, Assistant Clinical Director, Forensicare, commented further upon the need for the development of a type of ‘triage’ identification system for the treatment of Road Violence offenders. He identified the problem of treating offenders without some ‘meaningful typology’ in place to assist the clinician to formulate the optimal method of treatment. Compared to the highly developed system of pre-sentence reports for other offender behaviours, Road Violence perpetrators were left without this basic mechanism in place to assist in placing their behaviour within the correct psychological and correctional framework.

I think the first thing to make clear is that our state of knowledge is not developed enough for us to be able to make that sort of triage decision. The first step would be some sort of assessment of all road rage offenders, so that you could look at the broad sweep of what is going on with them and try to develop some sort of meaningful typology which might have treatment implications – for example, the difference between those who are chronically aroused and angry and those who are a more episodic phenomenon, just occurring when they are behind the wheel. That is the first thing. We are not yet at a stage where that sort of triage decision could be made other than by, essentially, good clinical guesswork, which is not optimal.

The second point to make is that, whilst there are obviously resource issues here, there is already in place a mechanism for teasing out disposition options for offenders who have been convicted. At the Magistrates’ Court level, at least, we have a thriving service in writing pre-sentence reports for magistrates. A large part of what the magistrates want is ideas about disposition. We already make those sorts of assessments with respect to other categories of offenders. We will have some off who need specialist treatment, either with ourselves or with other services, whereas with others we will say that the normal sort of correctional treatment approaches will be adequate...

It is not a mandatory thing. It is at the discretion of the magistrate, but the awareness of psychological issues amongst the magistrates has certainly increased in recent years and a lot of the Magistrates Courts have Forensicare court liaison officers on hand who they can consult. We only accept referrals from magistrates. We cannot accept them from solicitors, so we do not do legal aid work or anything like that. Where there is any hint of underlying psychological issues – and in road rage incidents there quite often is – magistrates will seek a report from either a psychologist or a psychiatrist from

550 *ibid.*

our service, and that applies whether they are on bail in the community or whether they have been remanded to prison.⁵⁵¹

Mr Michael Burt endorsed these comments in the following terms:

You would want to ensure that there was a level of sensitivity and awareness, particularly at the Magistrate's Court level and that, with behaviour that involved anger and motor cars, magistrates were alert to the fact that an assessment would be a useful thing to do, because the more cases we can look at the more we can develop knowledge about this which can inform policy. It will not happen automatically. It has started to occur, but our capacity to do it is small and not specifically funded for research. We would certainly be interested in doing it and we certainly have the capability and skills to do it.⁵⁵²

It has been argued that the implementation of such a system would also assist in the identification of those with high likelihood of recidivism, who are in need of proper psychiatric treatment, and who would not be helped by anger management or CBT.

The Committee was made aware of the need for early identification of individuals in need of anger management and other therapeutic responses. Wiesenthal, Hennessy and Gibson (2000), for example, suggest using the *Driving Vengeance Questionnaire* to measure the attitudes of drivers who are problem drivers, characterised by a given number of demerit points. An indication of their aggressive reactions could be helpful in evaluating if they are in need of counselling or some sort of intervention to deter further infractions. Merely making them aware of their deviant attitude toward driving and the consequences that could follow may be sufficient to make some of them think twice before acting aggressively. Wiesenthal, Hennessy and Gibson (2000) suggest that when such drivers are identified, anger management techniques could be useful to diminish their threat to other drivers. Similarly, Fong, Frost and Stansfeld (2001) argue that doctors need to be aware that Road Violence may be part of a broader psychiatric problem, and that there may be a need to provide psychologically based interventions – such as anger management techniques – for those repeatedly involved in Road Violence incidents.

551 Dr Andrew Carroll, Assistant Clinical Director, Victorian Institute of Forensic Mental Health (Forensicare), Evidence given at the Public Hearing of the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 22 June 2004.

552 Mr Michael Burt, Chief Executive Officer, Victorian Institute of Forensic Mental Health (Forensicare), Evidence given at the Public Hearing of the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 22 June 2004.

Mandatory or voluntary programmes?

As long ago as 1995 it was suggested by the then Minister of Transport in the United Kingdom, Steven Norris, that drivers who are prosecuted for assault as a result of Road Violence should undergo mandatory psychiatric rehabilitation sessions (Brennan 1995). In April 1995, Cheryl Gillan MP took up the proposal with the support of the Royal Automobile Club (RAC). The idea of mandatory rehabilitation to address Road Violence was seen to be analogous to drink driving rehabilitation programmes in which the driver's licence would be returned only after providing evidence of having undergone treatment. At the time of this suggestion, anger management courses (without being mandatory) had been conducted in the United Kingdom for over 10 years. For example, in 1995 Brennan wrote that the Centre for Aggression Management at Ashworth Hospital, Liverpool, had :

harnessed much of the expertise gained from managing aggressive and violent people to produce a rehabilitative course. This aims to teach anger management and, by using counselling and role play, develop new skills which can help the angry driver to deal with future incidents more appropriately and demonstrate consideration for other road users (Brennan 1995, p.21).

Making attendance at such courses mandatory was thought by the RAC to offer violent motorists a way of controlling their aggressive tendencies and stress-overload when driving. If convicted, motorists who voluntarily agreed to attend the course, which would include an extended driving test, would have their sentences reduced (Brennan 1995).

The requirement to undertake mandatory treatment and rehabilitation, however, raises the question of whether individuals who are compelled to participate will really benefit from the programmes. From an ethical viewpoint, the question also arises whether anyone can truly provide informed consent where the alternative is an extended sentence.

Psychologists James and Nahl (2000b) believe that driver management programmes need to be voluntary to be effective. They argue that if a driver is coerced, treatment is less likely to be effective. Because they believe the aim of any behavioural modification course is to empower people to overcome their internal resistance to changing their driving habits, compelling them into treatment will not achieve the desired effect. Rather, modification is undertaken by focussing on the driver's very resistance to change and providing drivers with socio-cultural methods for overcoming it (James & Nahl 2000b).

For James and Nahl (2000b), the primary aim of psychological interventions such as CBT is to teach drivers how better to manage risk and regulate their own behaviour through *self-awareness*. Training is required to enable individuals to appreciate their inaccurate risk assessments, biased and self-

serving explanations of driving incidents, lack of emotional intelligence as drivers, and low or under-developed levels of moral involvement (dissociation and egotism) (James & Nahl 2000b). Such self-awareness is, it is suggested, less likely to be achieved if the perpetrator is coerced into making the change.

While both the approaches outlined above would seem to have credence, there are too few evaluations of both voluntary and mandatory based programmes to determine with any certainty which models are more effective in reducing Road Violence.

Despite the inconclusiveness of the evidence supporting the mandatory nature of treatment programmes, the Committee received numerous submissions calling for the courts to be provided with the power to mandate attendance at courses in appropriate cases. For example Mr Michael Burt recommended that:

specialist assessment and treatment services be established as a secondary prevention strategy for offenders involved in violent incidents associated with motor vehicles. Participation in this service could be a component of sentencing. Consideration may necessarily need to be given to some form of coercion for participation – e.g. return of license contingent on attendance at treatment.⁵⁵³

Mr Colin Jordan, Managing Director and CEO of the RACV, considered that anger management and other behavioural programmes may have a place in dealing with Road Violence offenders:

How the courts treat people who are convicted of violent acts may also be an important consideration. While many education-based offender programs for drivers who have been charged with traffic offences have not been overly effective (Harrison 2004), this may not be the case with referrals to anger management programs. Efficacious treatments such as cognitive behavioural therapy should be incorporated in anger management treatment programs for court referred offenders, as they have been proven to reduce anger and aggression whilst driving (Deffenbacher 2000, Sharkin 2004)... The RACV recommends that the Department of Justice should investigate the effectiveness of diversion programs that direct road rage offenders to anger management programs. If effective, these programs should be promoted to magistrates and actively encouraged.⁵⁵⁴

Mr Wayne Warburton, Doctoral Student, Department of Psychology, Macquarie University, thought that CBT would have a high chance of success and recommended using it to change people's behaviour.⁵⁵⁵ Similarly, Ms Alison Cran, Director, Community and Cultural Studies, Shire of Yarra Ranges,

553 Submission from Mr Michael Burt, Chief Executive Officer, Victorian Institute of Forensic Mental Health (Forensicare), to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 8 April 2004.

554 Submission from Mr Colin Jordan, Managing Director and CEO, RACV, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 18 June 2004.

555 Mr Wayne Warburton, Doctoral Student, Department of Psychology, Macquarie University, in conversation with the Committee, Sydney, 17 June 2004.

generally agreed and recommended mandated anger management where applicable and certainly after the first offence. In the case of second and third time-offenders, however, she thought that consideration needs to be given to other courses or strategies.⁵⁵⁶

The Committee acknowledges that programmes may not be appropriate in all cases and that attendance should not be mandatory for all relevant offences. Instead, the Committee believes that the use of treatment orders should be left to the court's discretion. In exercising its discretion, the court should also be given the power to require those who attend to pay for the course where appropriate in lieu of (or as well as) fines, such as exists in the WAVVE Programme in Queensland (see below). Licence restoration could also be made contingent upon attendance and programmes could be made available to members of the public who wish to attend (for a fee), such as professional drivers. Attendance at such programmes could either be an alternative to other sentences or in addition to them. Generally, the Committee believes that courts should retain their discretion to determine which sentence is appropriate in the circumstances, including conditional orders that require offenders to attend treatment programmes. Crime Prevention Victoria noted in its submission to the Committee that magistrates are currently able to include anger management courses and licence cancellation/suspension as part of sentencing dispositions. It is therefore unnecessary to require that this be specified as a penalty for Road Violence offences.⁵⁵⁷

Treatment programmes currently available

Having considered the question of if and when the courts should require offenders to attend treatment programmes to deal with Road Violence-related problems, the next section reviews the types of programmes that have been developed in Australia and overseas. Before doing so, however, it is important to consider some of the basic principles that underlie the treatment programmes, particularly CBT.

Principles underlying cognitive behavioural therapy (CBT)

Therapeutic programmes based on CBT principles believe that the connecting thread in all violent incidents associated with motor vehicles is anger. Successful treatment strategies are therefore likely to include anger management and focus on the need to change behaviour. The CBT approach to anger management includes considering the underlying beliefs and feelings that come from the identified form of behaviour, teaching arousal reduction

556 Submission from Ms Alison Cran, Director, Community and Cultural Studies, Shire of Yarra Ranges, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 22 June 2004.

557 Submission from Crime Prevention Victoria, Department of Justice, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 6 July 2004.

techniques to reduce anger, teaching cognitive aspects behind anger, and identifying any cognitive dysfunction – that is, any ‘false’ thoughts and perceptions behind underlying anger. For example, ‘false’ beliefs may include the belief that the person who has cut the offender off, or made some other driving mistake disadvantageous to the offender, has done so deliberately.⁵⁵⁸

CBT, unlike other therapies, views anger as a normal emotional response to conflicts, but regards it as up to the individual as to how they respond to this emotional stimulus. CBT believes it is possible to learn the triggers that provoke anger, to learn to recognise one’s individual bodily reactions to anger, how to handle anger once provoked, and that it is possible for the patient to learn to handle their anger (Kowalski 1998).

Drawing from CBT principles, Mizell (1997) recommends that drivers adjust their attitude, so as to give other drivers the benefit of the doubt:

Assume that other drivers’ mistakes are not intentional and are not personal. Be polite and courteous, even if the other driver isn’t; it’s better to err on the side of caution. Before reacting to another driver’s mistake, ask yourself, “How many times have I made the same mistake?” Before initiating or responding violently to a traffic situation, ask yourself, “Is it worth being paralyzed or killed? Is it worth the time and money for a lawsuit? Is it worth a jail sentence?” Remember, split-second impulsive actions can ruin the rest of your life (Mizell 1997, pp.14–15).

Lowenstein (1997) similarly recommends the use of the following therapeutic strategies in dealing with angry drivers. Initially, one should be aware of the problem and want to be cured by developing an attitude where one feels a desire to change one’s attitude. A variety of techniques can be used to facilitate this including relaxation skills, physical exercise which has a calming effect; anger control training such as aggression replacement training and identification of triggers that provoke anger. Other techniques to achieve relaxation include being able to identify clues, such as clenched fists; use of reminders, such as self-statements ‘calm down’, ‘relax’; and use of anger reducers (deep breathing, counting backwards, imagining a peaceful scene, thinking about long-term consequences of anger). Also suggested is rewarding oneself – be self-congratulatory; the use of systematic desensitisation – from least to most problem-provoking situations; to develop habit breaking – practise habits that are incompatible with being angry or fearful, such as listening to jokes or concentrating on a highly erotic event; and various self-monitoring methods, including social skill training and self-control training.

558 Dr Soames Job, General Manager, Road Safety Strategy, Road Traffic Authority of New South Wales, in conversation with the Committee, Sydney, 17 June 2004.

Forensicare problem behaviour clinic (Victoria)

There are a number of anger management and behavioural change programmes already operating in Victoria, although these have not been developed specifically with Road Violence offenders in mind.⁵⁵⁹ Forensicare, for example, currently provides specialist treatment services to offenders through the Problem Behaviour Clinic. This clinic was established in 2002 to provide a mental health assessment and possibly treatment for people with a range of problem behaviours that are, or might become, associated with offending. This includes people convicted of offences involving episodes of violence and/or rage. The clinic focuses particularly on those for whom services are not available elsewhere.⁵⁶⁰

As a specialist agency providing forensic mental health treatment and advice to referring agencies, Forensicare is able to offer assistance to Road Violence offenders if the person involved is a serial offender; has a high profile in the community; has a co-existing mental health problem, personality disorder, substance use disorder, and/or intellectual disability; is not suitable for group work and requires one-to-one treatment; or requires a more detailed assessment and a level of individualised treatment that is not available in existing services.⁵⁶¹

A representative from Forensicare suggested in evidence to the Committee that the appropriate means of addressing Road Violence in the therapeutic setting could be very similar to addressing the problems of sexual offenders.⁵⁶² With sexual offenders, correctly assessing the needs of the offender prior to deciding which 'treatment avenue' to take is a key factor in the delivery of effective care. For example, according to Dr Carroll the question as to whether the offender will respond best to group therapy or whether more specialised and individualised care is required is a question best settled prior to the commencement of therapy. Unfortunately, due to the relative dearth of literature on clinical research in this area, this type of intensive prior assessment was, in the main, not being practised at present. Dr Carroll observed:

559 Mr Paul Coghlan, Director of Public Prosecutions, Evidence given at the Public Hearing of the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 19 August 2004; Submission from Ms Colleen Pearce, Director, Victims Support Agency, Department of Justice, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 7 April 2004; Submission from Ms Michele Wright, Family Violence Project Worker, Inner South Community Health Service, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 18 June 2004.

560 Submission from Mr Michael Burt, Chief Executive Officer, Victorian Institute of Forensic Mental Health (Forensicare), to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 8 April 2004.

561 *ibid.*

562 Dr Andrew Carroll, Assistant Clinical Director, Victorian Institute of Forensic Mental Health (Forensicare), Evidence given at the Public Hearing of the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 22 June 2004.

One of the things we have learnt, both from the stalking work and from sexual offender work we have been doing at the clinic, is that the group approach might work for some offenders – perhaps even the majority – but it is very likely that there is a significant number of offenders who do not respond to that approach, whose needs are quite different. Those offenders may very well be people who are more likely to reoffend and who are perhaps more likely to escalate to violence. Although their total number might not be huge, their impact on the totality of crimes committed might be disproportionate. For example, they might be people with excessive impulsivity or excessive antisocial personality traits; over-controlled hostility might be another personality issue... I think the lessons from the sex offender work would suggest that it is possible to assess people thoroughly before deciding on which treatment avenue to go down. With some, it is very clear that putting them in a group is setting them up to fail. It is not going to be very fruitful and they need more individualised – what we call formulation based – treatment which homes in on their specific needs and addresses those in a more one to one format. At this stage, that is really quite speculative. Another example of somebody who might not work in a group format is somebody whose road rage offending is secondary to an undiagnosed mental disorder. I have one or two clients at the clinic who have a sort of atypical depressive disorder, which has not quite come to clinical attention in the normal way, which accounts for their chronic sense of anger and their episodic anger when they are in a driving situation. My hunch would be that, of the totality of road rage offenders, there is a small but significant number who have a mental illness which is not being properly treated – either a depressive disorder or perhaps a delusional disorder – and, again, there might be a number whose personality characteristics are such that they really need more specialised and individualised care than a group format could cater to. At this stage, all of that is speculative. We do not have the research base to make any firm pronouncements on that, but we are extrapolating from what we have learnt from the stalkers and the sex offenders that we have been treating for a decade or so.⁵⁶³

The Warning Against Vehicle Violence Education (WAVVE) Programme (Queensland)

In June 2004, the Committee visited Queensland during the course of this Inquiry and attended the Warning Against Vehicle Violence Education (WAVVE) Programme. This is a programme designed primarily for perpetrators of Road Violence, Road Hostility or Selfish Driving-related offences, to help them address the causes and try to prevent it from reoccurring. Similar to the Belgian programmes discussed below, this programme is based on a combination of the principles of CBT and anger management. CBT is based on the idea that Road Violence is often seen as a justified response to a perceived

563 *ibid.*

injustice. It aims to show that these are irrational beliefs and seeks to modify drivers' understandings of other drivers' behaviour.

The WAVVE Programme was developed by the Brisbane YMCA (Youth Services) in partnership with the Brisbane Metropolitan North Region Police Service. The programme was specifically developed in response to the heightened incidence of Road Violence and antisocial driving behaviour on Australian roads.⁵⁶⁴

The WAVVE programme is a safety awareness programme designed to educate road users on how to avoid aggressive driving behaviour. The programme is built around a three-hour interactive workshop using CBT techniques and is conducted by trained psychologists. The Programme is not aimed solely at those predisposed to Road Violence. It is:

...designed to educate all road users as a means to eliminate, or at the very least manage, the triggers that lead to aggressive behaviour on the road. By implementing the strategies taught in the WAVVE program, drivers are not only less likely to become aggressive themselves, but they are also less likely to create situations that incite aggressive tendencies in others.⁵⁶⁵

The programme's clientele may be offenders referred by magistrates, or employees and/or other staff from companies involved with driving (couriers, taxi or bus drivers etc).⁵⁶⁶ The programme seeks to address the misconceptions that underlie many acts of Road Violence, such as the belief that driving is a competitive activity and that the actions of other road users are intentionally hostile. The idea is that by making people aware of these misconceptions, some incidents of Road Violence may be prevented. WAVVE aims to show the programmes attendees that it is not the situation that causes anger, it is the thoughts held about that situation that are the problem. For example, where Road Violence is concerned, the perpetrator may 'believe there is a need to teach people a lesson for being inconsiderate or disrespectful'.⁵⁶⁷ The programme aims to show drivers that there are cognitive and behavioural methods that can be learned and utilised to avoid being caught in a 'trigger-reaction cycle' and in consequence to avoid incidents of Road Violence. For example, drivers are encouraged to focus on consequences, on early signs of getting angry (eg. muscle clenching) and on ways of replacing negative

564 Ms Michelle Venables, Warning Against Vehicle Violence Education (WAVVE) Programme, in conversation with the Victorian Drugs and Crime Prevention Committee, Brisbane, 15 June 2004.

565 *ibid.*

566 Mr Ross Melville, Warning Against Vehicle Violence Education (WAVVE) Programme, in conversation with the Committee, Brisbane, 15 June 2004.

567 Presentation to the Drugs and Crime Prevention Committee submitted by Ms Michelle Venables, Warning Against Vehicle Violence Education (WAVVE) Program, in conversation with the Committee, Brisbane, 15 June 2004.

thoughts with positive thoughts. It also promotes some behavioural tips, such as taking deep breaths, and counting to 10.⁵⁶⁸

This approach was reinforced by Dr David Indermaur, Senior Research Fellow, Crime Research Centre, University of Western Australia, who observed:

The one thing I would say if you wanted to focus on road rage rather than other forms of crashes and driving road behaviour is the ambiguity in the rules. Often we find road rage aggressors think they have become the enforcers of some sort of unwritten rule of the road, that you must cut into traffic at this point, or you must continue flowing or you cannot stop there, or you need to indicate there, or you cannot go over on the outside lane – all these rules that oftentimes young males interpret in very close form. If they find an offender – that is, a person who is slow on the outside lane – they will seek to enforce the unwritten rule of the road in their own fashion.⁵⁶⁹

While the WAVVE programme and other programmes that use CBT to address Road Violence have not been formally evaluated, anecdotal evidence suggests that they are effective in reducing problematic behaviours.⁵⁷⁰ WAVVE, for example, has had between approximately 200 and 300 people complete the course over the past three years. Of these, between 50 and 60 have been offenders. Offenders and non-offenders are dealt with in the same group and during this time no offenders have reoffended.⁵⁷¹ Ms Colleen Pearce, Director of the Victims Support Agency, Department of Justice, commented that there was anecdotal evidence suggesting the Queensland WAVVE programme has been effective.⁵⁷²

Project 'Alternative Punishment' (Belgium)

In Belgium in July 2004 the Committee met with representatives of the Belgian Road Safety Institute to discuss Road Violence issues. Mr Ludo Kluppels, Policy Coordinator with the Institute described an innovative programme called Project Alternative Punishment, a course for convicted 'road rage' offenders. Mr Kluppels noted that the aim of the programme was to teach people to take responsibility for their behaviour (because most people often don't believe it is their fault), to learn to identify their own signs of stress, and to develop ways in which to modify their responses.

568 Ms Michelle Venables, Warning Against Vehicle Violence Education (WAVVE) Programme, in conversation with the Victorian Drugs and Crime Prevention Committee, Brisbane, 15 June 2004.

569 Dr David Indermaur, Senior Research Fellow, Crime Research Centre, University of Western Australia, in conversation with the Drugs and Crime Prevention Committee, 21 June 2004.

570 Mr Ross Melville, Warning Against Vehicle Violence Education (WAVVE) Programme, in conversation with the Committee, Brisbane, 15 June 2004.

571 Ms Michelle Venables, Warning Against Vehicle Violence Education (WAVVE) Programme, in conversation with the Committee, Brisbane, 15 June 2004

572 Submission from Ms Colleen Pearce, Director, Victims Support Agency, Department of Justice, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 7 April 2004.

The programme can be offered by prosecutors instead of going to court, but can also be offered by a judge instead of alternative punishments. The course lasts 20 hours and is held all day on a Saturday and then for four evenings over two weeks. The general objective is to prevent recidivism of aggressive behaviour in traffic, regarding 'assault and battery' but also regarding other forms of aggressive behaviour like gestures, verbal remarks, and aggressive driving (such as tailgating and deliberately obstructing). On a practical level this means:

- to make the offender aware of his behaviour in the sense that he recognises the physical and emotional damage from his behaviour (I'm responsible for my actions);
- to make the offender aware of all the stimuli that interfere in the developmental process of his aggressive conduct;
- to teach the offender alternative behaviour to cope with stress and frustration in traffic; and
- to modify his attitude with respect to traffic safety (I'm more aware of other people in traffic and I will be a more social driver).⁵⁷³

Mr Kluppels stressed to the Committee that this is not a 'therapy' course as such and that not all of the objectives of the programme are attained after the five sessions:

[I]n fact, we slightly touch each objective. It is considered as an initiation, a beginning, and a first step in the process to modify traffic behaviour. We encourage the participants to take more responsibility for their own behaviour and to change risky behaviour. We show them alternatives and directions to do so.⁵⁷⁴

The results from the programme to date are encouraging, with the most important experience during the course being to hear and realise that other people think differently about things, about the offence itself and about traffic in general, and also to talk about problems and discuss with each other how to look for solutions rather than receive a warning or a 'lesson' from the 'teacher'. Some participants have indicated that they get a better understanding of their own behaviour, and that they have learned more ways of coping with frustration and stress in traffic, as well as how to put things into perspective.⁵⁷⁵

The Belgian experience is thought to demonstrate that the offender can undergo a 'progressive evolution' in accepting responsibility. In general, it is thought several phases of 'responsibility recognition' may be distinguished as the offender progresses through treatment:

573 Mr Ludo Kluppels, Policy Coordinator, Belgian Road Safety Institute, in conversation with the Committee, Brussels, 7 July 2004, and see also 'Road Rage in Belgium: an overview of facts and actions', submitted to the Committee by Mr Ludo Kluppels, Policy Coordinator, Belgian Road Safety Institute, in conversation with the Committee, Brussels, 7 July 2004.

574 Mr Ludo Kluppels, Policy Coordinator, Belgian Road Safety Institute, in conversation with the Committee, Brussels, 7 July 2004.

575 *ibid.*

1. I have done nothing wrong
2. The things that I did are not so bad
3. I understand that I did something wrong, but it is normal...
4. I don't want to do it again... I will avoid certain situations
5. I will change my behaviour.⁵⁷⁶

Commenting on the Belgian programme at a conference on aggressive driving in Canada, it was stated that the importance of changing the offender's initial feelings lay in the fact that one can only modify one's behaviour if one takes responsibility for it:

For most of them [offenders] it is really a discovery to see that there are a lot of aspects that determine the offence. In the beginning of the course they have only a clear view on the last step: the fight, the direct cause. A more difficult step is to make them understand that they carry their responsibility in all these little steps. The most important question is: at which point prevention would have been possible. In other words: when could the actor have made another choice, taken a different direction to interrupt the obvious development to the offence (Felix et al. 2000, p.4).

Felix et al. noted that this type of course can only be a first step in addressing Road Violence behaviours:

The course is a first step, not a whole therapy. Twenty hours is not enough to really change or learn new behaviour. We can only reach a hand out, put everything into the right perspective and provide experiences and ideas to think about. We must look for a better selection, or more practical criteria to eliminate certain participants from the course. For example, people with severe aggression problems cannot be helped with our course, and in that case a more therapeutic intervention is needed... We must develop many more exercises so that we can make a good choice based on the problems and attitudes of the participants (Felix et al. 2000, p.6).

Harborview Anger Management Programme (Washington)

In the United States, the Harborview Anger Management Programme at the University of Washington School of Medicine has a 'road rage' programme that approaches 'road rage' from a public health perspective. It acknowledges there are multiple causes of 'road rage' and recognises that the offender is unlikely to be self-referred to the programme (due to limited self-awareness and a tendency to see the other party as the problem). As a result, offenders most commonly need to be referred to the programme by a judge, lawyer or other family member or referral source (Maiuro 1998). For example, employers of professional drivers such as commercial bus, truck and taxi drivers, can and do refer their drivers to the programme (Maiuro 1998).

576 *ibid.*

The programme as a whole stresses a 'public health' approach in which 'road rage' is amenable to intervention and prevention. In the Harborview programme, each individual's profile is determined by diagnostic interviews, a review of incident reports, and a battery of tests that evaluate driving-specific anger and general reactivity, general personality and emotional regulation, life events and ways of coping. Assessment results are discussed with the client and an individualised intervention plan is developed. Techniques are employed to modify attitudes and perceptual styles (eg. personalising the actions of other drivers or using dehumanising terms for them) that increase the risk of 'road rage'. Clients are also helped to desensitise and to improve their regulation of mood and arousal, and to develop healthier coping strategies and safer driving practices. The programme supplements clinic exercises with actual driving tests that help drivers transfer behavioural changes to real-world conditions (Maiuro 1998).

Attitudinal Dynamics Of Driving To Address Aggressive Driving (National Safety Council, United States)

The Attitudinal Dynamics Of Driving To Address Aggressive Driving programme is another United States programme and is conducted by the National Safety Council (Johnson 1997). This programme is based upon 'utilitarian rational calculus' principles, in which the driver is encouraged to choose how to behave according to the 'positive or negative payback' that is the consequence of their actions. The course is explained as being based on reality therapy and choice theory. The idea is that everyone is responsible for his or her own behaviour. The positive payback for aggressive driving can be the thrill of being first, speed, or the power of making someone do something. The negative payback includes a ticket, licence suspension, injury or death (Johnson 1997, p.11).

The Course advances the theory that, most typically, 'aggressive drivers will continue their behaviour until it becomes painful enough that they stop'. To encourage drivers to make the decision to stop, the course draws attention to the possible costs of continuing such aggressive behaviour, for example court costs and licence suspension (Johnson 1997, p.11).

The course is used for drivers facing licence suspension in Massachusetts, Missouri, New Hampshire and other locations. A 1994 Massachusetts study of its effectiveness found that crashes and violations dropped at least 70 per cent after drivers took the course (Johnson 1997). It is believed that successful completion of the course requires the realisation 'that people can control their behaviour if they try. In fact, one of the final requirements of the course is to develop a plan to avoid future aggressive driving behaviour' (Johnson 1997, p.11).

Saratoga County Programme (New York)

In Saratoga County, New York, some aggressive drivers are sent to a four-week educational programme at a state university, which includes a full

psychological assessment, sessions on calming techniques and other ways to avoid 'road rage'. The course may be taken as a form of alternative sentencing. This approach was seen by the county prosecutor to be necessary because deterrence mechanisms such as convictions and fines were shown as ineffective in causing the desired behaviour modification. It was thought necessary 'to educate drivers on how to deal with stressful driving situations' (Blomquist 2001, pp.32–3).

Arnold Nerenberg

A different approach is taken by psychologist Arnold Nerenberg. Nerenberg, who styles himself as 'America's Road-Rage Therapist', prefers holding personal sessions with 'road ragers' in which he accompanies them in their car and, in a unique and confrontational style of treatment, throws screaming fits to demonstrate how crazed and unattractive they appear (Fumento 1998). In giving evidence to the United States Subcommittee on Surface Transportation of the Committee on Transportation and Infrastructure (1997) he commented that this demonstrates to the driver/offender how absurd their behaviour is and forces them to acknowledge the ridiculousness of their anger:

As a therapist, I use visualization exercises to help people visualize non-aggressive, non-hostile reactions. I encourage people to leave early for their destination, to remember their own errors so they can be more tolerant of other people's... We talk about remembering their own errors, having compassion for others, and ultimately what we want to do is to reduce road rage to road annoyance. Road rage is a disorder; road annoyance is when a person has negative thoughts and muttering to themselves, but it's not communicated to the other driver. I also use road rage therapy in the car where, when it's safe to do so, I have the person scream out, and they see their own heart starting to pound more rapidly, and they realize, also, this is really silly. That's actually part of a paradoxical intention (United States Subcommittee on Surface Transportation 1997, p.101).

James and Nahl

James and Nahl are also psychologists involved in addressing interventions to reduce Road Violence. They have developed the field of 'driving psychology' to address the problem of 'emotionally impaired driving'.⁵⁷⁷ Their theory of driving psychology is adapted from several disciplines:

social psychology (e.g., schemas, scripts, attribution error, territoriality, etc.), developmental psychology (e.g., stages of moral development, moral IQ, etc.), health psychology (e.g., resistance to compliance, addictive signalling, lifestyle management, anger management, etc.), applied psychology (e.g., driving behaviour, risk homeostasis, ergonomics of errors, etc.), traffic psychology (driver management, pedestrian behaviour, traffic safety education, etc.), clinical psychology (behaviour self-modification of

577 See also discussion in Chapter 18.

maladaptive habits, etc.), traffic sociology (e.g., social conventions on highways, attitudes towards laws, etc.), automotive medicine (e.g., seat belt and child restraint use, effect of cars on health, etc.), and transportation engineering (traffic calming devices, alternative transportation initiatives, etc.) (James & Nahl 2000a, p.9).

In programmes based on James and Nahl's interventions, drivers are also taught to be aware of their sensorimotor (or psychomotor) behaviour. For example, according to James and Nahl, signalling before changing lanes is

a complex psychomotor action involving eye-hand coordination, motor readiness to apply the brakes if needed, checking mirrors, twisting of neck to look over the shoulder, breathing changes, and less visible physiological reactions (James & Nahl 2000a, p.12).

Sensorimotor behaviour can be influenced by concurrent affective and cognitive behaviours, and may lead to the development of

[a]utomatized habits (unselfconscious or unaware of one's style and risk habits), errors of perception (e.g., distance, speed, initiating wrong action) [and] lapses (in attention or performance due to fatigue, sleepiness, pain, drugs, boredom, inadequate training or preparation)' (James & Nahl 2000a, pp.13–14).

James & Nahl (2000a) also use several behaviour management techniques to modify driver behaviour. For example, they assess the skills of drivers, teach principles of self-modification of behaviour, attempt to engineer new generational norms using group dynamic techniques, and make people aware of media portrayals of driving to increase their awareness of the potential harmful influence. To obtain data, they recommend having drivers talk out loud into a tape recorder while driving, to enable them to label thoughts and emotions as they occur. This is seen as preferable to retrospective reconstructions.

United States evaluative research

In the United States, a number of psychologists have undertaken rigorous evaluations of various psychological and CBT programmes designed to deal with 'road rage'.

Larson (1996), for example, evaluated a programme designed to change drivers' belief systems on the roadways. In order to accomplish this goal, Larson suggested using aids such as flash cards to remind drivers to contradict existing beliefs and alternative coping strategies, such as leaving more time for travel and listening to soft music. Larson also included an educational component about the impact of stress, aggressive driving, and anger dyscontrol.⁵⁷⁸ He reported the success of this intervention as measured by pre- and post-treatment changes on the Driver Stress Profile as being impressive (Larson 1996).

Deffenbacher Huff et al. (2000) reported a controlled trial comparing two treatments against an assessment only control group, using a self-identified,

578 Dyscontrol is a tendency for anger to become out of control.

aggressive driving college population of volunteers who received research credit for participation. Group treatment conditions consisted of pure relaxation training, compared to relaxation training combined with cognitive therapy. These were compared to the assessment only control group. The relaxation intervention consisted of training in awareness of anger and the use of relaxation techniques for calming purposes. Relaxation training included progressive muscle relaxation and four relaxation coping skills.

These techniques were used in a systematic desensitisation manner, such that the relaxation skills were paired with imaginal exposure to angering driving situations. The second condition added to this relaxation training was the element of cognitive therapy, such that faulty assumptions and distorted thoughts (specifically catastrophisation, overgeneralisation, black/white thinking, labelling, and personalisation) about driving were identified and challenged. Both groups met for an hour once a week for a period of eight weeks. Participants were reassessed at post-treatment and again at a four-week follow-up point.

Results indicated improvement for both the experimental conditions over the control condition. However, there was very little differential effect between the two active treatment conditions. Specifically, the pure relaxation condition improved more on the Driving Anger Scale (DAS) while the CBT condition group indicated more improvement on the driving diaries. Neither condition indicated improvement on general trait anger as shown on the State-Trait Anger Expression Inventory (STAXI) (Galovski & Blanchard 2004).

Galovski and Blanchard (2002) also examined the efficacy of cognitive-behavioural anger management treatment packages on both court-mandated and self-identified aggressive drivers. Ten participants recruited through advertising were the self-referred group (SR) and 20 were court-referred as a result of an aggressive driving-related conviction (CR). Two SR subjects dropped out, and one failed to return the questionnaire after treatment. Half the people were randomly assigned to treatment, while the other half were subject to a six-week symptom monitoring control condition (SM), after which they were then treated. Each participant had to acknowledge at least one aggressive driving behaviour (from a list provided) on three out of seven days.

Treatment consisted of four, 90-minute weekly group sessions, with two-five people in each group. The CBT consisted of progressive muscle relaxation strategies, coping skills, education about the impact of aggressive driving and cognitive strategies.

Session 1 included education material on aggressive driving, anger and aggression. Subjects were asked to identify with Larson's (1996) driver categories. Coping strategies, as suggested by Larson, were presented and hierarchy lists of provoking driving situations were derived. The rationale for therapeutic, deep relaxation strategies in the treatment of aggressive driving

was introduced along with Progressive Muscle Relaxation. Clients received an audio-tape to guide daily practice of relaxation as homework.

Session 2 identified and addressed the antecedents, behaviours, and consequences of aggressive driving and introduced the cognitive component of treatment. The relaxation training continued and patients were instructed to continue practising relaxation on a daily basis. In Session 3, the maintaining variables of aggressive driving were identified as a group process. Relaxation by recall was reviewed and cue-controlled relaxation was introduced. Practising coping strategies on their hierarchy list items and daily relaxation practice was assigned for homework. Session 4 was primarily a review of all procedures and a wrap-up (Galovski & Blanchard 2002). Clients completed post-treatment measures, as well as a week's worth of driving diaries. They then did the same two months later.

The results were found to provide good evidence for the efficacy of CBT on aggressive driving behaviours, showing:

- daily aggressive driving behaviours reduced across the entire treated sample
- those treated on average showed a 50% improvement (while those wait-listed didn't improve at all and were still as aggressive)
- a reduced aggressive behaviour score by 64% – showing that for the self-monitoring participants it was the intervention, and not being sentenced or self-monitoring that impacts on behaviour
- self-report measures indicated significant decreases in state anxiety, trait anger, angry temperament, angry reaction, anger out, overall driving anger, anger in response to hostile gestures, illegal driving, slow driving, discourtesy, and traffic obstruction
- that the SR and CR groups showed similar reductions of daily aggressive driving behaviour
- that those aggressive drivers who did not meet the criteria for IED [intermittent explosive disorder] improved almost twice as much as those who did have IED – so aggressive drivers with IED may require a more intensive and prolonged treatment
- that there was a generalisation effect to other measures of psychological distress – state anxiety and anger (Galovski & Blanchard 2002, pp.1391–2).

Additionally, the evaluation showed that there was some evidence of maintenance of treatment gains at the two-month mark, including no driving-related recidivism for the CR sample (though two people were arrested for non-driving crimes), ongoing significant improvements from reported baseline behaviours, and no significant difference between post-treatment aggressive driving behaviour scores and follow up scores – though there was a slight trend towards loss of improvement. These results differ from Deffenbacher's study. It is noted here that Deffenbacher's study was conducted on college students, whereas the evaluation of the Galovski and Blanchard

(2002) programme was conducted on an adult community. This evaluation notes that an added benefit of anger management programmes is their ability to help prevent violence in other aspects of the perpetrator's life as well.

However, the evidence suggests that such courses will not help all people. It is also noted here that some researchers believe that 'at...high levels of rage people are often unable to think in a rational manner and are likely to dismiss mitigating information regardless' (Connell & Joint 1996, p.9). This critique undermines the very *ratio* of CBT: that is, that at all times we are thinking beings. For example, Nerenberg's mode of treatment referred to above may demonstrate that at moments of 'road rage', the offender must be made to realise the very irrational absurdity of their actions and that they are more 'out of control' rather than always in control (as CBT would argue).

The State University of New York (Albany) (SUNY) Project

At the State University of New York at Albany, Galovski and Blanchard (2004) have recently completed a study investigating the efficacy of a brief, cognitive-behavioural intervention on aggressive driving behaviours. The subjects included a community sample of both self-referred (or voluntary) aggressive drivers and drivers mandated to the programme through the court system of Saratoga County (a fairly rural, upstate New York county). In just six months, 21 defendants were referred to the programme.

This programme was seen as being methodologically stronger than previous projects. The SUNY-Albany aggressive driving research programme improved methodologically on these two earlier studies by comparing outcome results from a community sample of both CR and SR participants. This controlled trial examined the efficacy of a cognitive-behavioural group intervention compared to an aggressive driving behaviour-monitoring-only condition. The intervention was conducted in a small group format, with four sessions conducted over four weeks. Treatment components included education about the ramifications of aggressive driving and anger (highway statistics, health, mood, general well-being), motivational techniques, progressive muscle relaxation training, and discussion of alternative coping strategies (eg. focussing on interior of car rather than exterior, enjoyable music, leaving extra time), and cognitive strategies (targeting faulty assumptions, challenging distorted, maladaptive thoughts) (Galovski & Blanchard 2004).

Treatment outcome measures included a daily aggressive driving diary and a battery of paper-and-pencil measures (assessing both aggressive driving and psychological distress). In addition to specific aggressive driving behaviours, the entire treated sample (N=27) showed significant reductions on several measures of general psychological distress including state anxiety (State-Trait Anxiety Inventory), trait anger, angry temperament, angry reaction, anger directed outward. Likewise, significant reductions were seen on measures of driving anger as measured by the Driver Anger Scale (DAS) including overall driving anger and anger in response to hostile gestures, to illegal driving, to

slow driving, to discourtesy and to traffic obstruction, as well as reductions in competing behaviour as measured by the Driver Stress Profile (Galovski & Blanchard 2004, pp.121–4).

It seems therefore that these evaluation of programmes in the United States show promising results in relation to the effectiveness of cognitive behavioural approaches to reducing Road Violence.

Conclusions

Although the Committee has been unable to locate definitive Australian evaluative research concerning the effectiveness of Road Violence rehabilitation and prevention programmes in changing offending behaviour, it believes nonetheless that there is a need for the development of a comprehensive strategy to address such offending behaviours. The Committee was told that in the absence of research confirming otherwise, anger management is regarded as appropriate and the treatment strategy of choice for Road Violence problems. The success of this strategy in reducing anger and violent outbursts is well documented and supported in the literature from overseas.⁵⁷⁹

The Committee believes the establishment of a CBT anger-management course specifically to address Road Violence, Road Hostility and Selfish Driving would be of great benefit in Victoria. Arguably, such courses could be open to sentenced offenders as well as other members of the community, on a self-referral basis. There may be some concerns that the establishment of such programmes would be expensive and unjustified in light of the relatively low incidence of Road Violence and although the Committee agrees that this might be the case, these behaviours, while not greatly prevalent, are of considerable concern.

The Committee also believes that while evaluations of existing courses are limited, they appear to show that such courses are effective. The Committee therefore believes it is justified in recommending the establishment of courses to address such road user behaviour in Victoria. To implement this idea, the Committee suggests that a Working Group be established to review the available evidence and to consider how best to develop the idea.⁵⁸⁰ The idea of a Working Group is similar to the Task Force used in Washington, which includes the Washington State Patrol, the Department of Transportation, and the Department of Licensing. This Task Force was created to develop and to promote an enhanced driver education course and other integrated measures to address 'road rage' (Maiuro 1998).

579 Submission from Mr Michael Burt, Chief Executive Officer, Victorian Institute of Forensic Mental Health (Forensicare), to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 8 April 2004.

580 The concept of a Working Group was presented to the Committee in the submission from Ms Colleen Pearce, Director, Victims Support Agency, Department of Justice, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 7 April 2004.

Recommendation:

- 64 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.

The Committee also strongly believes that any programmes that are established should aim to help perpetrators address the reasons for their behaviour and to prevent recidivism. The identification of suitable individuals who may benefit from such programmes should be carried out by agencies such as Forensicare which can then present the results of its assessment to courts during pre-sentencing procedures. Forensicare would also be well-placed to conduct evaluations of any programmes offered. On the basis of any data collected, offender typologies could be developed with a view to targeting those most likely to benefit from involvement in treatment programmes.

While it may be possible to use generic programmes outlined above, the Committee believes that road user behaviour is sufficiently distinct and has its own characteristics that are best dealt with in the driving context. Arguably this would require a tailor-made course. Until such course could be developed, however, treatment could be provided within the framework of existing cognitive skills or anger management programmes. These should, arguably, have a specific focus on Road Violence.

As outlined above, the Committee believes any programme where appropriate should be open to the general public upon payment of an appropriate fee.⁵⁸¹ If widely attended, this may well help to prevent some incidents of Road Violence, as well as potentially reducing the number of road crashes. The Victorian Government should investigate the possibility of providing tax incentives for companies that send their employees to attend.⁵⁸²

Recommendation:

- 65 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.

581 Brisbane City Council Buses and several Brisbane Taxi Companies send their drivers to the WAVVE programme in Queensland on a regular basis (Ms Michelle Venables, Warning Against Vehicle Violence Education (WAVVE) Programme, in conversation with the Committee, Brisbane, 15 June 2004).

582 A suggestion made by Ms Michelle Venables, Warning Against Vehicle Violence Education (WAVVE) Programme, in conversation with the Committee, Brisbane, 15 June 2004.

Any new programmes that are established should be fully evaluated. If they are found to be successful in terms of reducing offending, it is the Committee's opinion that the Victorian Government should ascertain the viability of expanding the course to assist learner drivers and professional drivers in developing appropriate attitudes on the road (see also Chapter 18). If specific programmes are found to be unsuccessful, efforts should instead be made to incorporate the issue of Road Violence into existing anti-violence programmes.

Mr Michael Burt has recommended that alongside evaluation of existing programmes, a formal and comprehensive research programme be established to consider a range of issues relating to violence associated with motor vehicle use.⁵⁸³ It was thought that such a project would be unlikely to involve significant expenditure of resources given the low number of cases involved and given that it would be discretionary for courts to refer, following an appropriate pre-sentence report. The Committee believes such a programme would be of great assistance, both enhancing our knowledge about Road Violence and ensuring appropriate treatment for offenders.⁵⁸⁴ If such a scheme was put into effect, any data collected could be used to enhance knowledge of Road Violence, including the best way to treat it.

Recommendations:

- 66 The Committee recommends that Forensicare establish a programme to assess the suitability of Road Violence offenders for behaviour change therapeutic interventions.
- 67 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.

583 Submission from Mr Michael Burt, Chief Executive Officer, Victorian Institute of Forensic Mental Health (Forensicare), to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 8 April 2004.

584 Some respondents to the Inquiry have commented that in some instances magistrates may not be willing to refer people, believing such programmes to be futile or believing 'harsher' alternative punishments are warranted. (see for example, Ms Michelle Venables, Warning Against Vehicle Violence Education (WAVVE) Programme, in conversation with the Committee, Brisbane, 15 June 2004).

Part G: Conclusion

23: Key Issues for the Future

Introduction

Throughout this Inquiry the Committee has been confronted with two inter-related, but mutually-conflicting propositions. On the one hand, there is a perception in the community that 'road rage' is a serious problem that causes significant harm, and one that is ever-expanding. On the other hand, however, is the overwhelming research evidence that shows that Road Violence – the most serious outcome of 'road rage'-related behaviours – occurs relatively rarely and has little to do with motor vehicles themselves. Rather, it is attributable to enduring aggression and violent tendencies present within people. The Committee believes that the perception of the seriousness of 'road rage' is, to a large extent, fuelled by frequent media commentary on the issue and due to a lack of specificity in using terms accurately and cautiously. This has meant that, from the community's point of view, 'road rage' has come to refer to a range of behaviours that extend far beyond those involving Road Violence, with which the Committee is principally concerned in this Inquiry, and which represent the source of greatest harm.

The solutions to the problem of Road Violence, although diverse, lie mainly in the use of previously identified strategies designed to address aggression and violence in the community generally. Although the novel ideas to do with vehicle design and traffic engineering are likely to be beneficial in minimising the occurrence of some of the triggers that can lead to Road Violence, the solutions to the commission of actual violence require strategies that address each of the elements identified in the Committee's causal model presented in Figure 10.1, Chapter 10, which stresses the interaction between person-related, situational, car-related and cultural factors as being the causes of Road Violence.

Ideally, the Committee would wish to see a generalised change in the attitudes and behaviour of drivers that would demonstrate increased courtesy and consideration for other road users. The Submission from Dr Jan Garrard, Senior Lecturer in Health Promotion, School of Health and Social Development, Deakin University, supports this general approach. Dr Garrard recommended:

The development of a strategy that aims to change driver culture across the whole population, so that drivers become more courteous, patient and

tolerant of other road users. Evidence from other successful public health strategies (eg. tobacco control, injury prevention) indicates that a multi-component strategy is likely to be most effective.⁵⁸⁵

The Committee is, however, keenly aware of the resources that such an approach would entail and also of the equivocal results of generalised education campaigns that have emerged from some of the evaluative studies that been undertaken. In addition, the Committee stresses the need to balance the cost of remedial measures with the relative importance of the problem in terms of the raw number of incidents that occur – an aspect identified in Chapter 16.

In recommending appropriate policy directions for the future, the Committee believes that a range of coordinated strategies should be adopted to respond to driving behaviours that result in Road Violence, Road Hostility and Selfish Driving. Such an approach is preferable to focussing solely on measures that seek to minimise the most serious forms of Road Violence, as often it is the antecedents of serious violence that provide the best target for preventive measures.

The Committee believes, therefore, that carefully designed strategies to prevent people from resorting to violence when confronted with stress and frustration in their lives, in the first place, should be used. The use of existing programmes in criminal justice settings to address anger and violence among those convicted of Road Violence-related offences should be supported and extended, without, however, detracting from the allocation of resources to more generalised educational measures.

The Committee has suggested a range of ways in which the resources of the public and private sectors can be harnessed to help in the task of changing public attitudes. Some of the key initiatives include having more restrained media reporting, accompanied by less aggressive and provocative advertising. The Committee believes that such initiatives might help to reduce the culture of speed and competition present in society, which has exacerbated the problem of Road Violence. Addressing issues associated with masculinity and power imbalance are also likely to be beneficial.

Finally, law enforcement and criminal prosecution remain important means of ensuring that unacceptable violent conduct in connection with driving is identified and punished appropriately.

Without repeating the many specific recommendations the Committee has already made, this chapter reviews some of the more pressing issues for policy makers in the years to come if Road Violence is to be adequately addressed.

585 Submission from Dr Jan Garrard, Senior Lecturer in Health Promotion, School of Health and Social Development, Deakin University, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 21 June 2004.

Understanding the relative importance of Road Violence

At the outset, the Committee wishes to stress that Victoria is not alone in experiencing the problem of Road Violence. Throughout the western world, Road Violence and associated aggression on the roads has surfaced as an issue of concern. Applied psychologists in Denmark, Germany, Great Britain, the Netherlands and Switzerland have estimated, for example, that between 30 and 80 per cent of all traffic accidents are due to driver aggression (McMurry 1997). Even in Turkey, Road Violence is a problem, with traffic signs being placed along many highways with the message 'control your driving dragon inside you' (McMurry 1997, p.94).

In all western countries where traffic congestion is a problem, Road Violence seems to occur. Any reported increase in incidents, however, needs to be considered in light of corresponding increases in road networks, numbers of vehicles, and distance travelled. In the words of Stuster, 'if it seems that there are more cases of rude and outrageous behaviour on the road now than in the past, the observation is correct, if for no other reason than there are more drivers driving more miles on the same roads than ever before' (2004, p.7).

The significance of Road Violence also needs to be assessed in conjunction with an appreciation of the extent of violent crime in the community generally, as well as the number of road crashes. As the Committee reported in Chapter 5, both these indices are substantially higher than that of Road Violence in Victoria. The allocation of scarce resources, therefore, needs to take account of the fact that violent crime and road crashes may be more worthy areas for funding than Road Violence alone. Unfortunately, it seems that the use of a catchy, alliterative expression can result in the phenomenon attracting more attention than it may really deserve (see Fumento 1998).

Improving the quality of Road Violence research

There is a need for carefully controlled research to be undertaken to assess the true extent of the problem of Road Violence and whether the response strategies that have been proposed actually are effective in reducing its incidence. Despite the Committee's extensive review of the literature, very few studies have been undertaken on both these questions, with the absence of scientific evaluative studies particularly pronounced. Many of the studies cited were also cross-sectional in nature without providing any long-term trend analysis. This, of course, makes it impossible to answer the question of whether Road Violence is an increasing problem. In the words of Novaco:

The topic merits concerted attention by social science researchers and traffic safety professionals. While human aggression springs from many causes, a central idea suggested here is that aggression on roadways is a product of various disinhibitory influences (such as anonymity, fortified vehicles, escape and arousal) and cognitive scripting. However, the first step in seeking to understand and respond to a phenomenon is to obtain a solid description of it. If aggressive driving is to be

claimed as a social problem, we must first reliably establish its defining properties, variations, magnitude and extent. We should begin by being grounded in systematic, reliable and validated observation (Novaco 1998, p.8).⁵⁸⁶

Recommendation:

68 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 focussed on acts of Road Violence as opposed to Road Hostility, Selfish Driving or other forms of aggressive driving.

Before undertaking new research, however, the Committee suggests that existing definitional issues be resolved. The Committee hopes that its analysis of terminology contained in the present Report may help future researchers to focus their inquiries more effectively than has occurred in a good deal of research conducted to date.⁵⁸⁷

The Committee feels that there is a particular need to distinguish the various forms of 'road rage'-related behaviours when designing research studies, as the causes and solutions to different manifestations of the problem are likely to differ depending on the severity of the violence involved. Research that examines Road Violence, for example, is likely to yield substantially different results from research that targets Selfish Driving behaviours. The Committee has also seen that the demographic and behavioural characteristics of offenders and victims are likely to differ depending on the seriousness of the conduct being examined. Hence, the Committee cautions future researchers about attempting to conduct research into insufficiently precise categories of conduct. Ideally, the problem of Road Violence should be examined prior to research that seeks to measure the more general problem of aggressive driving.

Another problem with prior research is that the majority of studies have been retrospective, with participants being asked to recall from memory instances in which they have either been a victim or offender of Road Violence. Problems associated with retrospective research designs are well known, including difficulties of recall and telescoping (including events from outside the selected timeframe). It has also been found that individuals tend to amplify negative recollections of events when completing retrospective surveys (Brogger et al. 2004; Marvan & Cortes-Iniestras 2001).⁵⁸⁸ Accordingly, the Committee favours

586 Similar views were expressed to the Committee by Dr Ann Williamson, New South Wales Injury Risk Management Research Centre, in conversation with the Committee, Sydney, 17 June 2004.

587 A point also made in the submission from Ms Colleen Pearce, Director, Victims Support Agency, Department of Justice, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 7 April 2004.

588 Submission from Mr Colin Jordan, Managing Director and CEO, RACV, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 18 June 2004.

the use of prospective research in which incidents are collated immediately they occur or come to the attention of the authorities. This would entail the development of data capture techniques by police services.

Various other difficulties arise in conducting effective research in this area. For example, survey responses may be affected by social desirability considerations. Respondents may be more willing to admit to running amber lights or excessive speeding because they may believe that such behaviour is less likely to be viewed negatively. The lower self-reported incidence of certain behaviours such as tailgating may reflect an unwillingness to admit to such behaviour because it may be viewed more negatively. Moreover, respondents seem to be much more inclined to report negative behaviour by others than about themselves. This is borne out in the relatively low incidence of offenders admitting to having engaged in Road Violence, despite that fact that considerably higher proportions of victims claim to have been victimised (see Chapter 4).

The most effective way in which to measure the actual incidence of Road Violence and other forms of aggressive driving behaviours is through direct, systematic observation. One such example of this is the research carried out by Smith and Lovegrove (1983) in Melbourne some time ago, in which driver behaviour at controlled and uncontrolled intersections was examined. In the context of Road Violence, however, observational studies may be difficult to undertake owing to the relative infrequency of such incidents.

Several other types of research have been suggested, such as the use of surveys and interviews to establish the characteristics of victims and perpetrators, and how common various 'road rage' behaviours are, especially the most dangerous. Also suggested is the use of large-scale, long-term surveys of the general population, repeated on a regular basis to establish the basic elements of 'road rage' from the view of victims and perpetrators, in order to establish trends. Another suggestion is for observational studies to be undertaken, using cameras or observers in large cities and on highways where there is a high risk of incidents occurring. Other types of research put forward include studies clarifying the roles of alcohol consumption, illicit drug use, general aggressiveness and traffic congestion; special interview studies with victims and perpetrators to clarify the complex relationships between these factors; and research on the psychological and social consequences of Road Violence, such as depression and other serious psychological trauma (Smart & Mann 2002b).

The Committee also believes that further investigation of police, coroner and other official records should be undertaken to establish the nature and frequency of serious Road Violence incidents that result in injury and death.

Finally, Ms Anne Morphett of NRMA Motoring and Services also suggested collecting data on the role of alcohol and drugs, mental illness and a prior history of violent crime as correlates of Road Violence.⁵⁸⁹

589 Ms Anne Morphett, of NRMA Motoring and Services, in conversation with the Committee, Sydney, 17 June 2004.

Supporting victims of Road Violence

An important issue that the Committee has not addressed elsewhere in this Report is the need for victims of Road Violence to be given appropriate support and counselling. The Committee appreciates that although incidents of Road Violence may not occur frequently, when they do occur they can have profound effects on the victims. In the words of Inspector Brian Cannon of Queensland Police: 'even if there's only one offence a year, its serious to the person who has been assaulted'.⁵⁹⁰

The Committee has already reviewed the various ways in which to prevent Road Violence from occurring, and how to deal with the perpetrators of Road Violence. While such steps are obviously of great importance it is also important to remember that there are real people who may suffer as a result of such actions. This suffering may be ongoing, even after the incident is over.

At present in Victoria that are no real mechanisms to provide support to the victims of Road Violence, although there are a number of generic victim support services available. For example, the Victim Support Agency was recently established within the Department of Justice to coordinate a whole-of-government response for the victims of crime. To date this agency has received numerous calls from victims of Road Violence who have suffered verbal abuse and threats or sustained physical injuries.⁵⁹¹ The Road Trauma Support Team also provides assistance to any victims of road trauma. While predominantly aimed at crash victims, their services are also available to victims of Road Violence.

Given the small number of cases of Road Violence, and the existence of such services, the Committee does not believe it is necessary to establish a specific victim support service for victims of Road Violence. However, the Committee does recommend that the existence of the Victim Support Agency and the Road Trauma Support Team, and their ability to assist victims of Road Violence, be more widely publicised, to ensure that people are aware of their existence and the services they provide.

Recommendation:

- 69 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.

590 Inspector Brian Cannon, Queensland Police, in conversation with the Committee, Brisbane, 15 June 2004.

591 Submission from Ms Colleen Pearce, Director, Victims Support Agency, Department of Justice, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 7 April 2004.

Engaging community support

The Committee also takes the view that in order to address Road Violence effectively, all sectors of the community need to be involved. In one submission received by the Committee it was argued that local government could have a key facilitation, coordination and educative role in bringing together all the key stakeholders in the community. For example, Maroondah City Council has a Road Safety Strategy, which has the objectives of improving and promoting safe road user behaviour.⁵⁹² In order to make such a strategy effective, other state government agencies need to be involved including the Transport Accident Commission, which could mount publicity campaigns, as well as agencies responsible for road infrastructure and law enforcement.

In giving evidence to the United States Subcommittee on Surface Transportation of the Committee on Transportation and Infrastructure in 1997, the Honourable Ricardo Martinez MD, Administrator of the National Highway Traffic Safety Administration, observed that:

On the social level, we must do at least five things: increase awareness of the consequences and send a strong social message on responsible driving; we need to support and strengthen licensing systems so we train you before you come in, as opposed to capture you after you've made a mistake – programs such as graduated licensing; we need to support strong, well-enforced laws; we need to support appropriate punishment from the judicial system; we need to support improved highway management and operations (United States Subcommittee on Surface Transportation of the Committee on Transportation and Infrastructure 1997, p.31).

The Committee also stresses the need for personal responsibility among road users, particularly those at highest risk of offending such as young male drivers. There is a need for all motorists to address their personal driving behaviour to make sure they are not contributing to the problem by creating frustration and stress among other motorists. In addition, the Committee stresses the need for parents and adults to ensure their driving behaviour provides a positive role model for children, particularly when children are accompanying their parents or other adults in vehicles. The tips to avoid Road Violence, which are presented in Appendix 12, should be understood by all motorists. These include the need not to engage others, which may escalate the seriousness of incidents, not to personalise insults, and to ignore challenges.

The Committee also believes that initiatives which can enhance the protective factors in young people's lives and reduce the risk factors associated with violent behaviour are likely to be effective in minimising a range of safety and social problems. Programmes that allow young people to become involved in community activities promoting social development and connectedness with

⁵⁹² Submission from Mr Michael Marasco, Chief Executive Officer, Maroondah City Council, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 15 June 2004.

peers, community and family can be very beneficial (see, for example, Hulme, Harris & Cockfield 2003). The submission received by the Committee from the RACV argued that this type of work is essential to building a safer Victoria in the long term.⁵⁹³

Finally, the Committee wishes to endorse the words of Dr Martinez who observed that 'the problem does begin with the individual driver. Driving is a privilege that demands responsibility, not a "me first" philosophy. Driving is a cooperative venture and not a competitive sport' (United States Subcommittee on Surface Transportation of the Committee on Transportation and Infrastructure 1997, p.27).

There are many opportunities available for addressing the problem of Road Violence in Victoria. The Committee hopes that each of these can be explored before Road Violence becomes more prevalent, and before the perception that it is a problem which is 'out of control' becomes a reality.

Adopted by the Drugs and Crime Prevention Committee

Level 8

35 Spring Street

Melbourne 3000

7 April 2005

593 Submission from Mr Colin Jordan, Managing Director and CEO, RACV, to the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 18 June 2004.

Appendices

Appendix 1: List of Submissions Received

Submission Number	Name of Individual/Organisation	Date Received
1	Mr Matthew Worrall	26 February 2004
2	Mr Peter Le Ray	26 February 2004
3	FC Michie	9 March 2004
4	Ms Colleen Pearce Director Victims Support Agency, Department of Justice	7 April 2004
5	Mr Michael Burt Chief Executive Officer Victorian Institute of Forensic Mental Health	8 April 2004
6	Dr Tim Moore	2 June 2004
7	Mr Michael Marasco Maroondah City Council	15 June 2004
8	Mr Bart Sbeghen Campaigns Manager Bicycle Victoria	15 June 2004
9	Ms Josella Rye	16 June 2004
10	Mr Paul Baxter	16 June 2004
11	Ms Michele Wright Family Violence Project Worker MAPS, Inner South Community Health Service	18 June 2004
12	Ms Donna Soo Member Cogsgirls	18 June 2004
13	Mr Colin Jordan Managing Director & Chief Executive Officer RACV	18 June 2004
14	Mr Damon Rao Member Urbanbicyclist.org	18 June 2004

15	Dr Jan Garrard Senior Lecturer Deakin University	21 June 2004
16	Ms Fiona Campbell	21 June 2004
17	Ms Lee O'Mahoney Communications Officer Motorcycle Riders' Association.	21 June 2004
18	Dr Valerie Yule	22 June 2004
19	Acting Sergeant Russell Lindsay Officer in Charge Melbourne Bicycle Patrol – Region 1 Victoria Police.	22 June 2004
20	Mr David Healy General Manger, Road Safety Transport Accident Commission	22 June 2004
21	Ms Alison Cran Director, Community and Cultural Services Shire of Yarra Ranges	22 June 2004
22	Ms Christine Nixon Police Commissioner Victoria Police.	30 June 2004
23	Mr Stephen Sabbatucci General Manager, Planning and Development City of Stonnington	1 July 2004
24	Hon. André Haermeyer Minister for Police and Emergency Services Crime Prevention Victoria, Department of Justice	6 July 2004
25	Mr Mathew Strain	7 July 2004
26	Mr Tony Parsons Managing Director Victoria Legal Aid	2 August 2004
27	Mr Russell Stevens	5 August 2004
28	Mr David Levin Q.C. Convenor Wigs on Wheels	5 August 2004
29	Ms Frances Grindlay Social Development Planner Moreland City Council	19 August 2004
30	Dr Jeffrey Potter Manager, Road User Behaviour VicRoads.	9 September 2004
31	Mr Michael Brisco Committee Member Bicycle Institute of South Australia	1 October 2004

Appendix 2: Interstate Meetings and Site Visits

Meetings in Brisbane – 15 & 16 June 2004

Name	Position	Organisation
Professor Mary Sheehan	Director	Centre for Accident Research and Road Safety Queensland University of Technology
Dr Barry Watson	Lecturer	Centre for Accident Research and Road Safety Queensland University of Technology
Assoc Professor Richard Tay	Associate Professor	Centre for Accident Research and Road Safety Queensland University of Technology
Mr Gavin Palk	Lecturer	Centre for Accident Research and Road Safety Queensland University of Technology
Ms Sharon O'Brien	Postgraduate Student	Centre for Accident Research and Road Safety Queensland University of Technology
Mr Peter Kolesnik	Manager, Road Safety Strategic Development Unit	Traffic Support Branch Queensland Police Service
Acting Inspector Brian McDonald	Acting Superintendent in Charge Traffic Policy and Legislation	Traffic Support Branch Queensland Police Service
Inspector Brian Cannon	Officer in Charge Traffic Policy and Legislation	Traffic Support Branch Queensland Police Service
Ms Lisa-Marie Folkman	Research Officer	Traffic Support Branch Queensland Police Service
Mr Ross Melville	Chief Executive Officer Warning Against Vehicle Violence Education (WAVVE)	YMCA
Ms Michelle Venables	Senior Community Projects Office Warning Against Vehicle Violence Education (WAVVE)	YMCA
Ms Danica Hooper	Operations Manager WAVVE Program	YMCA
Mr Alan Bray	Director Training and Education WAVVE Program	YMCA
Mr Chris Stocks	Senior Special Projects Officer WAVVE Program	YMCA
Mr Cameron Newton	Course Facilitator WAVVE Program	YMCA
Mr John Nightingale	Honorary Research Fellow	Bicycle Queensland
Mr Ben Wilson	Manager	Bicycle Queensland
Mr Jim Pearce MP	Chair	Travelsafe Committee
Mr Rob Hansen	Research Director	Travelsafe Committee

Meetings in Sydney – 16 & 17 June 2004

Name	Position	Organisation
Inspector Dave Evans	Commander, Traffic Policy	NSW Police
Sergeant Ron Dorro	Senior Traffic Policy Adviser	NSW Police
Sergeant Peter Vromans	Sergeant, Legal Consultant, Operational Legal Unit, Legal Services	NSW Police
Dr Julie Hatfield	Behavioural Psychologist	University NSW NSW Injury Risk Management Research Centre
Dr Ann Williamson	Deputy Director	University NSW NSW Injury Risk Management Research Centre
Ms Ann Morphet	Policy Specialist	NRMA
Mr Alan Finlay	Manager Public Policy	NRMA
Dr Sarah Redshaw	Post-doctoral Research Fellow	University of Western Sydney Centre for Cultural Research
Mr Ian Faulkes	Manager	StaySafe Committee
Dr Soames Job	General Manager	Road Traffic Authority of New South Wales
Professor Ann Brewer	Assistant ProVice-Chancellor	University of Sydney
Mr Wayne Warburton	Psychology Tutor	Macquarie University, Psychology Department
Mr Harold Scruby	Chairman	Pedestrian Council of Australia

Appendix 3: International Meetings

London 5–6 July 2004

Name	Position	Organisation
Ms Nerys Thomas	Policing and Reducing Crime Unit, Research and Development Directorate,	Home Office
Mr Patrick McLoughlin MP	Chair, All Party Road Safety Group	British Parliament

Brussels 7–8 July 2004

Name	Position	Organisation
Mr Frazer Goodwin	Policy Officer	European Transport Safety Council
Mr Christian Van Den Meersschaet	Directeur – Institut Belge pour la Sécurité Routière	Belgian Road Safety Institute
Mr Ludo Kluppels	Policy Coordinator – Belgian Road Safety Institute – BIVV	Belgian Road Safety Institute
Ms Iris Clacys	Psychologist – Trainee Driver Improvement Program	Belgian Road Safety Institute
Mr Hans Van Den Broeck	Psychological Assistant – Trainee Driver Improvement Program	Belgian Road Safety Institute
Mr Werner De Dobbeleer	Chief Editor – IBSR –	Belgian Road Safety Institute

Paris 12 July 2004

Name	Position	Organisation
Ms Catherine Marque	Director, International Relations Bureau Ministère de L'Équipement des Transports du Logement et de la Mer (Ministry for Transport)	Mission Interministérielle de Lutte contre la Drogue et la Toxicomanie (MILDT) (Interdepartmental Directorate for the Fight Against Alcohol and Drug Abuse)
Mr Claude Rouy	Principal Adviser to the General Delegate – Sécurité Routière (Road Safety)	Mission Interministérielle de Lutte contre la Drogue et la Toxicomanie (MILDT)
Mr Francis Oziol	Sous-directeur de l'action interministérielle et de la communication Ministère de L'Équipement des Transports du Logement et de la Mer (Ministry for Transport)	Mission Interministérielle de Lutte contre la Drogue et la Toxicomanie (MILDT)

Lisbon 16 July 2004

Name	Position	Organisation
Mr António Pinelo	Vice-Presidente do Conselho de Administração	Instituto das Estradas de Portugal (IEP) (Portuguese Road Institute)
Mr Nelson Baltazar MP	Chairman Sub Comissão da Segurança Rodoviária Assembleia de República	Assembleia de República (Portuguese Parliament)
Mr Pedro Moutinho	Sub Comissão da Segurança Rodoviária Assembleia de República	Assembleia de República (Portuguese Parliament)
Mr Luís Miranda	Sub Comissão da Segurança Rodoviária Assembleia de República	Assembleia de República (Portuguese Parliament)
Mr Rodeia Machado	Sub Comissão da Segurança Rodoviária Assembleia de República	Assembleia de República (Portuguese Parliament)
Comissário Alexandre Alves Coimbra	Chefe do Gabinete do Director Nacional	Polícia de Segurança Pública (PSP) (Public Security Police)
Chief Superintendente José Gaspar Fernandes	Deputy Director	Polícia de Segurança Pública (PSP) (Public Security Police)
Ms Sofia Teotóuio	Public Relations Office	Polícia de Segurança Pública (PSP) (Public Security Police)
Subintendente Raúl F. J. Glória Dias		Polícia de Segurança Pública (PSP) (Public Security Police)
Dr Antonio Manuel Nunes	Director General	Direcção Geral de Viação (Portuguese Directorate-General for Traffic)
Dr Jose Faria Pais	Assessor do Gabinete de Planeamento Informacao e Relaces Exteriores	Direcção Geral de Viação (Portuguese Directorate-General for Traffic)
Dr Maria Adelaide Nuncio	Assessora do Gabinete Jurídico e Contencioso	Direcção Geral de Viação (Portuguese Directorate-General for Traffic)
Dr Nelson Oliveira	Director dos Servicos do Gabinete Juridico e Contencioso	Direcção Geral de Viação (Portuguese Directorate-General for Traffic)

Rome 15–16 July 2004

Name	Position	Organisation
Mr Sergio Dondolini	Director General	Italian Ministry of Infrastructure and Transport
Dr Liliana Scarpato	Head of the Department for Traffic Circulation	Italian Ministry of Infrastructure and Transport
Dr Maurizio Coppo	Member and Secretary of the Road Safety Committee	Italian Ministry of Infrastructure and Transport
Dr Giandomenico Protospataro	Director General for Road Police	Italian Ministry of Infrastructure and Transport

Vienna 20 July 2004

Name	Position	Organisation
Dr Othmar Tann	Managing Director	Kuratorium f. Verkehrssicherheit (KfV – Road Safety Agency)
Mr Thomas Fessl	Institute of Traffic Engineering	Kuratorium f. Verkehrssicherheit (KfV – Road Safety Agency)
Ms Gabi Hinterkörner	Public Relations	Kuratorium f. Verkehrssicherheit (KfV – Road Safety Agency)
Ms Brigit Bukasa	Institute of Traffic Psychology	Kuratorium f. Verkehrssicherheit (KfV – Road Safety Agency)
Mr Stefan Hoeglinger	Institute of Statistics	Kuratorium f. Verkehrssicherheit (KfV – Road Safety Agency)
Mr Bernhard Noll	Institute for Technical Safety	Kuratorium f. Verkehrssicherheit (KfV – Road Safety Agency)

Stockholm 23 July 2004

Name	Position	Organisation
Mr Hans Laurell	Expert, Alcohol, Drugs and Traffic Safety	Road and Transport Research Institute Swedish National Road Administration

Appendix 4: Witnesses Appearing at Public Hearings

Hearings in Melbourne – 21 June 2004

Name	Position	Organisation
Mr Frank Peppard	Manager, Government Relations	AAMI
Mr Ron Arnold	General Manager, Corporate Affairs and Executive Office	AAMI
Mr Bart Sbeghen	Campaigns Manager	Bicycle Victoria
Ms Lee O'Mahoney	Communications Officer	Motorcycle Riders Association

Hearings in Melbourne – 22 June 2004

Name	Position	Organisation
Dr Jan Garrard	Senior Lecturer	School of Health and Social Development, Deakin University
Mr Michael Burt	Chief Executive Officer	Victorian Institute of Forensic Mental Health (Forensicare)
Dr Andrew Carroll	Assistant Clinical Director (Community Operations)	Victorian Institute of Forensic Mental Health (Forensicare)
Ms Lynette Stewart		
Mr David Healy	General Manager Road Safety	Transport Accident Commission
Mr John Bolitho	Manager Legal Policy	Transport Accident Commission
Dr Ken Ogden	General Manager, Public Policy Department	RACV
Ms Anne Harris	Chief Behavioural Scientist, Public Policy Department	RACV

Hearings in Melbourne – 19 August 2004

Name	Position	Organisation
Superintendent Peter Keogh	Officer in Charge Traffic Support Division	Victoria Police
Mr Conor Flanagan	Senior Legal Policy Adviser Organisational Development Department	Victoria Police
Mr Paul Coghlan, QC	Director	Office of Public Prosecutions

Hearings in Melbourne – 9 September 2004

Name	Position	Organisation
Dr Jeffrey Potter	Manager, Road User Behaviour	VicRoads
Ms Antonietta Cavallo	Senior Policy Adviser and Principal Psychologist	VicRoads

Meeting in Melbourne – 21 June 2004

Name	Position	Organisation
Dr David Indermaur	Senior Research Fellow	Crime Research Centre, University of Western Australia
Dr Lynne Roberts	Research Fellow	Crime Research Centre, University of Western Australia

Meeting in Melbourne – 22 June 2004

Name	Position	Organisation
Dr Malcolm Vick	Senior Lecturer	School of Education. James Cook University (by telephone)

Appendix 5: Sample Definitions of 'Road Rage'

Source	Definition of Road Rage
Batten et al 2000	A situation where one driver locks onto another driver and exhibits both hostile and aggressive intent and behaviour to the second driver.
Brennan 1995	Unchecked behaviour, which is not normally in the repertoire of the individual, which is designed to cause harm to another road user.
Crimmins & Callahan 2003	An expression of anger at another person in traffic.
Harding et al 1998	Impulsive driving related violence between strangers.
Hocking & Smith 1997	A range of anti-social, ill-tempered, foolish or violent behaviours by a minority of drivers.
James 1997	Includes verbal abuse; rude gestures and horn use; tailgating and selfish lane changing; and extends to dangerous manoeuvres, arguments, deliberate collisions, fights and even murder.
Macquarie Dictionary 1997	Uncontrollable violent behaviour towards another motorist resulting from the tensions and frustrations of driving.
Maiuro 1998	Not only aggressive driving but also personal attacks on other drivers, involving obscene gestures, verbal abuse, throwing objects, and, in some cases, physical assault of another vehicle or driver.
McMurry 1997	A stress disorder that suppresses sound driving judgment
Miles & Johnson 2003	A series of aggressive driving behaviours with direct and/or hostile intent to harm others, which involves a persistent and consistent response to driving stressors.
Miller et al 2002	Aggressive behaviour by the operator (or passenger) of one motor vehicle towards the operator (or passenger) of another motor vehicle on the roadway.
Nerenberg, cited in the Hearing of the United States Subcommittee on Surface Transportation of the Committee on Transportation and Infrastructure 1997	One driver expressing anger at another driver for something he or she did on the road. The expression could take many forms, such as yelling, obscene gestures, pressing the horn, flicking headlights up and down, spitting, hostile stares, retaliation such as cutting off or tailgating, throwing objects, etc. It can also include felonious behaviour such as the firing of a gun, ramming of the vehicle as a weapon, brandishing a gun, and stalking with the intention of causing physical harm.
National Highway Traffic Safety Authority (NHTSA), cited in Shinar 1998	An assault with a motor vehicle or other dangerous weapon by the operator or passenger(s) of one motor vehicle on the operator or passenger(s) of another motor vehicle or vehicles precipitated by an incident which occurred on a roadway.
NRMA 2002	Anger that results in violence or threatened violence on the road.
Oxford English Dictionary 1997	A violent anger caused by the stress and frustration of traffic.
Pavelka 1998	Drivers' aggressive attitudes while driving along the road, such as speeding, tailgating, flashing headlights, weaving through traffic, passing on the right and shouting threats.
Shinar 1998	Hostile behaviours that are purposefully directed at other road users. These can be either driving behaviours (eg. purposefully slowing a following vehicle or colliding with a lead vehicle) or non-driving behaviours (eg. physically attacking someone).
Tasca 2000	Violent exchanges where the intent is to harm another road user.
Victorian Community Council Against Violence 1999	Aggression and/or violence associated with motor vehicle use. Aggression and/or violence includes psychological harm as well as physical harm.
Ward et al 1998	A behavioural form of expression or control directed toward other road users in response to an emotive appraisal of the traffic context as a source of threat or impediment resulting in anger.
Wark 2001	An extreme state of anger brought about by events occurring on the roadway. It is the far end of a continuum starting with aggressive driving behaviour.


Appendix 6: Sample Definitions of 'Aggressive Driving'

Source	Definition of Aggressive driving
Anonymous 2001	Red-light running, failing to yield, following too closely and unsafe lane changing. Usually occurs when two or more of these behaviours occur during a single continuous driving period.
Bowles & Overberg 1999	At least one of four driving offences: speeding, running a red light or stop sign, failure to yield the right of way, and 'reckless driving'.
Dula & Geller 2003	Any behaviour emitted by a driver while driving that is intended to cause physical and/or psychological harm to any sentient being.
Ellison-Potter 2000	Any driving behaviour that intentionally endangers others psychologically, physically, or both.
Stephanie Faul, spokesperson for the AAA Foundation for Traffic Safety, cited in Johnson 1997	Using a car in any way that violates the personal space of another human being. It's trying to make other drivers do what you want or trying to retaliate against them.
Galovski & Blanchard 2004	Includes, but is not limited to: slow driving with the intent of blocking other vehicles, tailgating, improper passing (cutting drivers off when passing), failing to yield the right of way, failing to keep right, horn-honking, flashing high beams, and failing to signal properly. Personal attacks on fellow drivers are also included. These include obscene gesturing, verbal insults, throwing objects, and, in extreme cases, physical assault.
Governors Highway Safety Association 2004	Speeding, tailgating, passing on the right, weaving in and out of traffic, failure to yield right of way, running red lights, cutting drivers off, or any combination of these types of behaviours. Hand gestures, yelling, flashing high beams and honking horns also fall within the definition.
Hauber 1980	Actual or intended behaviour which the offender supposes will do physical or psychological harm to the victim and which the victim experiences as such.
James & Nahl 2000	Driving under the influence of impaired emotions, resulting in behaviour that imposes one's own preferred level of risk on others.
Martinez cited in the Hearing of the United States Subcommittee on Surface Transportation of the Committee on Transportation and Infrastructure 1997	Driving behaviour that endangers or is likely to endanger people or property. Includes a broad spectrum of driving behaviour, ranging from risky driving and escalating to duelling and violence on the road. Aggressive drivers behave in ways such as speeding, tailgating, failing to yield, weaving in and out of traffic, passing on the right, screaming, honking, flashing their lights, and escalating up to violence.
Mizell 1997	An incident in which an angry or impatient motorist or passenger intentionally injures or kills another motorist, passenger, or pedestrian, or attempts to injure or kill another motorist, passenger, or pedestrian, in response to a traffic dispute, altercation, or grievance. Also when an angry or vengeful motorist intentionally drives his or her vehicle into a building or other structure or property.
National Highway Traffic Safety Authority 2000	The operation of a motor vehicle in a manner that endangers or is likely to endanger persons or property. Includes exceeding the posted speed limit, following too closely, erratic or unsafe lane changes, improperly signalling lane changes, failure to obey traffic control devices (stop signs, yield signs, traffic signals, railroad grade cross signals, etc.).
New York penal law, cited in Miles & Johnson 2003	The unsafe operation of a motor vehicle in a hostile manner, without regard for the safety of other users of the road. Includes frequent or unsafe lane changes, failing to signal, tailgating, failing to yield right of way, and disregarding traffic controls.
NRMA 2002	Dangerous traffic offences, including, tailgating, abrupt lane changes, obstruction and speeding. It is more risk-taking behaviour than intentionally harmful.
Shinar 1998	A syndrome of frustration-driven instrumental behaviours which are manifested in: (a) inconsiderateness towards or annoyance of other drivers (tailgating, flashing lights, and honking at other drivers), and (b) deliberate dangerous driving to save time at the expense of others (running red lights and stop signs, obstructing the path of others, weaving).
Tasca 2000	A driving behaviour is aggressive if it is deliberate, likely to increase the risk of collision and is motivated by impatience, annoyance, hostility and/or an attempt to save time.

Appendix 7: Online Survey Form for the Inquiry into Violence Associated with Motor Vehicle Use

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Location: [Home](#) / [DCPC](#) / Violence Associated with Motor Vehicle Use / Online Submission



Violence Associated with Motor Vehicle Use

The Drugs and Crime Prevention Committee is interested in hearing from people who have been involved in 'road rage' incidents, either as victims or perpetrators. The Committee believes that such accounts provide valuable insights.

Online Submission

1. Description

Please provide a description of what occurred:

The following questions require you to click on the appropriate response

2. Involvement

Were you the perpetrator, victim or observer of the incident?

Please Select
 Perpetrator
 Victim
 Observer

3. Details

Please provide the following details:

<p>The sex of victim:</p> <div style="border: 1px solid black; padding: 2px;"> Please Select Male Female Unknown </div>	<p>The sex of perpetrator:</p> <div style="border: 1px solid black; padding: 2px;"> Please Select Male Female Unknown </div>
<p>The age of victim:</p> <div style="border: 1px solid black; padding: 2px;"> Please Select under 18 18-25 26-35 36-45 46-55 56-65 over 65 Unknown </div>	<p>The age of perpetrator:</p> <div style="border: 1px solid black; padding: 2px;"> Please Select under 18 18-25 26-35 36-45 46-55 56-65 over 65 Unknown </div>

<p>The year of the incident:</p> <div style="border: 1px solid black; padding: 2px;"> Please Select prior to 2000 2000 2001 2002 2003 2004 Unknown </div>	<p>The time of the incident:</p> <div style="border: 1px solid black; padding: 2px;"> Please Select Morning Lunch Afternoon 6pm - Midnight After midnight Unknown </div>
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The location of the incident (e.g. freeway, main road, side street, car park):

The State and suburb in which the incident occurred:

Traffic conditions at the time of the incident:

Please Select
 Heavy traffic
 Moderate Traffic
 Light Traffic
 No other traffic
 Unknown

4. Cause

What do you see as being the cause of the incident?

5. Injuries

a. Was anyone injured during the incident?

Please Select
Yes
No
Unknown

b. If yes, was medical attention required?

6. Property damage

a. Was any property damaged during the incident?

Please Select
Yes
No
Unknown

b. If yes, please describe the extent of the property damage.

7. Police

a. Was the incident reported to the police?

Please Select
Yes
No
Unknown

b. If the incident was reported to the police, what was the outcome?

c. If the incident was not reported to the police, what was the reason for not reporting?

8. Repeat avoidance

Have any steps been taken to avoid a repetition of the incident?

9. Impact

What impact has the incident had on you?

10. Incident handling

a. Would you have liked this incident to have been dealt with differently?

Please Select
Yes
No

b. If yes, how?

11. Suggestions

What strategies do you think should be implemented to deal with road rage?

12. Other comments

Contact Information

Please select ONE of the following:

- a. I wish to remain anonymous for the information provided in this survey
- b. I wish to remain anonymous for the information provided in this survey and would like a copy of the report
- c. I am happy for my name to be attributed to the information I have commented upon (you will receive a copy of the report)

If you selected (b) or (c), please provide the following:

Name:

Contact phone:

Mailing Address:

[Send Submission to Committee](#)

If you have any queries, please ring the Committee's Office on (03) 9651 3546, contact person: Sandy Cook

Appendix 8: Victorian Newspaper Reports of Road Violence Incidents, 1999–2004

■ Case No: 1

<i>Date/Time of Incident:</i>	Not reported.
<i>Location of Incident / Postcode:</i>	Not reported.
<i>Incident Triggers: Lane changing:</i>	The victim was making a lane change and 'lost of her lane' and agreed that it was her fault in changing lanes but the 4WD driver whose lane she switched into was enraged.
<i>Offender's Sex / Age / Vehicle / P-Plate:</i>	A driver in a 4WD.
<i>Victim's Sex / Age / Vehicle / P-Plate:</i>	The author of the article, J.F.
<i>Victim / Offender Primary Aggressor:</i>	Both parties contributed to the incident, however the 4WD driver is reported to have behaved aggressively.
<i>Road / Traffic Conditions:</i>	Not reported.
<i>Circumstances/Weapons:</i>	The victim alleged that she was engaged in making 'one of those multi-lane turning manoeuvres and ... managed to lose track of [her] lane and wander into his [the offender's lane]'. The driver of the four-wheel vehicle then 'drew his car alongside the victim's car and swung his steering wheel so that his car would have side-swiped her car if she had not dodged out of the way as he vented his rage'. No weapons.
<i>Injury (most serious) / Financial loss:</i>	Not reported.
<i>Reported to Police:</i>	Not reported.
<i>Most Serious Offence Charged:</i>	Not reported.
<i>Legal Proceedings / Court:</i>	Not reported.
<i>Outcome / Sentence:</i>	Not reported.
<i>Quotes:</i>	Not reported.
<i>Other Details (eg. famous people):</i>	Not reported.
<i>Reference:</i>	<i>The Age</i> , Monday 29 Aug. 1999, p.35.

■ Case No: 2

Date/Time of Incident:	Not reported.
Location of Incident / Postcode:	Balcombe Road.
Incident Triggers:	The unfortunate exchange followed a 'hand gesture', which S.N. made to Ms H. as they motored in separate vehicles down Balcombe Road.
Offender's Sex / Age / Vehicle / P-Plate:	S.N., female, 27.
Victim's Sex / Age / Vehicle / P-Plate:	Ms H., female.
Victim / Offender Primary Aggressor:	Both offender and victim possibly contributed to the incident.
Road / Traffic Conditions:	Not reported.
Circumstances/Weapons:	S.N. allegedly 'biffed', that is hit Ms H. after Ms H. allegedly called S.N. 'a "big fat bitch with a big fat mouth" as they motored in separate vehicles down Balcombe Road'.
Injury (most serious) / Financial loss:	Red marks, bruising and swelling.
Reported to Police:	Yes.
Most Serious Offence Charged:	Not reported.
Legal Proceedings / Court:	Lower Court.
Outcome / Sentence:	Not reported.
Quotes:	S.N. [the offender] said, 'If she hadn't said what she did I'm sure my reaction wouldn't have been nowhere as bad as it was'.
Other Details (eg. famous people):	Ms H. is reported to be the daughter of a well known Melbourne figure.
Reference:	<i>The Age</i> , Sunday 10 Oct. 1999, p.22.

■ Case No: 3

<i>Date/Time of Incident:</i>	Friday 5 May 2000, 10.20 am.
<i>Location of Incident / Postcode:</i>	Western Highway, Rockbank 3335.
<i>Incident Triggers:</i>	Not reported.
<i>Offender's Sex / Age / Vehicle / P-Plate:</i>	Female, 22.
<i>Victim's Sex / Age / Vehicle / P-Plate:</i>	Female, 25.
<i>Victim / Offender Primary Aggressor:</i>	Not reported.
<i>Road / Traffic Conditions:</i>	Not reported.
<i>Circumstances/Weapons:</i>	The victim was allegedly involved in an altercation with another driver and was stabbed in an alleged road rage incident.
<i>Injury (most serious) / Financial loss:</i>	Not reported.
<i>Reported to Police:</i>	Yes.
<i>Most Serious Offence Charged:</i>	Charges: Intentionally and recklessly causing serious injury, and an assault and weapons charge.
<i>Legal Proceedings / Court:</i>	Not reported.
<i>Outcome / Sentence:</i>	Not reported.
<i>Quotes:</i>	Not reported.
<i>Other Details (eg. famous people):</i>	Not reported.
<i>Reference:</i>	<i>The Age</i> , Saturday 6 May 2000, p.10.

■ **Case No: 4**

Date/Time of Incident:	Feb. 1999
Location of Incident / Postcode:	Glenferrie.
Incident Triggers:	Not reported.
Offender's Sex / Age / Vehicle / P-Plate:	T.S., 26, a dark green Lexus.
Victim's Sex / Age / Vehicle / P-Plate:	C.D. and J. Striegher, Police Officer, plus other victims.
Victim / Offender Primary Aggressor:	Offender.
Road / Traffic Conditions:	Not reported.
Circumstances/Weapons:	On a six-day road rage-shooting rampage T.S.'s violent spree began when he smashed the back window of a van with an extendable baton after the driver had failed to let him pass in his high-performance Lexus coupe. T.S. also allegedly stopped next to C.D.'s car at a traffic light and fired six shots into the car; one shot hit C.D. in the stomach. When C.D. directed abuse at T.S. and inquired if T.S. had run out of bullets T.S.'s response was to pick up another hand gun. During this six-day road rage spree, T.S.'s other actions included shooting at a car in Coburg after becoming angry about the way it was driven, and shooting a policeman in a shootout. Weapon: pistols
Injury (most serious) / Financial loss:	C.D. sustained bullet wounds to the stomach, a bullet hit Officer Striegher in the chest seriously wounding him, and T.S. himself was also wounded in a shootout with police before his capture.
Reported to Police:	Yes. Sgts. Simon Delaney and Jason Striegher received awards for bravery for their actions in Heidelberg on 23 February 1999.
Most Serious Offence Charged:	Charges: 13 counts including three counts of attempted murder, drug trafficking and recklessly causing serious injury, including another incident of firing a shot after a motorist had annoyed him.
Legal Proceedings / Court:	T.S. pleaded guilty to 13 charges, including three counts of attempted murder, drug trafficking and recklessly causing serious injury.
Outcome / Sentence:	Pleaded guilty. T.S. was sentenced to 20 years jail in 2000 with a non parole period of 15 years.
Quotes:	The Judge said that it was only that T.S. was a bad shot that he had not killed anyone. Justice Teague said the most bizarre of T.S.'s four attempts to murder people was that of motorist C.D. 'There is a chilling randomness about your pulling out and firing a gun at another motorist to vent your road rage at a perceived incident of poor driving', the judge said.
Other Details (eg. famous people):	Not reported.
Reference:	<i>The Age</i> , Tuesday 27 June 2000, p.5; <i>Herald Sun</i> , Monday 27 June 2000, p.16; <i>Herald Sun</i> , Friday 11 May 2001, p.1; <i>The Age</i> , Saturday 28 July 2001, p.9; <i>The Age</i> , Saturday 6 Sept. 2003, p.14.

■ Case No: 5

Date/Time of Incident:	Friday 15 July 2000, about 0700.
Location of Incident / Postcode:	The intersection of Salamander Driver and Galloway Court; Melton Highway, Taylors Lakes 3038.
Incident Triggers:	A near-collision at a roundabout occurred where the offender's and the victim's vehicles both sped through a roundabout causing the victim to spin his car 180 degrees. The victim then chased the offender's vehicle (which was reported as driving with other 'vehicles'). In the ensuing chase through the streets of Taylors Lake the victim's car was cut off by the offender's car. The victim recognised R.A., who was a passenger in one of the cars that by then had caught up with the victim (it was one of R.A.'s friends who had run the victim off the road). The victim said (in response to being questioned by R.A. about what he wanted to do about it – being run off the road) was that he wanted to smash the guy's head through the windscreen.
Offender's Sex / Age / Vehicle / P-Plate:	R.A.; male, Silver Holden Commodore sedan. <i>Herald Sun</i> , Tuesday 25 Oct. 2000, p.22: Aged 22; <i>Herald Sun</i> , Thursday 28 June 2001, p.4: Aged 23; <i>The Age</i> , Tuesday 24 Dec. 2002, p.2: Aged 24.
Victim's Sex / Age / Vehicle / P-Plate:	V.G., male 29.
Victim / Offender Primary Aggressor:	Offender.
Road / Traffic Conditions:	Highway.
Circumstances/Weapons:	<i>The Age</i> , Wednesday 19 July 2000, p.7: The argument led to the victim being shot three times. <i>The Age</i> , Thursday 28 June 2001, p.6: R.A. shot V.G. five times who was still secured in his seatbelt. <i>Herald Sun</i> , Thursday 21 June 2001, p.8: After the incident the victim chased the offender after which time when the cars met up the offender pulled a gun and fired six shots. <i>Herald Sun</i> , Tuesday 25 Oct. 2000, p.22: In the chase the two cars stopped along side each other at the intersection of Salamander Driver and Galloway Court when the offender produced a semi-automatic hand gun and fired six shots into the victim's car hitting him five times. <i>Herald Sun</i> , Tuesday 18 July 2000, p.2: R.A. shot the victim four times.
Injury (most serious) / Financial loss:	<i>Herald Sun</i> , Tuesday 18 July 2000, p.2: Gun shot wounds to both arms, his hip and right shoulder. <i>The Age</i> , Saturday 6 Sept. 2003, p.14: Bullet wound to liver, stomach, gall bladder.
Reported to Police:	Yes.
Most Serious Offence Charged:	<i>Herald Sun</i> , Tuesday 18 July 2000, p.2, Charges: Attempted murder; Intentionally causing injury; Reckless endangerment of life; Trafficking drugs; Assaulting police; <i>Herald Sun</i> , Tuesday 25 Oct. 2000, p.22: Accused of shooting a motorist five times; also charged with Trafficking almost \$100,000 worth of cocaine, Kidnapping, and Extortion.

- Legal Proceedings / Court:** *The Age*, Wednesday 19 July 2000, p.7: Magistrate's Court; *Herald Sun*, Tuesday 18 July 2000, p.2: Melbourne Magistrate's Court; *Herald Sun*, Thursday 28 June 2001, p.4: Supreme Court; *Herald Sun* Tuesday 24 Dec. 2002, p.22: Court of Appeals; *The Age*, 24 Dec. 2002, p.2: Supreme Court/Court of Appeal.
- Outcome / Sentence:** *Herald Sun*, Thursday 28 June 2001, p.4: Pleaded not guilty; found guilty. *Herald Sun*, Thursday 21 June 2001, p.8: Remanded in custody for a pre-sentence hearing. *The Age*, Thursday 28 June 2001, p.6: Found guilty of attempting to murder the victim – nine years imprisonment. *The Age*, Tuesday 24 Dec. 2002, p.2: Found guilty of attempted murder. *The Age*, Tuesday 24 Dec. 2002, p.2: Ordered to serve a minimum term of seven years – denied leave to appeal against his conviction and sentence by the Court of Appeal (23.12.02).
- Quotes:** *The Age*, 28 June 2001 (4), p.6: 'Justice Coldrey said V.G., who was shocked by the reckless driving, said he gave chase to "have a go" at the other drivers. But he said any provocation R.A. believed he may have had was miniscule.'
- Other Details (eg. famous people):** *The Age* 19 July 2000 (3), p.7, discussed: R.A. was arrested at Melbourne Airport as he was about to board a flight to Perth; he was held on the floor for 15 minutes and then alleges that he was bashed by the police after his arrest on the way to Keilor Downs Police Station. *Herald Sun*, Tuesday 25 Oct. 2000, p.22, discussed: The victim and his family had been offered cash to say that he had incorrectly identified R.A. *Herald Sun*, Saturday 26 Oct. 2002, p.18, discussed: criminal associates and the other crimes that R.A. was involved in along with a mention of the 'road rage' shootings in July 2000.
- Reference:** *The Age*, Sunday 16 July 2000, p.1; *Herald Sun*, Sunday 16 July 2000, p.2 x 2 articles; *Herald Sun*, Tuesday 18 July 2000, p.2; *The Age*, Wednesday 19 July 2000, p.7; *Herald Sun*, Wednesday 19 July 2000, p.20; *The Age*, Sunday 23 July 2000, p.20; *Herald Sun*, Tuesday 25 Oct. 2000, p.22; *Herald Sun*, Thursday 21 June 2001, p.8; *Herald Sun*, Thursday 28 June 2001, p.4; *The Age*, Thursday 28 June 2001, p.6; *The Age*, Sunday 1 July 2001, p.2; *Herald Sun*, Saturday 26 Oct 2002, p.18; *The Age*, Tuesday 24 Dec. 2002, p.2; *Herald Sun*, Tuesday 24 Dec. 2002, p.22; *The Age*, Saturday 6 Sept. 2003, p.14.

■ Case No: 6

Date/Time of Incident:	Friday 22 Sept. 2000, about 1930.
Location of Incident / Postcode:	Plenty Road and Boldrewood Parade, Reservoir 3073.
Incident Triggers:	The victim's wife was driving and accidentally cut the RAV 4 off when three lanes merged to two.
Offender's Sex / Age / Vehicle / P-Plate:	Two males; (1) 23; (2) 25.
Victim's Sex / Age / Vehicle / P-Plate:	(1) D, male, 37; (2) D's wife, female, 28.
Victim / Offender Primary Aggressor:	Offender.
Road / Traffic Conditions:	Not reported.
Circumstances/Weapons:	D's wife was driving and accidentally cut off two men in a late model Toyota 4WD. When she stopped at a traffic light on the corner of Plenty Rd and Boldrewood Parade, the men in the 4WD started arguing with her husband. The two men in the 4WD got out and pulled D out of the car, and began punching and kicking him; his wife attempted to come to his assistance but was pinned down sometimes by the offender's feet who screamed abuse at her as she tried to intervene. D was bashed unconscious sustaining sustained multiple facial injuries.
Injury (most serious) / Financial loss:	Multiple facial injuries, beaten and left unconscious, emotional trauma.
Reported to Police:	Yes.
Most Serious Offence Charged:	Both men were charged with Intentionally and recklessly causing serious injury; and other assault-related charges.
Legal Proceedings / Court:	The men were bailed to Melbourne Magistrates' Court.
Outcome / Sentence:	Not reported.
Quotes:	Not reported.
Other Details (eg. famous people):	Not reported.
Reference:	<i>Herald Sun</i> , Sunday 23 Sept. 2000, p.25; <i>The Age</i> , Sunday 24 Sept. 2000, p.7; <i>The Age</i> , Tuesday 26 Sept. 2000, p.4; <i>Herald Sun</i> , Friday 29 Sept. 2000, p.54; <i>Herald Sun</i> , Tuesday 3 Oct. 2000, p.24.

■ Case No: 7

<i>Date/Time of Incident:</i>	Wednesday 11 Oct. 2000, about 1730.
<i>Location of Incident / Postcode:</i>	(1) Glenferrie Road, (2) suburban Ringwood 3134.
<i>Incident Triggers:</i>	Not reported.
<i>Offender's Sex / Age / Vehicle / P-Plate:</i>	Male, about 25 years old.
<i>Victim's Sex / Age / Vehicle / P-Plate:</i>	Male, 55.
<i>Victim / Offender Primary Aggressor:</i>	Not reported.
<i>Road / Traffic Conditions:</i>	Not reported.
<i>Circumstances/Weapons:</i>	A 55-year-old motorist was bashed twice. The first assault was in Glenferrie Rd, and a witness to this assault gave the victim his name and contact details. The victim was later forced to the side of the road and bashed again by the same offender who took the witness's contact details.
<i>Injury (most serious) / Financial loss:</i>	Not reported.
<i>Reported to Police:</i>	Yes, Police fear for the safety of the witness.
<i>Most Serious Offence Charged:</i>	Not reported.
<i>Legal Proceedings / Court:</i>	Not reported.
<i>Outcome / Sentence:</i>	Not reported.
<i>Quotes:</i>	Not reported.
<i>Other Details (eg. famous people):</i>	Not reported.
<i>Reference:</i>	<i>The Age</i> , Friday 13 Oct. 2000, p.6.

■ Case No: 8

<i>Date/Time of Incident:</i>	Saturday 31 March 2001, about 2315.
<i>Location of Incident / Postcode:</i>	Corner of Victoria Parade and La Trobe Street.
<i>Incident Triggers:</i>	Not reported.
<i>Offender's Sex / Age / Vehicle / P-Plate:</i>	Two to three males.
<i>Victim's Sex / Age / Vehicle / P-Plate:</i>	Male.
<i>Victim / Offender Primary Aggressor:</i>	Not reported.
<i>Road / Traffic Conditions:</i>	Not reported
<i>Circumstances/Weapons:</i>	The victim was attacked by another driver through an open window at traffic lights, when the victim got out of his car the two other men joined the assault, kicking the victim in the head after he fell to the ground.
<i>Injury (most serious) / Financial loss:</i>	The victim was left with severe facial cuts, lacerations and bruising.
<i>Reported to Police:</i>	Yes. Crime Stoppers are calling for information.
<i>Most Serious Offence Charged:</i>	Not reported.
<i>Legal Proceedings / Court:</i>	Not reported.
<i>Outcome / Sentence:</i>	Not reported.
<i>Quotes:</i>	Not reported.
<i>Other Details (eg. famous people):</i>	Not reported.
<i>Reference:</i>	<i>The Age</i> , Sunday 1 April 2001, p.12.

■ Case No: 9

Date/Time of Incident:	Monday 17 Jan. 2000.
Location of Incident / Postcode:	Patterson Lakes 3197.
Incident Triggers:	B.L. (brother of C.L.) and his father (P.L.) noticed R.C. speeding in their street past their home, and B.L. tooted his horn at R.C.
Offender's Sex / Age / Vehicle / P-Plate:	R.C., <i>The Age</i> , Thursday 3 May 2001, p.12: Aged 27; <i>Herald Sun</i> , 5 Dec. 2000 (6), p.5: Aged 26.
Victim's Sex / Age / Vehicle / P-Plate:	C.L., male, 20.
Victim / Offender Primary Aggressor:	Offender.
Road / Traffic Conditions:	Not reported.
Circumstances/Weapons:	R.C. became incensed when B.L. beeped his horn when R.C. sped past B.L.'s home. R.C. stopped and fought with P.L., punched P.L. in the mouth, and then R.C. drove off. C.L. was returning home in his car as R.C. returned later in his car and drove his car into C.L., who was stepping out of his car. R.C.'s car ploughed into C.L. and he was thrown up in the air.
Injury (most serious) / Financial loss:	C.L. was left unconscious, he sustained severe head injuries, was in a coma for two months and in hospital for more than eight months. He has permanent brain damage, and requires care for the rest of his life.
Reported to Police:	Yes.
Most Serious Offence Charged:	Charges: 4 charges including Recklessly causing serious injury and Assault over the incident.
Legal Proceedings / Court:	(1) County Court, (2) Court of Appeal.
Outcome / Sentence:	(1) Four and a half years imprisonment. (2) The Court of Appeal unanimously upheld the Director of Public Prosecutions' Appeal against his sentence.
Quotes:	<i>Herald Sun</i> , 5 Dec. 2000 (1), Justice Tim Holt said he had not been able to detect any remorse from R.C. He also criticised him [R.C.] for wrongly continuing to blame C.L. as the aggressor. <i>The Age</i> , 3 May 2001 (2), 'Judge Robert Tadgell, in a lead judgment, said the court wanted to send a clear message to the community that it did not condone road-rage attacks [and further the] three judges hearing the appeal said that case was so appalling that if they had been sentencing R.C. at the trial, they would have imposed an even harsher sentence than they were able to yesterday.'
Other Details (eg. famous people):	R.C. was on parole for manslaughter at the time of the attack.
Reference:	<i>Herald Sun</i> , 5 Dec. 2000, p.5; <i>Herald Sun</i> , Sunday 10 Dec. 2000, p. 42; <i>The Age</i> , Thursday 3 May 2001, p.12.

■ Case No: 10

<i>Date/Time of Incident:</i>	Sunday 11 Nov. 2001, about 1720.
<i>Location of Incident / Postcode:</i>	Mount Alexander Road, North Melbourne 3051.
<i>Incident Triggers:</i>	An altercation between two drivers.
<i>Offender's Sex / Age / Vehicle / P-Plate:</i>	Two people, one of whom was known to be male.
<i>Victim's Sex / Age / Vehicle / P-Plate:</i>	A 10-month-old baby, and an 8-year-old child who were passengers in the car that was targeted in the incident.
<i>Victim / Offender Primary Aggressor:</i>	Offender.
<i>Road / Traffic Conditions:</i>	Not reported.
<i>Circumstances/Weapons:</i>	A car window was smashed during a road-rage incident after an altercation between two drivers with the glass hitting the two children.
<i>Injury (most serious) / Financial loss:</i>	An ambulance spokesman explained that the smashed glass hit the children.
<i>Reported to Police:</i>	Not reported.
<i>Most Serious Offence Charged:</i>	Not reported in media.
<i>Legal Proceedings / Court:</i>	Not reported in media.
<i>Outcome / Sentence:</i>	Not reported.
<i>Quotes:</i>	Not reported.
<i>Other Details (eg. famous people):</i>	Not reported.
<i>Reference:</i>	<i>The Age</i> , Monday 12 Nov. 2001, p.17.

■ Case No: 11

Date/Time of Incident:	Oct. 1999.
Location of Incident / Postcode:	North Melbourne, 3051.
Incident Triggers:	Mr. E.'s car ran into the back of a taxi in North Melbourne.
Offender's Sex / Age / Vehicle / P-Plate:	T.E.
Victim's Sex / Age / Vehicle / P-Plate:	A male taxi driver.
Victim / Offender Primary Aggressor:	Offender.
Road / Traffic Conditions:	Not reported in media.
Circumstances/Weapons:	T.E.'s car ran into the back of the taxi. T.E. then kicked, threatened and racially abused the African-born taxi driver.
Injury (most serious) / Financial loss:	Not reported in media.
Reported to Police:	Yes.
Most Serious Offence Charged:	Charges: Unlawful assault.
Legal Proceedings / Court:	Magistrate's Court.
Outcome / Sentence:	<i>Herald Sun</i> , 3 Oct. 2001 (3), p.31, discussed: T.E. the ex-minister charged with road rage may not have to face a charge that he threatened to kill a taxi driver as authorities will not pay to fly a witness from USA and a \$1,800 satellite link has also been ruled out; charges have not yet been withdrawn. Subsequently T.E. pleaded guilty. Magistrate Steven Raleigh put T.E. on a community-based order and ordered him to attend an anger management program.
Quotes:	Not reported.
Other Details (eg. famous people):	T.E. is a former MP.
Reference:	<i>The Age</i> , Friday 30 Nov. 2001, p.2; <i>Herald Sun</i> , Wednesday 3 Oct. 2001, p.31.

■ Case No: 12

Date/Time of Incident:	Sunday 18 July 1999.
Location of Incident / Postcode:	Bullen Rd, North Balwyn 3104.
Incident Triggers:	M.F. was driving and S.F. (his brother) was the passenger in a car when their vehicle bumped the vehicle of another motorist.
Offender's Sex / Age / Vehicle / P-Plate:	(1) M.F., male, 35; (2) S.F., male, 46.
Victim's Sex / Age / Vehicle / P-Plate:	Male.
Victim / Offender Primary Aggressor:	Offenders.
Road / Traffic Conditions:	The incident occurred during morning peak hour traffic.
Circumstances/Weapons:	M.F. (the driver) and S.F. (his brother) were driving and they bumped the vehicle of another motorist. At the next set of lights the driver of the other car took down the brothers' number plate and got out of his car to get their contact details. M.F. grabbed a metre long piece of wood and started to hit the driver on the arms. The brothers then forced the man into their car where they subsequently bashed him and then they released the heavily bruised and battered victim and drove away.
Injury (most serious) / Financial loss:	Not reported in media.
Reported to Police:	Yes.
Most Serious Offence Charged:	Charges: M.F., Intentionally causing injury and Criminal damage. S.F., Recklessly causing serious injury.
Legal Proceedings / Court:	County Court.
Outcome / Sentence:	M.F. found guilty and sentenced to three years and three months. S.F. found guilty and sentenced to two years and nine months.
Quotes:	'Judge Betty King said that the two brothers "behaved as barbarians" when they bashed a man in a violent road rage attack two years ago.' Judge King said that she was not overly optimistic about their prospects for rehabilitation; a savage incident that was inappropriate and trivialising to label as road rage'.
Other Details (eg. famous people):	Not reported in media.
Reference:	<i>The Age</i> , Tuesday 11 Dec. 2001, p.2; <i>Herald Sun</i> , Tuesday 11 Dec. 2001, p.23.

■ Case No: 13

<i>Date/Time of Incident:</i>	Not reported.
<i>Location of Incident / Postcode:</i>	Not reported.
<i>Incident Triggers:</i>	The author's father mistakenly forgot to give way to a car to his right at a roundabout (the reporter and the rest of the family were in the car at the time).
<i>Offender's Sex / Age / Vehicle / P-Plate:</i>	Not reported.
<i>Victim's Sex / Age / Vehicle / P-Plate:</i>	Not reported.
<i>Victim / Offender Primary Aggressor:</i>	Not reported.
<i>Road / Traffic Conditions:</i>	Not reported.
<i>Circumstances/Weapons:</i>	While no accident occurred the driver who was cut off was so angry he made obscene gestures and refused to let the car pass. Both cars pulled over and the driver who had been cut off verbally abused the author's father and proceeded to pull a hammer out of his boot and threaten to smash the windscreen of the car.
<i>Injury (most serious) / Financial loss:</i>	Not reported.
<i>Reported to Police:</i>	Not reported.
<i>Most Serious Offence Charged:</i>	Not reported.
<i>Legal Proceedings / Court:</i>	Not reported.
<i>Outcome / Sentence:</i>	Not reported.
<i>Quotes:</i>	Not reported.
<i>Other Details (eg. famous people):</i>	Not reported.
<i>Reference:</i>	<i>The Age</i> , Thursday 11 April 2002, p.4.

■ Case No: 14

Date/Time of Incident:	Saturday 6 Oct. 2001.
Location of Incident / Postcode:	Maroondah Highway; Moorebank Rd.
Incident Triggers:	Five people who were travelling in a nearby Ford sedan were making hand gestures that enraged J.R. The teenagers allegedly gave the offender the 'hang loose' sign at one point, and when the offender passed them in his car the sign changed to 'the finger'.
Offender's Sex / Age / Vehicle / P-Plate:	J.R., male, 22; Toyota station wagon.
Victim's Sex / Age / Vehicle / P-Plate:	A group of five people; Ford sedan.
Victim / Offender Primary Aggressor:	Both parties originally contributed to the incident and then the offender became dominant.
Road / Traffic Conditions:	Highway.
Circumstances/Weapons:	J.R. was enraged by hand gestures made by five people travelling in a nearby Ford sedan. J.R. then terrorised the occupants in this car – he braked continually to prevent the other car from passing and when the other car put high beam on, J.R. did a U-turn and pursued the rival car at 100 km/h rammed the car twice and when it stopped he used a four-pronged wheel brace to smash a window and strike one of the car's male occupants. J.R. also used a hydraulic jack to break another window and he struck a man across the right eye and temple with the jack because his night had been ruined (J.R. was trying to re-kindle a romance on that night). J.R. also apologised to the sole female occupant of the sedan as he stole cash, clothing, a mobile phone, and cigarettes from the occupants. Weapon: Car & wheel brace.
Injury (most serious) / Financial loss:	Not reported in media.
Reported to Police:	Yes.
Most Serious Offence Charged:	Charges: 14 charges including Assault; Armed robbery; Intentionally causing serious injury.
Legal Proceedings / Court:	County Court.
Outcome / Sentence:	Pleaded guilty to 14 charges sentenced to jail for 2 ¹ / ₂ years imprisonment with minimum term of 18 months.
Quotes:	'He was told by Judge Dyett that he [J.R.] had performed an extreme example of road rage. The judge said that J.R. had good prospects of rehabilitation with a job waiting for him on his release.'
Other Details (eg. famous people):	Not reported.
Reference:	<i>Herald Sun</i> , Friday 7 June 2002, p.24; <i>The Age</i> , Sunday 7 July 2002, p.9.

■ Case No: 15

Date/Time of Incident:	Saturday 31 August 2002, 1600.
Location of Incident / Postcode:	Intersection of Playne and Young Streets, Frankston – Melbourne’s south – 3199.
Incident Triggers:	The victim was a passenger in the car, which had stopped to let the victim get out near the train station, and so had blocked traffic behind it. The offender who was driving the car behind the car that the victim was travelling in was irritated by this blockage and he waved his arms and shouted.
Offender’s Sex / Age / Vehicle / P-Plate:	P.W., male (<i>The Age</i> , Thursday 5 Sept. 2002, p.4) Aged 38; (<i>The Age Quarterly</i> , Thursday 29 Jan. 2004, p.6) Aged 39 was driving a ‘fairly new’ EF or EL Ford sedan, one model before the current model, silver metallic with a bluish/purple tinge and with green-and-white number plates. It may have blood on the driver’s door.
Victim’s Sex / Age / Vehicle / P-Plate:	D.V., <i>The Age Quarterly</i> , Thursday 29 Jan. 2004, p.6, male, 35.
Victim / Offender Primary Aggressor:	Initially both parties were equally involved in creating the incident, however the offender became the dominant aggressor according to the media.
Road / Traffic Conditions:	Serious congestion due to the car in which the victim was travelling having stopped.
Circumstances/Weapons:	The victim D.V. approached the offender’s car and started to argue with offender. D.V., who was reported to move slowly and was later found to have a blood alcohol reading of .21, remonstrated and walked to the window of P.W.’s car. D.V. allegedly went berserk, swearing and threatening to ‘pelt’ the offender. P.W. was still seated in his car. At the time of the incident P.W. was allegedly looking for his runaway 14-year-old-daughter, he suffered depression and had had other ‘issues’ earlier in the day. P.W. alleged that S.V. lunged at him and pulled his hair through the window of his car. D.V. was talked about as being a big, drunk, and aggressive man who had made an aggressive move toward P.W. when P.W. stabbed him and drove away as the victim staggered backwards. It was during this 20-second encounter that P.W. plunged the knife almost to the hilt into D.V. Weapon: knife.
Injury (most serious) / Financial loss:	Death.
Reported to Police:	Yes.
Most Serious Offence Charged:	Charges: Murder.
Legal Proceedings / Court:	<i>The Age</i> , Thursday 5 Sept. 2002, p.4: Melbourne Magistrate’s Court; <i>The Age Quarterly</i> , Friday 13 Feb. 2004, p.6: Supreme Court.
Outcome / Sentence:	<i>The Age</i> , Thursday 5 Sept. 2002, p.4: Refused bail; <i>The Age Quarterly</i> , Friday 13 Feb. 2004, p.6: Found not guilty of murder and guilty of manslaughter; adjourned pre-sentence submissions pending a medical report regarding a separate motor accident that had left P.W. with a number of injuries. <i>The Age Quarterly</i> , Thursday 4 March 2004, p.8: Sentenced to seven years imprisonment with a minimum term of four years.

- Quotes:** *The Age Quarterly*, Thursday 29 Jan. 2004, p.6, QC Phillip Dunn: 'If there is anyone here who is the victim of road rage it is P.W.'. *The Age Quarterly*, Thursday 4 March 2004, p.8: 'Justice Robert Osborn said there was no excuse for P.W.'s actions. He said road rage has the potential to result in totally unjustified and tragic outcomes, like the death of Mr. V.'
- Other Details (eg. famous people):** Not reported
- Reference:** *The Age*, Monday 2 Sept. 2002, p.3; *The Age*, Thursday 5 Sept. 2002, p.4; *Herald Sun*, Monday 2 Sept 20.02, p.3; *Herald Sun*, Thursday 5.Sept. 2002, p.9; *Herald Sun*, Thursday 5 Sept. 2002, p.23; *Herald Sun*, Thursday 19 Sept. 2002, p.15; *Herald Sun*, Wednesday 4 Dec. 2002, p.30; *The Age Quarterly*, Thursday 29 Jan. 2004, p.6; *The Age Quarterly*, Friday 13 Feb. 2004, p.6; *The Age Quarterly*, Friday 27 Feb. 2004, p.9; *The Age Quarterly*, Thursday 4 March 2004, p.8.

■ Case No: 16

Date/Time of Incident:	Monday 7 Jan. 2002.
Location of Incident / Postcode:	Cornwall St, West Brunswick 3055.
Incident Triggers:	I.C. and his friend Mr. H. had followed T.I. to his house after a minor road incident in Coburg (incident not described).
Offender's Sex / Age / Vehicle / P-Plate:	T.I., male, 27, Silver Mercedes.
Victim's Sex / Age / Vehicle / P-Plate:	I.C., male, 38, motorbike.
Victim / Offender Primary Aggressor:	Offender.
Road / Traffic Conditions:	Not reported.
Circumstances/Weapons:	A security video showed I.C. gesturing to T.I., and then pushing him to the ground. T.I. then got up, took an object – identified in court as a pistol – from his pocket and aimed it at I.C. and shot him twice. I.C. fell to the ground. Weapon: .32 handgun.
Injury (most serious) / Financial loss:	I.C. was shot in the stomach and groin and died later in hospital.
Reported to Police:	Yes.
Most Serious Offence Charged:	(1) Committal hearing continues before Magistrate Frank Hogens; (2) Murder.
Legal Proceedings / Court:	(1) Magistrates' Court; (2) Supreme Court.
Outcome / Sentence:	Found guilty; pleaded not guilty on the basis it was self-defence and awaiting sentence.
Quotes:	Justice Phillip Cummins said on his viewing of the tape T.I. was not a victim of road rage because I.C. did not appear to be enraged.
Other Details (eg. famous people):	Not reported.
Reference:	<i>The Age</i> , Tuesday 8 Oct. 2002, p.4; <i>Herald Sun</i> , Tuesday 30 Sept. 2003, p.12.

■ Case No: 17

<i>Date/Time of Incident:</i>	Tuesday 7 Aug. 2001.
<i>Location of Incident / Postcode:</i>	Car park Queens lane, South Melbourne 3205.
<i>Incident Triggers:</i>	J.M.'s briefcase lightly touched the back of J.T.'s Ford Falcon.
<i>Offender's Sex / Age / Vehicle / P-Plate:</i>	J.T., male, 27, Ford Falcon.
<i>Victim's Sex / Age / Vehicle / P-Plate:</i>	J.M., male.
<i>Victim / Offender Primary Aggressor:</i>	Offender.
<i>Road / Traffic Conditions:</i>	Not reported.
<i>Circumstances/Weapons:</i>	J.T. continued driving for 10 metres, then quickly reversed, producing smoke from his tyre and hit J.M., J.M. struck the rear window of J.T.'s car, and was thrown on to the footpath as J.T. drove off quickly without stopping to help. Weapon: car.
<i>Injury (most serious) / Financial loss:</i>	Fractures.
<i>Reported to Police:</i>	Yes.
<i>Most Serious Offence Charged:</i>	Charges: one count of Assault; two counts of Intentionally causing serious injury; two counts of Recklessly causing serious injury.
<i>Legal Proceedings / Court:</i>	Not reported.
<i>Outcome / Sentence:</i>	Pleaded guilty; fined \$2,000 and disqualified from driving for two years.
<i>Quotes:</i>	'Magistrate Frank Hodgens said he accepted J.T. did not intentionally strike his victim or act out of road rage, but leaving the scene was serious'.
<i>Other Details (eg. famous people):</i>	Not reported.
<i>Reference:</i>	<i>The Age</i> , Friday 11 Oct. 2002, p.6.

■ Case No: 18

Date/Time of Incident:	Tuesday 6 Feb. 2001.
Location of Incident / Postcode:	Bell St, Preston 3072.
Incident Triggers:	As the cars pulled alongside each other D.M. allegedly said: 'Your car's all looks but no go', to which R.S. allegedly responded with a profane comment.
Offender's Sex / Age / Vehicle / P-Plate:	D.M., male, 27, silver Nissan Silvia coupe.
Victim's Sex / Age / Vehicle / P-Plate:	Brothers: R.S. 19 and N.S. 22 were driving in a Holden Commodore.
Victim / Offender Primary Aggressor:	Both parties may have initially contributed to the incident, however D.M. is reported to have been the more aggressive.
Road / Traffic Conditions:	Not reported in media.
Circumstances/Weapons:	After the taunt a fight broke out and the men brawled on the roadway in front of other motorists, a 'profanity laced argument ensued' between the defendant and the alleged victims. D.M. then allegedly opened his door and walked to the brothers' car, punching R.S. in the face through the open window, when N.S. then moved to the driver's side to remonstrate his nose was broken by a punch from the defendant. In the ensuing fight D.M. allegedly grabbed N.S. by the face and drove his knee upward, breaking his jaw. N.S. eventually told D.M. that the police had arrived, and the man's partner pulled him away and he drove off.
Injury (most serious) / Financial loss:	R.S. sustained a broken jaw, and N.S. sustained a broken nose.
Reported to Police:	Yes.
Most Serious Offence Charged:	Charges: One count of Assault; two counts of Intentionally causing serious injury; two counts of Recklessly causing serious injury.
Legal Proceedings / Court:	County Court.
Outcome / Sentence:	D.M. pleaded not guilty and the trial continues.
Quotes:	Not reported.
Other Details (eg. famous people):	Not reported.
Reference:	<i>Herald Sun</i> , Wednesday 7 Feb. 2001, p.11; <i>The Age</i> , Tuesday 13 May 2003, p.6.

■ Case No: 19

Date/Time of Incident:	Sunday 28 July 2002, about 1545.
Location of Incident / Postcode:	Mountain Highway, Bayswater 3153.
Incident Triggers:	The brothers were attempting to reach 170 km/h when a motorist was travelling too slowly in front of them, and they were forced to break and change lanes and this made them angry.
Offender's Sex / Age / Vehicle / P-Plate:	Two brothers C.R. 22yrs and C.T. 21yrs.
Victim's Sex / Age / Vehicle / P-Plate:	(1) male; (2) female.
Victim / Offender Primary Aggressor:	Offender.
Road / Traffic Conditions:	Highway.
Circumstances/Weapons:	The two brothers terrorised a motorist, his girlfriend and the employees of a Bayswater supermarket. They smashed the victims' car window and assaulted the driver and jabbed him in the arm with a screwdriver and punched him through the window of his car at a Safeway car park at Bayswater. C.T. (one of the brothers) chased the man's girlfriend after she fled the car, and C.R. ran towards supermarket staff with a screwdriver yelling abuse. The pair also stole the victim's mobile phone.
Injury (most serious) / Financial loss:	Stab wounds and other injuries not reported, \$1,879.
Reported to Police:	Yes.
Most Serious Offence Charged:	Charges: One count of Affray and one count of Theft.
Legal Proceedings / Court:	County Court. C.R. was sentenced to two years' imprisonment with a minimum of 12 months. C.T. received an 18-month sentence with a minimum of nine months. C.R. had been on parole at the time for robbing a convenience store with a tomahawk. C.R. has spent 305 days in custody and was jailed for two years by Judge Frances Hogan. He must serve 12 months before he is eligible for parole. C.T. has spent 208 days in custody and was jailed for 18 months. He must serve nine months before being eligible for parole. They were also ordered to pay \$1,879 to the victim for his mobile phone and damage to the car.
Outcome / Sentence:	Pleaded guilty.
Quotes:	Judge Frances Hogan said 'You have been guilty of appalling anti-social conduct, which was violent, unprovoked and terrifying'.
Other Details (eg. famous people):	Not reported.
Reference:	<i>The Age</i> , Wednesday 6 Aug. 2003, p.4; <i>Herald Sun</i> , Wednesday 6 Aug. 2003, p.27.

■ **Case No: 20**

<i>Date/Time of Incident:</i>	Tuesday 6 Feb. 2001.
<i>Location of Incident / Postcode:</i>	Heatherton Rd, Dandenong 3175.
<i>Incident Triggers:</i>	J.Y. wanted to change lanes on Heatherton Rd.
<i>Offender's Sex / Age / Vehicle / P-Plate:</i>	J.Y., male, 25.
<i>Victim's Sex / Age / Vehicle / P-Plate:</i>	Male.
<i>Victim / Offender Primary Aggressor:</i>	Not reported.
<i>Road / Traffic Conditions:</i>	Not reported.
<i>Circumstances/Weapons:</i>	At first J.Y. tried to sideswipe the victim's car. After the motorist pulled over, J.Y. reversed, got out of his car and kicked the victim in the face. He grabbed the victim by the throat and punched him in the head before the man fell unconscious, as the victim's terrified family looked on.
<i>Injury (most serious) / Financial loss:</i>	The victim was rendered unconscious and his family was terrified.
<i>Reported to Police:</i>	Yes.
<i>Most Serious Offence Charged:</i>	Charges: Intentionally causing injury, Unlawful assault, Conduct endangering persons and Criminal damage.
<i>Legal Proceedings / Court:</i>	Magistrates' Court.
<i>Outcome / Sentence:</i>	J.Y. pleaded guilty and was sentenced to jail for 14 months imprisonment with a minimum of eight months and ordered to pay \$2,200 compensation.
<i>Quotes:</i>	Not reported in media.
<i>Other Details (e.g. famous people):</i>	Not reported in media.
<i>Reference:</i>	<i>The Age</i> , Thursday 18 Sept. 2003, p.8.

■ Case No: 21

Date/Time of Incident:	Sunday 19 May 2002, in the early hours.
Location of Incident / Postcode:	Deer Park Road/ Western Ring Road.
Incident Triggers:	P.S. was attempting a reunion with his girlfriend and drove his car four times on the wrong side of the road of Deer park Road, sliding his car sideways and performing 'fishtails' in front of her. She had refused to be a passenger in the car, and the pair continued to argue in their flat and P.S.'s girlfriend rang the police and P.S. drove away.
Offender's Sex / Age / Vehicle / P-Plate:	P.S., male, 25.
Victim's Sex / Age / Vehicle / P-Plate:	A husband and wife and their family.
Victim / Offender Primary Aggressor:	Offender.
Road / Traffic Conditions:	Ring Road.
Circumstances/Weapons:	Immediately following the argument with his girlfriend and showing off to her, P.S. drove away and cut in front of the victim's car. The driver flashed his lights which made P.S. slam on his brakes, forcing the other driver to swerve to avoid a collision. The victim drove slowly past P.S. who suddenly launched his car over a nature strip and on to the road before chasing the victim's vehicle. The family decided not to drive home to avoid P.S. following them there. The husband drove at 120 km/h desperate to find a populated place fearing for the lives of his family, before hiding his car among trucks at a service station. P.S. searched for his victims but drove off when police lights approached. Weapon: car.
Injury (most serious) / Financial loss:	Not reported.
Reported to Police:	Yes.
Most Serious Offence Charged:	Charges: Reckless conduct endangering lives; Driving in a dangerous manner.
Legal Proceedings / Court:	Longford Court, Kealba.
Outcome / Sentence:	Pleaded guilty, sentenced for 15 months imprisonment and must serve 9 months; released pending an appeal, and licence cancelled for three years.
Quotes:	Not reported.
Other Details (eg. famous people):	P.S. was drunk at the time of the incident and did not remember the details, and further to this a psychologist suggested that the events were sparked by a major depressive episode.
Reference:	<i>The Age</i> , Thursday 16 Oct. 2003, p.6.

■ Case No: 22

Date/Time of Incident:	Friday 19 April 2002.
Location of Incident / Postcode:	Hampton Park, South Gippsland Highway 3976.
Incident Triggers:	J.W. driving his car overtook A.L.'s Postal mail-laden motorcycle. J.W.'s car allegedly came too close to the motorcycle, A.L. sounded his horn and was forced to break hard when the car stopped in front of him. A.L. allegedly gestured to J.W. (an off-duty policeman) that he had come dangerously close to his motorcycle.
Offender's Sex / Age / Vehicle / P-Plate:	J.W., male, 27.
Victim's Sex / Age / Vehicle / P-Plate:	A.L., 30, Post office motorcycle laden with mail.
Victim / Offender Primary Aggressor:	Offender.
Road / Traffic Conditions:	Highway.
Circumstances/Weapons:	'A.L. asked J.W., "What are you trying to do?" J.W., an out of uniform policeman, got out of his car flashed his badge, said, "You should know the f—ing rules, Do you know who you're talking to?" J.W. punched A.L. three times in the face, and put him in a headlock before A.L. put J.W. in a headlock as well. The two wrestled and another postal worker separated them.' Weapons: hands and fists.
Injury (most serious) / Financial loss:	Not reported.
Reported to Police:	Yes.
Most Serious Offence Charged:	Charges: Intentionally causing injury and Recklessly causing injury.
Legal Proceedings / Court:	(1) Melbourne Magistrate's Court.
Outcome / Sentence:	J.W. stated that he acted in self-defence after the 'postie' had assaulted him. Cleared by jury of assaulting a postman.
Quotes:	(1) Magistrate Peter Mealy ruled that there was sufficient evidence for Constable J.W. to stand trial.
Other Details (eg. famous people):	(1) Constable J.W. was withdrawn from operation duties at Frankston.
Reference:	<i>The Age</i> , Wednesday 28 April 2004, p.6; <i>Herald Sun</i> , Wednesday 28 April 2004, p.24; <i>Herald Sun</i> , Tuesday 4 May 2004, p.16.

■ Case No: 23

<i>Date/Time of Incident:</i>	No date reported, 1525.
<i>Location of Incident / Postcode:</i>	Great Ocean Rd near Sheoak, 4 km south of Lorne 3232.
<i>Incident Triggers:</i>	Not reported.
<i>Offender's Sex / Age / Vehicle / P-Plate:</i>	Three males driving a white 1988 Nissan Pulsar hire car registration plates PAU 765.
<i>Victim's Sex / Age / Vehicle / P-Plate:</i>	Two brothers, one aged 24.
<i>Victim / Offender Primary Aggressor:</i>	Offender.
<i>Road / Traffic Conditions:</i>	Not reported.
<i>Circumstances/Weapons:</i>	A 24-year-old man stopped in a car park at around 1525 and was approached by two men. The men beat him around the head with a nunchaku and a piece of wood. The victim's brother then pulled up in another car and was also assaulted. The two attackers then threw the 24-year-old man over the clifftop safety barrier before driving off. His brother then dragged him from the cliff. Weapons: (1) nunchaku (2) piece of wood.
<i>Injury (most serious) / Financial loss:</i>	The victim was dragged from the cliff by his brother and taken by ambulance to the Lorne hospital, suffering a suspected fractured skull, cuts and bruising.
<i>Reported to Police:</i>	Yes, Torquay CIB detectives are investigating the incident.
<i>Most Serious Offence Charged:</i>	Not reported.
<i>Legal Proceedings / Court:</i>	Not reported.
<i>Outcome / Sentence:</i>	Not reported.
<i>Quotes:</i>	Not reported.
<i>Other Details (eg. famous people):</i>	Not reported in media.
<i>Reference:</i>	<i>Herald Sun</i> , Monday 12 July 1999, p.5.

■ **Case No: 24**

<i>Date/Time of Incident:</i>	Thursday 22 July 1999.
<i>Location of Incident / Postcode:</i>	Boronia Rd.
<i>Incident Triggers:</i>	There had been a dispute between the two drivers where one car had bumped another.
<i>Offender's Sex / Age / Vehicle / P-Plate:</i>	A male driving a late model Blue Commodore.
<i>Victim's Sex / Age / Vehicle / P-Plate:</i>	Male.
<i>Victim / Offender Primary Aggressor:</i>	Offender.
<i>Road / Traffic Conditions:</i>	Not reported.
<i>Circumstances/Weapons:</i>	The cars allegedly pulled up and the attack began. The victim was punched several times in the head, knocked to the ground and then kicked in the face repeatedly by the other motorist. Weapons: fists and feet.
<i>Injury (most serious) / Financial loss:</i>	Bruised and swollen.
<i>Reported to Police:</i>	Yes. Police urge witnesses to call Knox police.
<i>Most Serious Offence Charged:</i>	Not reported.
<i>Legal Proceedings / Court:</i>	Not reported.
<i>Outcome / Sentence:</i>	Not reported.
<i>Quotes:</i>	Not reported.
<i>Other Details (eg. famous people):</i>	Not reported.
<i>Reference:</i>	<i>Herald Sun</i> , Saturday 23 July 1999, p.2.

■ Case No: 25

<i>Date/Time of Incident:</i>	Sunday 15 Aug. 1999, 1530.
<i>Location of Incident / Postcode:</i>	Little Bourke St near Russell St in Melbourne 3000.
<i>Incident Triggers:</i>	A road rage dispute with a pedestrian who allegedly blocked the offender's way.
<i>Offender's Sex / Age / Vehicle / P-Plate:</i>	Male.
<i>Victim's Sex / Age / Vehicle / P-Plate:</i>	Male, 24.
<i>Victim / Offender Primary Aggressor:</i>	Not reported.
<i>Road / Traffic Conditions:</i>	Not reported.
<i>Circumstances/Weapons:</i>	A man and his friend were driving along Little Bourke St near Russell St when a man standing in the middle of the road blocked their car. They argued with him before driving away. He chased them for 100m that led to a fight in which the passenger was stabbed four times. Weapon: knife.
<i>Injury (most serious) / Financial loss:</i>	Stab wounds, serious but stable.
<i>Reported to Police:</i>	Yes.
<i>Most Serious Offence Charged:</i>	Not reported.
<i>Legal Proceedings / Court:</i>	Not reported.
<i>Outcome / Sentence:</i>	Not reported.
<i>Quotes:</i>	Not reported.
<i>Other Details (eg. famous people):</i>	Not reported.
<i>Reference:</i>	<i>Herald Sun</i> , Monday 16 Aug 1999, p.11.

■ **Case No: 26**

<i>Date/Time of Incident:</i>	1999.
<i>Location of Incident / Postcode:</i>	Not reported.
<i>Incident Triggers:</i>	The victim was a lollipop man.
<i>Offender's Sex / Age / Vehicle / P-Plate:</i>	A driver of a red sedan.
<i>Victim's Sex / Age / Vehicle / P-Plate:</i>	J.F., male, 74.
<i>Victim / Offender Primary Aggressor:</i>	Offender.
<i>Road / Traffic Conditions:</i>	Not reported.
<i>Circumstances/Weapons:</i>	The victim had a device hurled at him from a passing car. He escaped injury as it rolled into a gutter and shattered. Weapon: a homemade explosive device.
<i>Injury (most serious) / Financial loss:</i>	Emotional trauma.
<i>Reported to Police:</i>	Yes, but local police were powerless to respond because he failed to get the offending red sedan's registration number.
<i>Most Serious Offence Charged:</i>	Not reported.
<i>Legal Proceedings / Court:</i>	Not reported.
<i>Outcome / Sentence:</i>	Not reported.
<i>Quotes:</i>	Not reported.
<i>Other Details (eg. famous people):</i>	The City of Darebin and City of Casey have introduced training for crossing supervisors to help combat 'road rage', and Mornington Peninsula Shire Council, which has increased crossing patrols to help protect staff, is considering similar classes.
<i>Reference:</i>	<i>Herald Sun</i> , Monday 11 Oct. 1999, p.8.

■ Case No: 27

<i>Date/Time of Incident:</i>	Not reported.
<i>Location of Incident / Postcode:</i>	Cnr Clarendon St & City Rd, at a South Melbourne McDonalds 3205.
<i>Incident Triggers:</i>	A motorist was honking his horn incessantly while at McDonalds on the corner of Clarendon St & City Rd while the victim's car was in line in front of him.
<i>Offender's Sex / Age / Vehicle / P-Plate:</i>	A male motorist.
<i>Victim's Sex / Age / Vehicle / P-Plate:</i>	2 men – the driver of the car aged 30, and his passenger aged 31.
<i>Victim / Offender Primary Aggressor:</i>	Offender.
<i>Road / Traffic Conditions:</i>	Slow traffic through a McDonald's driveway.
<i>Circumstances/Weapons:</i>	The victim and his passenger approached the honking motorist and were attacked by the motorist with a screwdriver. The motorist then drove off with one of the men clinging to the car for 40m along Clarendon St. The second victim was knocked over. Weapon: screwdriver.
<i>Injury (most serious) / Financial loss:</i>	Not reported.
<i>Reported to Police:</i>	Yes. Police are questioning an 18-year-old Keysborough man over the incident.
<i>Most Serious Offence Charged:</i>	Not reported.
<i>Legal Proceedings / Court:</i>	Not reported.
<i>Outcome / Sentence:</i>	Not reported.
<i>Quotes:</i>	Not reported.
<i>Other Details (eg. famous people):</i>	Not reported.
<i>Reference:</i>	<i>Herald Sun</i> , Tuesday 28 Dec. 1999, p.10.

■ **Case No: 28**

<i>Date/Time of Incident:</i>	Friday 4 Feb. 2000.
<i>Location of Incident / Postcode:</i>	Springvale Rd.
<i>Incident Triggers:</i>	Dr P.W. did not see J.G.'s car when he pulled out into traffic.
<i>Offender's Sex / Age / Vehicle / P-Plate:</i>	J.G., male, 18, a P-Plate driver.
<i>Victim's Sex / Age / Vehicle / P-Plate:</i>	Dr. P.W., male, 37.
<i>Victim / Offender Primary Aggressor:</i>	Offender.
<i>Road / Traffic Conditions:</i>	Not reported.
<i>Circumstances/Weapons:</i>	J.G. and his three mates retaliated when Dr P.W. cut into the traffic. He changed lanes and sped up beside Dr P.W. before swerving in front of him and clipping his car. Weapon: car.
<i>Injury (most serious) / Financial loss:</i>	Not reported.
<i>Reported to Police:</i>	Yes.
<i>Most Serious Offence Charged:</i>	Not reported.
<i>Legal Proceedings / Court:</i>	Not reported.
<i>Outcome / Sentence:</i>	Rather than take action, Dr P.W. invited J.G. to see the emergency department where he works to show J.G. the possible consequences of 'road rage'.
<i>Quotes:</i>	Not reported.
<i>Other Details (eg. famous people):</i>	Not reported.
<i>Reference:</i>	<i>Herald Sun</i> , Sunday 13 Feb. 2000, p.3.

■ Case No: 29

<i>Date/Time of Incident:</i>	Not reported.
<i>Location of Incident / Postcode:</i>	Western Highway.
<i>Incident Triggers:</i>	The victim and another driver became angry at each other while driving.
<i>Offender's Sex / Age / Vehicle / P-Plate:</i>	A woman aged 22 years.
<i>Victim's Sex / Age / Vehicle / P-Plate:</i>	A woman .
<i>Victim / Offender Primary Aggressor:</i>	Not reported.
<i>Road / Traffic Conditions:</i>	Highway.
<i>Circumstances/Weapons:</i>	A young woman allegedly stabbed another woman after an altercation on the side of the Western Highway.
<i>Injury (most serious) / Financial loss:</i>	Not reported.
<i>Reported to Police:</i>	Not reported.
<i>Most Serious Offence Charged:</i>	Charges: Intentionally and recklessly causing serious injury, and Assault and weapons offences.
<i>Legal Proceedings / Court:</i>	Melbourne Magistrates' Court.
<i>Outcome / Sentence:</i>	Bailed by police.
<i>Quotes:</i>	Not reported.
<i>Other Details (eg. famous people):</i>	Not reported.
<i>Reference:</i>	<i>Herald Sun</i> , Saturday 6 May 2000, p.11.

■ **Case No: 30**

<i>Date/Time of Incident:</i>	Tuesday 11 May 1999.
<i>Location of Incident / Postcode:</i>	Calder Freeway near Keilor 3083.
<i>Incident Triggers:</i>	Not reported.
<i>Offender's Sex / Age / Vehicle / P-Plate:</i>	C.W., female, aged 40 years.
<i>Victim's Sex / Age / Vehicle / P-Plate:</i>	A female.
<i>Victim / Offender Primary Aggressor:</i>	Offender.
<i>Road / Traffic Conditions:</i>	Freeway.
<i>Circumstances/Weapons:</i>	C.W. pulled up alongside another motorist and began waving her arms and yelling angrily. Soon after she reached onto the floor of the passenger side of the vehicle and produced a black handgun. Weapon: Firearm.
<i>Injury (most serious) / Financial loss:</i>	The victim was so traumatised that she vomited.
<i>Reported to Police:</i>	Yes.
<i>Most Serious Offence Charged:</i>	Charges: Assault with a weapon and having a hand gun without a licence.
<i>Legal Proceedings / Court:</i>	Not reported.
<i>Outcome / Sentence:</i>	Magistrate Greg Levine placed C.W. on a \$250 good behaviour bond without conviction.
<i>Quotes:</i>	Not reported.
<i>Other Details (eg. famous people):</i>	C.W. is a Supreme Court stenographer who used her son's toy gun to threaten a motorist in a 'road rage' incident.
<i>Reference:</i>	<i>Herald Sun</i> , Friday 12 May 2000, p.11.

■ Case No: 31

Date/Time of Incident:	Thursday 15 June 2000, 0900.
Location of Incident / Postcode:	Findon Primary School, Mill Park 3082.
Incident Triggers:	The victim had stopped at a crossing to wait for children and a lollipop lady. A man behind him kept honking his horn. The victim pulled over to let the 'impatient driver' pass him.
Offender's Sex / Age / Vehicle / P-Plate:	A male driver.
Victim's Sex / Age / Vehicle / P-Plate:	A male driver aged 41.
Victim / Offender Primary Aggressor:	Offender.
Road / Traffic Conditions:	Traffic queued for a school crossing.
Circumstances/Weapons:	The victim pulled over to let the impatient driver pass, but the offending driver allegedly stopped and got out, yelled at the man and stabbed him twice and then fled.
Injury (most serious) / Financial loss:	The victim was taken to Northern Hospital in a serious condition and underwent surgery.
Reported to Police:	Yes. Police said a 20-year-old Mill Park man drove to Epping police station and gave himself up about 9.10 am.
Most Serious Offence Charged:	He has been charged with Intentionally causing serious injury and was bailed to appear at the Melbourne Magistrates' Court today.
Legal Proceedings / Court:	Melbourne Magistrates' Court.
Outcome / Sentence: Quotes:	Inspector John Thexton, from Whittlesea Police District, said people should never underestimate how dangerous 'road rage' situations could be. 'We are very conscious of some people's high emotions when they are driving and advise people not to become involved in a heated exchange', Inspector Thexton said.
Quotes:	Not reported.
Other Details (eg. famous people):	Not reported.
Reference:	<i>Herald Sun</i> , 16 June 2000, p.29.

■ Case No: 32

<i>Date/Time of Incident:</i>	Tuesday 27 June 2000.
<i>Location of Incident / Postcode:</i>	South-Eastern Arterial towards Hastings 3915.
<i>Incident Triggers:</i>	S.M. and his girlfriend were driving along the South-Eastern Arterial when he was overtaken by another car and the other car threw cans and bottles. S.M. called to the second vehicle that they were idiots.
<i>Offender's Sex / Age / Vehicle / P-Plate:</i>	Two men (1) D.F. 22 and (2) D.W.
<i>Victim's Sex / Age / Vehicle / P-Plate:</i>	Two men and a woman (1) S.M. (2) S.M.'s girlfriend and a mutual male friend.
<i>Victim / Offender Primary Aggressor:</i>	Offender.
<i>Road / Traffic Conditions:</i>	Arterial.
<i>Circumstances/Weapons:</i>	The two occupants who had thrown the cans and bottles then launched an assault against S.M., his girlfriend and friend. The victim was punched in the windpipe and kicked in the jaw breaking it. When his girlfriend tried to stop the attack by pulling the attacker's hair she was punched and struck.
<i>Injury (most serious) / Financial loss:</i>	S.M. had his jaw broken and needed two operations on his shattered jaw.
<i>Reported to Police:</i>	Yes.
<i>Most Serious Offence Charged:</i>	Both attackers: one count each of Recklessly causing serious injury and Recklessly causing injury.
<i>Legal Proceedings / Court:</i>	County Court.
<i>Outcome / Sentence:</i>	Both attackers pleaded guilty. (1) D.F. sentenced for 12 months' imprisonment, suspended for a year and fined \$500 for unlawful assault; (2) D.W. (found to be the main aggressor) sentenced to 20 months' imprisonment with 15 months of the term suspended for 18 months to give him an immediate custodial sentence of five months.
<i>Quotes:</i>	Judge Jones said he was satisfied that D.W., the father of a five-year-old girl, had been the main aggressor.
<i>Other Details (eg. famous people):</i>	Not reported in media.
<i>Reference:</i>	<i>Herald Sun</i> , Wednesday 28 June 2000, p.35.

■ Case No: 33

<i>Date/Time of Incident:</i>	Sunday 9 July 2000, 0500.
<i>Location of Incident / Postcode:</i>	Russell Place, City.
<i>Incident Triggers:</i>	The Mercedes Benz driver was impatient with a car stopped in the tiny street .
<i>Offender's Sex / Age / Vehicle / P-Plate:</i>	Involved were the drivers of a late model silver Mercedes and a Holden.
<i>Victim's Sex / Age / Vehicle / P-Plate:</i>	Involved were the drivers of a late model silver Mercedes and a Holden.
<i>Victim / Offender Primary Aggressor:</i>	Both parties appear to have contributed to this incident (except for a gun being produced).
<i>Road / Traffic Conditions:</i>	Not reported.
<i>Circumstances/Weapons:</i>	'Road rage' sparked a brawl between two carloads of city visitors in which a gun was pointed at one man's head. Weapon: gun.
<i>Injury (most serious) / Financial loss:</i>	Passengers in the Holden suffered cut lips.
<i>Reported to Police:</i>	Yes. It is only a minor assault but because a gun was produced it's a serious matter.
<i>Most Serious Offence Charged:</i>	Not reported.
<i>Legal Proceedings / Court:</i>	Not reported.
<i>Outcome / Sentence:</i>	Not reported.
<i>Quotes:</i>	Not reported.
<i>Other Details (eg. famous people):</i>	Not reported.
<i>Reference:</i>	<i>Herald Sun</i> , Monday 10 July 2000, p.9.

■ Case No: 34

Date/Time of Incident:	Thursday 13 July 2000, about 2400.
Location of Incident / Postcode:	Not reported.
Incident Triggers:	A motorcycle rider and driver of the VN Commodore were seen to be in an argument and the motorcycle had been pushed over, and M.P.'s nephew L.S. went to help.
Offender's Sex / Age / Vehicle / P-Plate:	A male driving a VN Commodore.
Victim's Sex / Age / Vehicle / P-Plate:	A 40-year-old woman M.P., and her nephew L.S.
Victim / Offender Primary Aggressor:	Offender.
Road / Traffic Conditions:	Not reported in media.
Circumstances/Weapons:	M.P. and her nephew L.S. got out of their car to help a motorcyclist whose motorcycle was intentionally pushed over by the offender in his car. M.P. and L.S. were themselves then hit by the driver in his VN Commodore. He had turned his car around, turned the lights off, and directed his car at the group around the motorcycle. M.P. was pinned underneath the motorcycle and dragged approximately 10m.
Injury (most serious) / Financial loss:	(1) M.P. suffered a serious head injury, shattered knees, a broken leg and a broken arm. She had lost a lot of blood from a head wound, her knees were shattered, ribs broken, one leg bone was broken twice, one of her arms was broken and she had a broken wrist. (2) L.S. has a back injury.
Reported to Police:	Yes.
Most Serious Offence Charged:	Not reported.
Legal Proceedings / Court:	Not reported.
Outcome / Sentence:	Not reported.
Quotes:	L.S. said that 'He planted his foot and collected us both. I think he turned his lights out. He was flying when he came at us. It was like Jaws or something. I reckon he was going about 60 km/ph.' And 'One senior policeman described it as the worst incident of road rage he had heard of.'
Other Details (eg. famous people):	Not reported.
Reference:	<i>Herald Sun</i> , Saturday 15 July 2000, p.9.

■ Case No: 35

<i>Date/Time of Incident:</i>	Nov. 1992.
<i>Location of Incident / Postcode:</i>	Kew 3101.
<i>Incident Triggers:</i>	An accident.
<i>Offender's Sex / Age / Vehicle / P-Plate:</i>	S.V., male, 43.
<i>Victim's Sex / Age / Vehicle / P-Plate:</i>	Male.
<i>Victim / Offender Primary Aggressor:</i>	Offender.
<i>Road / Traffic Conditions:</i>	Not reported.
<i>Circumstances/Weapons:</i>	The offender is accused of attacking a motorist in a fit of 'road rage' after an accident.
<i>Injury (most serious) / Financial loss:</i>	The victim received cuts and bruises to his face.
<i>Reported to Police:</i>	Yes.
<i>Most Serious Offence Charged:</i>	Charges: a number of assaults.
<i>Legal Proceedings / Court:</i>	Not reported.
<i>Outcome / Sentence:</i>	The offender failed to attend court and a warrant for his arrest was issued.
<i>Quotes:</i>	Not reported.
<i>Other Details (eg. famous people):</i>	Not reported.
<i>Reference:</i>	<i>Herald Sun</i> , Tuesday 25 July 2000, p.21.

■ Case No: 36

<i>Date/Time of Incident:</i>	Tuesday 12 Sept. 2000, 1815.
<i>Location of Incident / Postcode:</i>	St Albans Rd, Keilor Downs 3038.
<i>Incident Triggers:</i>	The two cars crossed paths in the car park of the Keilor Park Plaza and a brief argument followed.
<i>Offender's Sex / Age / Vehicle / P-Plate:</i>	Two young men between the ages of between 16–20 yrs driving a 1980s Blue Corona or Corolla.
<i>Victim's Sex / Age / Vehicle / P-Plate:</i>	Two brothers one of whom is aged 21 years.
<i>Victim / Offender Primary Aggressor:</i>	Offenders.
<i>Road / Traffic Conditions:</i>	Not reported.
<i>Circumstances/Weapons:</i>	After the argument the offenders positioned themselves along Taylor Rd and threw bricks they had picked up from the side of the road at the victims' car. A brick shattered the windscreen and the driver swerved across three lanes, hitting the median strip then swerved across the road and collided with a parked Mitsubishi van. Weapons: bricks.
<i>Injury (most serious) / Financial loss:</i>	The brothers were rushed to Western General Hospital. The driver was released, but his brother was transferred to the Alfred and is in a grave condition in a coma in Alfred Hospital.
<i>Reported to Police:</i>	Yes.
<i>Most Serious Offence Charged:</i>	Potentially Homicide depending on whether the victim dies.
<i>Legal Proceedings / Court:</i>	Not reported.
<i>Outcome / Sentence:</i>	Not reported.
<i>Quotes:</i>	'Sgt. Detective Lee Tabbitt of Keilor Downs CIU: "It's your typical road rage thing – it may be as simple as them looking at each other the wrong way" he said. From there it turned ugly.'
<i>Other Details (eg. famous people):</i>	Not reported.
<i>Reference:</i>	<i>Herald Sun</i> , Saturday 23 Sept 2000, p.28.

■ Case No: 37

<i>Date/Time of Incident:</i>	About 1030.
<i>Location of Incident / Postcode:</i>	Hume Highway and Barry Rd intersection, Campbellfield 3061.
<i>Incident Triggers:</i>	The victim, an off-duty security guard, accidentally cut R.P. off.
<i>Offender's Sex / Age / Vehicle / P-Plate:</i>	R.P., male, 33.
<i>Victim's Sex / Age / Vehicle / P-Plate:</i>	An off-duty security guard.
<i>Victim / Offender Primary Aggressor:</i>	Both parties may have contributed to the incident.
<i>Road / Traffic Conditions:</i>	National Highway.
<i>Circumstances/Weapons:</i>	After accidentally cutting R.P. off when driving through Campbellfield, the victim and R.P. started gesturing to each other when both cars stopped at a red light. When R.P. got out of his car and became abusive, the victim produced his baton. R.P. then threatened the victim with two screwdrivers and one 30cm kitchen knife. When the victim produced a gun the offender then threatened to kill the victims' parents. While the victim was waiting for the Police to arrive R.P. drove towards the victim collecting him on the bonnet of his (the offender's) car. The offender then drove in a circular motion with the victim hanging on to the bonnet. It was during the second lap of the intersection the offender's car collided with another car and the victim went flying. Weapons: (1) the offender – 2 screwdrivers & one 30cm kitchen knife; (2) the victim – a baton and a gun.
<i>Injury (most serious) / Financial loss:</i>	The security guard was sent flying onto the road and suffered bruised ribs, legs, and shoulders.
<i>Reported to Police:</i>	Yes.
<i>Most Serious Offence Charged:</i>	Charges: Reckless conduct endangering life and Assault with a weapon.
<i>Legal Proceedings / Court:</i>	Magistrates' Court.
<i>Outcome / Sentence:</i>	The offender pleaded guilty, and was remanded in custody pending a pre-sentence psychiatric report.
<i>Quotes:</i>	Not reported.
<i>Other Details (e.g. famous people):</i>	Not reported
<i>Reference:</i>	<i>Herald Sun</i> , Thursday 12 Oct. 2000, p.x.

■ **Case No: 38**

<i>Date/Time of Incident:</i>	No date reported, 9.50 pm.
<i>Location of Incident / Postcode:</i>	Eastern Freeway.
<i>Incident Triggers:</i>	A 21-year-old young woman S.T. was driving a Honda Civic and her boyfriend was a passenger.
<i>Offender's Sex / Age / Vehicle / P-Plate:</i>	Not reported.
<i>Victim's Sex / Age / Vehicle / P-Plate:</i>	S.T., female, 21, and a male.
<i>Victim / Offender Primary Aggressor:</i>	Offender/s.
<i>Road / Traffic Conditions:</i>	Freeway.
<i>Circumstances/Weapons:</i>	A bottle was thrown from a footbridge and hit the victim's car windscreen on the passenger side causing the victim and her passenger to be quite frightened. Weapon: a bottle.
<i>Injury (most serious) / Financial loss:</i>	Emotional trauma.
<i>Reported to Police:</i>	Yes.
<i>Most Serious Offence Charged:</i>	Not reported.
<i>Legal Proceedings / Court:</i>	Not reported.
<i>Outcome / Sentence:</i>	Not reported.
<i>Quotes:</i>	Not reported.
<i>Other Details (eg. famous people):</i>	Not reported.
<i>Reference:</i>	<i>Herald Sun</i> , Thursday 2 Nov. 2000, p.27.

■ Case No: 39

Date/Time of Incident:	1999.
Location of Incident / Postcode:	Not reported.
Incident Triggers:	The victim allegedly called the offender a 'ching-chong'.
Offender's Sex / Age / Vehicle / P-Plate:	M.L., female, 29.
Victim's Sex / Age / Vehicle / P-Plate:	A male in his 30s.
Victim / Offender Primary Aggressor:	Offender.
Road / Traffic Conditions:	Not reported.
Circumstances/Weapons:	M.L. hit the victim with a baseball bat so hard he broke his finger; she walked straight up to the victim yelling and hitting him several times. Weapon: Baseball bat.
Injury (most serious) / Financial loss:	The victim had broken his finger and is likely to suffer arthritis because of the injury.
Reported to Police:	Yes.
Most Serious Offence Charged:	Charges: Recklessly causing injury.
Legal Proceedings / Court:	Magistrates' Court.
Outcome / Sentence:	Pleaded guilty, M.L. was fined \$1,500 without conviction.
Quotes:	(1) Police prosecutor Walter Soto told the court the attack on the man in Williamstown last year was a classic case of 'road rage'. (2) 'Magistrate Max Cashmore said motorists had to learn to control their aggression on the road. "I'm sick to death of people carrying around baseball bats and wheel braces," he said. "You wonder sometimes whether these people are appropriate people to be on our roads, to be quite frank, if they can't control their tempers.'"
Other Details (eg. famous people):	Not reported.
Reference:	<i>Herald Sun</i> , Tuesday 28 Nov. 2000, p.21.

■ Case No: 40

Date/Time of Incident:	Wednesday 15 March 2000.
Location of Incident / Postcode:	Corner of Rathdowne and Victoria Sts, Melbourne 3000.
Incident Triggers:	Following a minor dispute in peak hour and the victim tapped her foot on V.F.'s car when she passed it.
Offender's Sex / Age / Vehicle / P-Plate:	V.F., male, 33, driving a new red eight cylinder BMW modified to include four exhaust pipes and number plate MMMMM5.
Victim's Sex / Age / Vehicle / P-Plate:	J.W. a 30-year-old female cyclist.
Victim / Offender Primary Aggressor:	Offender.
Road / Traffic Conditions:	Not reported.
Circumstances/Weapons:	After the minor dispute during which the victim tapped her foot on V.F.'s car, V.F. allegedly got out of his car, and king hit her on the head throwing her off her bike, then he grabbed her by her backpack and shoved her into a light post. Ms K. – the then Minister for Finance – saw the man get out of his car and pick her up and throw her on the ground. V.F. was seen to wrestle the victim then seen to straddle her as she lay motionless on the ground, and repeatedly shout at her 'You have no right to kick my f..... car'. Weapon: hands and fists.
Injury (most serious) / Financial loss:	Severe arm and neck pain, bruising, dizziness and emotional shock.
Reported to Police:	Yes.
Most Serious Offence Charged:	Charges: (1) Recklessly causing injury (2) one charge of Common assault.
Legal Proceedings / Court:	Magistrates' Court; J.W. is seeking compensation.
Outcome / Sentence:	Pleaded not guilty, contesting the charges. V.F. was convicted of Recklessly causing injury, and one charge of Common assault, and fined \$5,000.
Quotes:	Magistrate Clive Alsop said 'I am satisfied that whatever you wanted to call it, it was an assault ... It was a very serious assault and not the sort that would be accepted by the community.'
Other Details (eg. famous people):	A Minister and her chauffeur were witness to the incident.
Reference:	<i>Herald Sun</i> , Tuesday 16 Jan. 2001, p.8; <i>Herald Sun</i> , Tuesday 31 July 2001, p.14; <i>Herald Sun</i> , Wednesday 1 Aug. 2001, p.23.

■ Case No: 41

<i>Date/Time of Incident:</i>	Sunday 28 Jan 2001, about 1445.
<i>Location of Incident / Postcode:</i>	Phoenix St, Sunshine 3020.
<i>Incident Triggers:</i>	The victim who was driving a white van is thought to have accidentally cut in front of the offenders' car.
<i>Offender's Sex / Age / Vehicle / P-Plate:</i>	2 men driving a sedan.
<i>Victim's Sex / Age / Vehicle / P-Plate:</i>	A 46-year-old man driving a white van.
<i>Victim / Offender Primary Aggressor:</i>	Offender.
<i>Road / Traffic Conditions:</i>	Not reported.
<i>Circumstances/Weapons:</i>	The angry men forced the van driver to stop and got out to argue with him. Then one of the men produced a crowbar and attacked the van driver. The driver was stabbed twice in the left arm, as well as the shoulder, back and the last injury collapsed his lung. He drove home after the attackers fled and his son immediately drove him to the Western Hospital, where he collapsed. Weapon: crowbar.
<i>Injury (most serious) / Financial loss:</i>	Stab wounds, and internal injuries.
<i>Reported to Police:</i>	Yes. Crime Stoppers are calling for information.
<i>Most Serious Offence Charged:</i>	Not reported.
<i>Legal Proceedings / Court:</i>	Not reported.
<i>Outcome / Sentence:</i>	Not reported.
<i>Quotes:</i>	Not reported.
<i>Other Details (eg. famous people):</i>	Not reported.
<i>Reference:</i>	<i>Herald Sun</i> , Monday 29 Jan. 2001, p.23.

■ **Case No: 42**

<i>Date/Time of Incident:</i>	Saturday 3 Feb. 2001, about 0120.
<i>Location of Incident / Postcode:</i>	City Rd and Pickles St, South Melbourne 3205.
<i>Incident Triggers:</i>	The car was turning from City Rd. into Pickles St and it was stopped from turning when six men walked in front of it.
<i>Offender's Sex / Age / Vehicle / P-Plate:</i>	Six men, pedestrians.
<i>Victim's Sex / Age / Vehicle / P-Plate:</i>	A 21-year-old man.
<i>Victim / Offender Primary Aggressor:</i>	Offenders.
<i>Road / Traffic Conditions:</i>	Not reported.
<i>Circumstances/Weapons:</i>	When the victim's car was prevented from turning into Pickles St a male passenger got out and was allegedly assaulted by the six men. At that time another car stopped and two people got out to help the passenger. One of the pedestrians pulled a handgun; a shot was fired that hit the passenger in the finger.
<i>Injury (most serious) / Financial loss:</i>	Gunshot wound to finger, and he was taken to Royal Melbourne Hospital with minor injuries.
<i>Reported to Police:</i>	Yes, and Police say this is an unusual case of 'road rage'.
<i>Most Serious Offence Charged:</i>	Not reported.
<i>Legal Proceedings / Court:</i>	Not reported.
<i>Outcome / Sentence:</i>	Not reported.
<i>Quotes:</i>	Not reported.
<i>Other Details (eg. famous people):</i>	Not reported.
<i>Reference:</i>	<i>Herald Sun</i> , Sunday 4 Feb. 2001, p.23.

■ Case No: 43

Date/Time of Incident:	Oct. 1998.
Location of Incident / Postcode:	Not reported.
Incident Triggers:	The victim was allegedly cut off and invited the offender to 'go around the corner to sort it out'.
Offender's Sex / Age / Vehicle / P-Plate:	A.T., male, 31.
Victim's Sex / Age / Vehicle / P-Plate:	C.T., male, 31, was driving a red utility.
Victim / Offender Primary Aggressor:	Both parties appear to have initially contributed, with the offender becoming the dominant aggressor.
Road / Traffic Conditions:	Not reported.
Circumstances/Weapons:	The offender did not leave his car – he drove at the victim throwing him onto the bonnet of his own car. Weapon: car.
Injury (most serious) / Financial loss:	Lost part of his forehead, suffered head, leg, and teeth damage.
Reported to Police:	Yes.
Most Serious Offence Charged:	Charges: Recklessly causing serious injury.
Legal Proceedings / Court:	Not reported.
Outcome / Sentence:	Pleaded guilty to Recklessly causing serious injury and Failing to stop after an accident, and not guilty to a third count of Intentionally causing injury and it was withdrawn. Judge Williams sentenced A.T. to six months' imprisonment but suspended the sentence for two years. He also fined him \$1,500 and cancelled his driving licence for two years.
Quotes:	Judge Williams said the courts had to show it would act harshly against the 'road rage phenomena' but the case before him was not a 'classic road rage incident' as A.T. had not left his car and punched another motorist. Instead, he had recklessly injured his victim as he drove from the scene.
Other Details (eg. famous people):	The victim was an off-duty policeman who was trained in diffusing verbal fights.
Reference:	<i>Herald Sun</i> , Wednesday 7 Feb. 2001, p.11.

■ **Case No: 44**

<i>Date/Time of Incident:</i>	Wednesday 3 Jan. 2001, 2000.
<i>Location of Incident / Postcode:</i>	Ballarat Rd, Braybrook 3019; Dynon Rd Kensington 3013; Dryburgh St; St Kilda 3182, and Melbourne 3000.
<i>Incident Triggers:</i>	Both cars were travelling east on Ballarat Rd when the victim became involved in a brief exchange of words with the offender who was driving a car next to him.
<i>Offender's Sex / Age / Vehicle / P-Plate:</i>	A male in his early 30s driving a blue-silver Fairmont EA sedan.
<i>Victim's Sex / Age / Vehicle / P-Plate:</i>	A 30-year-old male.
<i>Victim / Offender Primary Aggressor:</i>	Offender.
<i>Road / Traffic Conditions:</i>	Not reported.
<i>Circumstances/Weapons:</i>	During the exchange of words the offender became enraged and pointed a gun at the victim, and fired a shot. The victim sped away with the offender in pursuit. A second shot was fired along Dynon Rd and again at Dryburgh St. The victim was terrified and managed to make it to a police station to raise the alarm. Weapon: firearm.
<i>Injury (most serious) / Financial loss:</i>	The victim was shaken but otherwise unhurt.
<i>Reported to Police:</i>	Yes.
<i>Most Serious Offence Charged:</i>	Not reported.
<i>Legal Proceedings / Court:</i>	Not reported.
<i>Outcome / Sentence:</i>	Not reported.
<i>Quotes:</i>	Not reported.
<i>Other Details (eg. famous people):</i>	Not reported
<i>Reference:</i>	<i>Herald Sun</i> , Tuesday 13 Feb. 2001, p.21.

■ Case No: 45

<i>Date/Time of Incident:</i>	Monday 16 April 2001, around 2330.
<i>Location of Incident / Postcode:</i>	Junction of St Kilda Rd and Inkerman St, St Kilda 3182.
<i>Incident Triggers:</i>	The victim was driving along St Kilda Rd when he exchanged words with the occupants of another car.
<i>Offender's Sex / Age / Vehicle / P-Plate:</i>	Three men in their 20s.
<i>Victim's Sex / Age / Vehicle / P-Plate:</i>	A 20-year-old man.
<i>Victim / Offender Primary Aggressor:</i>	Offenders.
<i>Road / Traffic Conditions:</i>	Not reported.
<i>Circumstances/Weapons:</i>	The victim and one of the occupants of the offender's car got out and after an initial confrontation between the men the other two occupants of the offender's car got out and assaulted the victim and left him unconscious.
<i>Injury (most serious) / Financial loss:</i>	The victim was left unconscious by his assailants and was later treated at the Alfred Hospital where he was reported to be in a satisfactory condition.
<i>Reported to Police:</i>	Yes, Crime Stoppers are calling for information.
<i>Most Serious Offence Charged:</i>	Not reported.
<i>Legal Proceedings / Court:</i>	Not reported.
<i>Outcome / Sentence:</i>	Not reported.
<i>Quotes:</i>	Not reported.
<i>Other Details (eg. famous people):</i>	Not reported.
<i>Reference:</i>	<i>Herald Sun</i> , Tuesday 17 April 2001, p.5.

■ Case No: 46

Date/Time of Incident:	Wednesday 3 May 2000.
Location of Incident / Postcode:	Malvern Rd, Malvern 3144.
Incident Triggers:	The victim attempted to reverse her car into a parking spot on Malvern Rd, Malvern, and the offender flashed his lights and sounded his horn, yelling abuse and striking the rear vision mirror with his hand before getting out of his car
Offender's Sex / Age / Vehicle / P-Plate:	A 73-year-old man, M.S-B.
Victim's Sex / Age / Vehicle / P-Plate:	A 25-year-old woman, N.S.
Victim / Offender Primary Aggressor:	Offender.
Road / Traffic Conditions:	Not reported.
Circumstances/Weapons:	The offender was enraged when the victim was reversing her car into a parking space; N.S.'s boyfriend got out and confronted the offender with a club lock, but was overpowered by the offender. M.S-B. then returned to his car and drove into the path of N.S., who had left her car, knocking her to the road. Weapon: car, club lock, hands and fists.
Injury (most serious) / Financial loss:	Not reported.
Reported to Police:	Yes.
Most Serious Offence Charged:	Charges: Criminal damage and Unlawful assault.
Legal Proceedings / Court:	Magistrates' Court.
Outcome / Sentence:	The offender pleaded not guilty, but was convicted on both charges, and sentenced to a five month suspended jail term, and was disqualified from driving for two years.
Quotes:	'Magistrate Cottrell said "I don't think anybody who acts like that should be driving". Magistrate Cottrell described M.S. as an arrogant, aggressive and bullying man, who had shown no remorse for his actions. "I'm very concerned you don't think you've done anything wrong", she told him.'
Other Details (eg. famous people):	Not reported.
Reference:	<i>Herald Sun</i> , Saturday 21 April 2001, p.19.

■ Case No: 47

Date/Time of Incident:	Tuesday 13 June 2000, about 2030.
Location of Incident / Postcode:	Lygon St, Brunswick 3056.
Incident Triggers:	The boys were travelling on a tram in Lygon St Brunswick when one of them threw a lemon or orange at a passing truck.
Offender's Sex / Age / Vehicle / P-Plate:	A 23-year-old man, N.M., who was driving a Mac prime mover that had the fruit thrown at it; and later, three accomplices.
Victim's Sex / Age / Vehicle / P-Plate:	Five teenage boys between the ages of 13–16.
Victim / Offender Primary Aggressor:	Offender.
Road / Traffic Conditions:	Not reported.
Circumstances/Weapons:	The driver of the Mac prime mover did a U-turn, followed the tram, and spoke to the tram driver who ordered the boys off the tram. Over the next three hours the driver and his accomplices terrorised and humiliated the boys including: tracking some of the boys to their homes, kidnapping them, stripping 3 of them near naked; threatening them with a handgun; dumping them in a paddock in Somerton and firing shots behind them when they eventually released them. A passing police car found the cold and traumatised boys on the Hume Highway and they were taken to Broadmeadows Police Station. Weapons: car, hands and fists, threats, abduction, firearm.
Injury (most serious) / Financial loss:	Emotional trauma: Det-Sgt Stuart Delbridge of Brunswick CIU, said the boys were too scared to try to escape and 'did not know what extremes this person would go to'.
Reported to Police:	Yes. Crime Stoppers are calling for information.
Most Serious Offence Charged:	Charges: 10 offences relating to the kidnapping.
Legal Proceedings / Court:	N.M. was released on bail to appear before the Melbourne Magistrates' Court.
Outcome / Sentence:	Not reported.
Quotes:	Not reported.
Other Details (eg. famous people):	Not reported.
Reference:	<i>Herald Sun</i> , Friday 15 June 2001, p.11; <i>Herald Sun</i> , Tuesday 19 June 2001, p.15.

■ Case No: 48

Date/Time of Incident:	Sunday 13 Aug. 2000, about 2000.
Location of Incident / Postcode:	Glen Iris 3146.
Incident Triggers:	T.E. was affected by alcohol when he angrily confronted P.H. and a fellow truck driver while they were changing their truck's tyre in the Gardiner railway station car park.
Offender's Sex / Age / Vehicle / P-Plate:	A 32-year-old man, T.E.
Victim's Sex / Age / Vehicle / P-Plate:	P.H., male.
Victim / Offender Primary Aggressor:	Offender.
Road / Traffic Conditions:	Not reported.
Circumstances/Weapons:	T.E. knocked P.H. over in a car park, then reversed over him. Weapon: car.
Injury (most serious) / Financial loss:	P.H. died.
Reported to Police:	Yes.
Most Serious Offence Charged: Charges:	Culpable driving.
Legal Proceedings / Court:	Supreme Court.
Outcome / Sentence:	Pleaded guilty to culpable driving: Sentenced to the maximum jail term of 10 years, a Victoria record for culpable driving with a minimum of seven years jail.
Quotes:	Justice John Coldrey told T.E. his was 'a very bad case' of the 'worst class of culpable driving. At the time you reversed your vehicle, you well knew that the body of P.H. had been deposited on the roadway – the wheels of your car ran over that body,' Justice Coldrey said. 'You consciously and unjustifiably disregarded a substantial risk that your driving would result in his death or the infliction of grievous bodily harm on him'.
Other Details (eg. famous people):	<i>Herald Sun</i> , Sunday 20 April 2003, p.7: Discussed: that the Police Minister wanted an inquiry into 'road rage' offences and penalties and that new charges and penalties may be instituted; mentioned the death of P.H. in a 'road rage' incident.
Reference:	<i>Herald Sun</i> , Thursday 6 Sept. 2001, p.5; <i>Herald Sun</i> , Monday 10 Sept. 2001, p.16; <i>Herald Sun</i> , Sunday 20 April 2003, p.7.

■ Case No: 49

<i>Date/Time of Incident:</i>	Sunday 14 Oct. 2001.
<i>Location of Incident / Postcode:</i>	Nepean Highway, Frankston 3199.
<i>Incident Triggers:</i>	A St Kilda man, 27, was driving on the Nepean Highway, Frankston, on Sunday when he accidentally cut off another car.
<i>Offender's Sex / Age / Vehicle / P-Plate:</i>	A man in his late 40s driving a 1980s cream or beige Sigma sedan.
<i>Victim's Sex / Age / Vehicle / P-Plate:</i>	A 27-year-old man.
<i>Victim / Offender Primary Aggressor:</i>	Offender.
<i>Road / Traffic Conditions:</i>	Highway.
<i>Circumstances/Weapons:</i>	After accidentally cutting off the offender's vehicle the offender approached the victim's car at traffic lights and punched in the driver-side window, shattering the glass. The attacker drove off.
<i>Injury (most serious) / Financial loss:</i>	The victim suffered severe eye injury and possible loss of sight in the eye.
<i>Reported to Police:</i>	Yes. Crime Stoppers are calling for information and are appealing for witnesses.
<i>Most Serious Offence Charged:</i>	Not reported.
<i>Legal Proceedings / Court:</i>	Not reported.
<i>Outcome / Sentence:</i>	Not reported.
<i>Quotes:</i>	Not reported.
<i>Other Details (eg. famous people):</i>	Not reported.
<i>Reference:</i>	<i>Herald Sun</i> , Thursday 18 Oct. 2001, p.30.

■ Case No: 50

Date/Time of Incident:	Thursday 31 Jan. 2002, about 1700.
Location of Incident / Postcode:	Intersection of Kings Rd and Hume Drive, Sydenham 3037.
Incident Triggers:	'It was just completely unprovoked. There was no reason for it,' Sen-Constable Pengelly of Keilor Downs CIU said.
Offender's Sex / Age / Vehicle / P-Plate:	A male driving a Blue Hyundai with P-Plates.
Victim's Sex / Age / Vehicle / P-Plate:	K.F. a 23-year-old man driving a grey Holden sedan.
Victim / Offender Primary Aggressor:	Offender.
Road / Traffic Conditions:	Traffic was banked up.
Circumstances/Weapons:	The victim was in banked up traffic listening to music when suddenly the offender appeared at the open passenger window of the victim's car, and came through the window with a golf club. In the ensuing struggle the victim broke the golf club in two, and when it snapped the offender pierced the victim's cheek. The motive for this attack is obscure. Weapon: a golf club.
Injury (most serious) / Financial loss:	A 5 cm gash to victim's left cheek. K.F. has had emergency laser surgery to mend the hole in his cheek.
Reported to Police:	Yes. Crime Stoppers are calling for information. Police said they were baffled by the motive for the attack, but believed it might have been the result of a minor traffic incident. 'It was just completely unprovoked. There was no reason for it,' Sen-Constable Pengelly said.
Most Serious Offence Charged:	Not reported.
Legal Proceedings / Court:	Not reported.
Outcome / Sentence:	Not reported.
Quotes:	Not reported.
Other Details (eg. famous people):	Not reported.
Reference:	<i>Herald Sun</i> , Saturday 2 Feb. 2002, p.10.

■ Case No: 51

Date/Time of Incident:	Friday 1 March 2002, about 1630.
Location of Incident / Postcode:	Uongag Rd; Wantirna Rd, Ringwood 3134.
Incident Triggers:	A crazed rampage of violence and 'road rage'.
Offender's Sex / Age / Vehicle / P-Plate:	A 25-year-old man, A.R., who was driving a Ford station wagon.
Victim's Sex / Age / Vehicle / P-Plate:	A Moorabbin couple; and two other men.
Victim / Offender Primary Aggressor:	Offender.
Road / Traffic Conditions:	Not reported.
Circumstances/Weapons:	In a crazed rampage A.R. crashed his car into the Moorabbin couple's car and then threatened them and an onlooker with a knife. A.R. then drove to his estranged de-facto's house and started a fight with the neighbours. There he broke a man's nose with a baseball bat while threatening to kill others. Then A.R. fled in his car and collided with another car on Wantirna Rd, Ringwood and assaulted the driver with a screwdriver and threatened to kill him before smashing the stranger's car with a baseball bat. Weapons: a knife, a baseball bat, and a screwdriver.
Injury (most serious) / Financial loss:	Not reported.
Reported to Police:	Yes. A.R. was arrested in Sandringham later the same night. He was yesterday remanded in custody by Magistrate Lisa Hannan to appear again in Court. Police have appealed for any witnesses to call Crime Stoppers.
Most Serious Offence Charged:	Not reported.
Legal Proceedings / Court:	Melbourne Magistrates' Court.
Outcome / Sentence:	Not reported
Quotes:	Not reported
Other Details (eg. famous people):	Not reported
Reference:	<i>Herald Sun</i> , Tuesday 5 March 2002, p.11.

■ Case No: 52

<i>Date/Time of Incident:</i>	Sunday 5 May 2002.
<i>Location of Incident / Postcode:</i>	Not reported.
<i>Incident Triggers:</i>	W.S., the offender, alleged his life was endangered after a truck almost forced his sports car into a barrier after it changed lanes. When the truck pulled over, the passenger of the truck laughed at W.S.
<i>Offender's Sex / Age / Vehicle / P-Plate:</i>	W.S., who was driving a sports car.
<i>Victim's Sex / Age / Vehicle / P-Plate:</i>	T.S. and P.C. who were in a house removalist truck.
<i>Victim / Offender Primary Aggressor:</i>	Both parties possibly contributed in part to the incident.
<i>Road / Traffic Conditions:</i>	Not reported.
<i>Circumstances/Weapons:</i>	The truck pulled over and W.S. perceived the passenger of the truck to be laughing at him. He smashed the window of the truck.
<i>Injury (most serious) / Financial loss:</i>	W.S. suffered a cut on his wrist and the truck window was broken.
<i>Reported to Police:</i>	Initially the incident was not reported to the Police as an apology was brokered by a sporting association, whom W.S. plays for, but later the driver and his offsider changed their mind, as they considered the apology inadequate and were considering reporting the incident to the police.
<i>Most Serious Offence Charged:</i>	Not reported.
<i>Legal Proceedings / Court:</i>	Not reported.
<i>Outcome / Sentence:</i>	'W.S. may face a police investigation, despite apologising yesterday for smashing a truck window in a road rage incident'.
<i>Quotes:</i>	Not reported.
<i>Other Details (eg. famous people):</i>	W.S. a professional sportsperson.
<i>Reference:</i>	<i>Herald Sun</i> , Monday 6 May 2002, p.11.

■ Case No: 53

<i>Date/Time of Incident:</i>	Tuesday 7 May 2002.
<i>Location of Incident / Postcode:</i>	Parkmore Primary School, Forest Hill 3131.
<i>Incident Triggers:</i>	Not reported.
<i>Offender's Sex / Age / Vehicle / P-Plate:</i>	A male driver.
<i>Victim's Sex / Age / Vehicle / P-Plate:</i>	A 66-year-old lollipop man.
<i>Victim / Offender Primary Aggressor:</i>	Offender.
<i>Road / Traffic Conditions:</i>	A school crossing.
<i>Circumstances/Weapons:</i>	A Lollipop man was pushed to the ground and verbally abused by a motorist at a children's school crossing.
<i>Injury (most serious) / Financial loss:</i>	Ambulance officers treated the man at the scene for cuts and bruises.
<i>Reported to Police:</i>	Not reported.
<i>Most Serious Offence Charged:</i>	Not reported.
<i>Legal Proceedings / Court:</i>	Not reported.
<i>Outcome / Sentence:</i>	Not reported.
<i>Quotes:</i>	Not reported.
<i>Other Details (eg. famous people):</i>	Not reported.
<i>Reference:</i>	<i>Herald Sun</i> , Thursday 9 May 2002, p.3.

■ Case No: 54

<i>Date/Time of Incident:</i>	Monday 8 July 2002, between 2400–0100.
<i>Location of Incident / Postcode:</i>	Kooyong Rd, Malvern 3144.
<i>Incident Triggers:</i>	Police said it began when the Lancer pulled up at Kooyong Rd between 2430 and 0100, and was boxed in by four cars.
<i>Offender's Sex / Age / Vehicle / P-Plate:</i>	16 men.
<i>Victim's Sex / Age / Vehicle / P-Plate:</i>	The victims were occupants of a Lancer.
<i>Victim / Offender Primary Aggressor:</i>	Offenders.
<i>Road / Traffic Conditions:</i>	Not reported.
<i>Circumstances/Weapons:</i>	A gang of 16 men smashed every window and dented every panel of a car in Dandenong Rd. They dragged a passenger from the Lancer but he escaped without injury.
<i>Injury (most serious) / Financial loss:</i>	Emotional trauma – Police said the occupants of the car were left terrified after the gang launched their violent attack.
<i>Reported to Police:</i>	Yes. Police have asked a taxi driver and passenger who left registration details of the cars to call them.
<i>Most Serious Offence Charged:</i>	Not reported.
<i>Legal Proceedings / Court:</i>	Not reported.
<i>Outcome / Sentence:</i>	Not reported.
<i>Quotes:</i>	Not reported.
<i>Other Details (eg. famous people):</i>	Not reported.
<i>Reference:</i>	<i>Herald Sun</i> , Tuesday 9 July 2002, p.10; <i>Herald Sun</i> , 21 July 2002, p.5; <i>Herald Sun</i> , Monday 9 Dec. 2002, p.10.

■ Case No: 55

Date/Time of Incident:	Saturday 23 Feb 2002, around 1100.
Location of Incident / Postcode:	Brighton 3186.
Incident Triggers:	A police spokesman said 'We believe it may be a case of mistaken identity because it beggars belief that someone intentionally assaulted a pregnant woman'.
Offender's Sex / Age / Vehicle / P-Plate:	A man in his 20s or 30s.
Victim's Sex / Age / Vehicle / P-Plate:	A pregnant woman, who was driving a white 1994 Magna sedan.
Victim / Offender Primary Aggressor:	Offender.
Road / Traffic Conditions:	Not reported.
Circumstances/Weapons:	A pregnant woman was stopped at a traffic light, her door was locked but she was grabbed by the throat through the window, yanked forward and punched in the head by a man. She said that she was grabbed around the front by a man who swore at her and insulted her. He pulled her and then smashed her in the temple with his fist – she didn't know how many times. At that point she heard a girl's voice shouting, 'It's not her! It's not her!' The man stopped and they disappeared.
Injury (most serious) / Financial loss:	Not reported.
Reported to Police:	Yes. Crime Stoppers are calling for information.
Most Serious Offence Charged:	The victim sustained a swollen head and whiplash, and feared that at seven-months pregnant she might have lost the baby.
Legal Proceedings / Court:	Not reported.
Outcome / Sentence:	Not reported.
Quotes:	Not reported.
Other Details (eg. famous people):	Not reported.
Reference:	<i>Herald Sun</i> , Sunday 24 Feb 2002, p.31.

■ Case No: 56

Date/Time of Incident:	Saturday 29 Sept. 2001, 1900.
Location of Incident / Postcode:	Peel St, Collingwood 3066.
Incident Triggers:	The ambulance officers J.S. and S.D. were called to Peel St, Collingwood. J.S. was driving with emergency beacons flashing when she slowed the ambulance to about 30km/ph to check shop numbers, and she accelerated again when she realised she needed to be further down the street.
Offender's Sex / Age / Vehicle / P-Plate:	A 54-year-old female driver, R.B.
Victim's Sex / Age / Vehicle / P-Plate:	Ambulance officers J.S. and S.D.. J.S. was the driver of the ambulance.
Victim / Offender Primary Aggressor:	Offender.
Road / Traffic Conditions:	Not reported.
Circumstances/Weapons:	J.S. said she then heard a horn beeping and noticed R.B.'s car had started to pull out from behind the ambulance. R.B. allegedly followed the ambulance to its destination and confronted J.S. 'She said I was a terrible driver ... and she was going to have my licence taken off me,' J.S. said. She explained to R.B. she had slowed to check shop numbers as S.D. helped the patient into the back of the ambulance. J.S. said R.B. was very aggressive and threatening and continued to ask for her name and details so she could file a complaint. 'She told me I was a silly little bitch ... I had deliberately slowed down to try and make her have a head-on,' she said. J.S. said when she climbed into the back of the ambulance she was forced to push her full weight against the door to stop R.B. opening it.
Injury (most serious) / Financial loss:	Not reported.
Reported to Police:	Yes.
Most Serious Offence Charged:	Five charges including Reckless conduct endangering life, Reckless conduct endangering serious injury and Offensive behaviour. R.B. pleaded not guilty to the charges.
Legal Proceedings / Court:	Magistrates' Court.
Outcome / Sentence:	The hearing continues.
Quotes:	Not reported.
Other Details (eg. famous people):	Not reported.
Reference:	<i>Herald Sun</i> , Tuesday 8 April 2003, p.15.

■ Case No: 57

<i>Date/Time of Incident:</i>	Sunday 23 Feb. 2003, about 1800.
<i>Location of Incident / Postcode:</i>	Burwood Highway near Glenfern Rd, Ferntree Gully 3156.
<i>Incident Triggers:</i>	Both cars were travelling on the Burwood Highway when the 4WD allegedly started to tailgate the small car.
<i>Offender's Sex / Age / Vehicle / P-Plate:</i>	The driver of a Red 4WD Mitsubishi Pajero.
<i>Victim's Sex / Age / Vehicle / P-Plate:</i>	The driver of a Datsun 120Y.
<i>Victim / Offender Primary Aggressor:</i>	Not reported.
<i>Road / Traffic Conditions:</i>	Not reported.
<i>Circumstances/Weapons:</i>	After crossing Glenfern Rd, the Pajero rammed the Datsun three times. Both cars were travelling faster than 100 km/ph.
<i>Injury (most serious) / Financial loss:</i>	Not reported.
<i>Reported to Police:</i>	Not reported.
<i>Most Serious Offence Charged:</i>	Not reported.
<i>Legal Proceedings / Court:</i>	Not reported.
<i>Outcome / Sentence:</i>	Not reported.
<i>Quotes:</i>	Not reported.
<i>Other Details (eg. famous people):</i>	Not reported.
<i>Reference:</i>	<i>Herald Sun</i> , Tuesday 20 May 2003, p.14.

■ Case No: 58

Date/Time of Incident:	Monday 4 Nov. 2002.
Location of Incident / Postcode:	Monash Freeway.
Incident Triggers:	Not reported.
Offender's Sex / Age / Vehicle / P-Plate:	A 39-year-old man, S.F., who was driving a prime mover without a trailer.
Victim's Sex / Age / Vehicle / P-Plate:	The driver of a white ute.
Victim / Offender Primary Aggressor:	Offender.
Road / Traffic Conditions:	Freeway.
Circumstances/Weapons:	S.F. tailgated cars and swerved erratically into other lanes while driving a prime mover without a trailer. S.F. then tailgated and then overtook a white ute, and then began braking heavily and erratically, causing the wheels of his vehicle to smoke. The ute's driver tried to overtake, but S.F. swerved into the lane in an attempt to cut the victim off when the ute was alongside him, to run the ute off the road into the emergency lane. The ute's driver swerved away from the prime mover in an effort to avoid a collision, but lost control and smashed head-on into a wooden sound barrier fence off the freeway.
Injury (most serious) / Financial loss:	The driver was not injured in the crash.
Reported to Police:	Yes.
Most Serious Offence Charged:	Dangerous driving and Failing to stop at an accident
Legal Proceedings / Court:	Dandenong Magistrates' Court.
Outcome / Sentence:	S.F. admitted to a number of convictions, including counts of assault with a weapon and careless driving for which he was sentenced to a community based order in 2000. S.F. was sentenced to a three-month term of imprisonment, suspended for 18 months, and fined \$500, and a further \$200 in court costs. S.F. had his driving licence cancelled for 12 months.
Quotes:	Magistrate John Bolster reprimanded S.F. for his driving and said it was only his guilty plea that had saved him from an immediate jail term. 'Clearly it is a very serious matter ... it seems to me it could have been a whole lot worse than what it was,' he said.
Other Details (eg. famous people):	Not reported.
Reference:	<i>Herald Sun</i> , Tuesday 15 July 2003, p.7.

■ Case No: 59

<i>Date/Time of Incident:</i>	Not reported.
<i>Location of Incident / Postcode:</i>	Not reported.
<i>Incident Triggers:</i>	Speed camera.
<i>Offender's Sex / Age / Vehicle / P-Plate:</i>	Not reported.
<i>Victim's Sex / Age / Vehicle / P-Plate:</i>	Not reported.
<i>Victim / Offender Primary Aggressor:</i>	A speed camera operator.
<i>Road / Traffic Conditions:</i>	Not reported.
<i>Circumstances/Weapons:</i>	In a commentary that discussed the dangers associated with being a speed camera operator it was mentioned that passers-by held down a motorist until police arrived after he had assaulted a camera operator.
<i>Injury (most serious) / Financial loss:</i>	Not reported.
<i>Reported to Police:</i>	Yes.
<i>Most Serious Offence Charged:</i>	Not reported.
<i>Legal Proceedings / Court:</i>	Not reported.
<i>Outcome / Sentence:</i>	Not reported.
<i>Quotes:</i>	Not reported.
<i>Other Details (eg. famous people):</i>	Not reported.
<i>Reference:</i>	<i>Herald Sun</i> , Wednesday 23 July 2003, p.12.

■ **Case No: 60**

<i>Date/Time of Incident:</i>	Sunday 10 Aug. 2003, around 0245.
<i>Location of Incident / Postcode:</i>	Intersection of Flemington Rd and Elizabeth St.
<i>Incident Triggers:</i>	The taxi collided with a car near the intersection of Flemington Rd and Elizabeth St.
<i>Offender's Sex / Age / Vehicle / P-Plate:</i>	Not reported.
<i>Victim's Sex / Age / Vehicle / P-Plate:</i>	Male in his 20s, who was the driver of a taxi.
<i>Victim / Offender Primary Aggressor:</i>	Not reported.
<i>Road / Traffic Conditions:</i>	Not reported.
<i>Circumstances/Weapons:</i>	A fight ensued after the collision and the taxi driver was injured.
<i>Injury (most serious) / Financial loss:</i>	The taxi driver was taken to Royal Melbourne with minor injuries.
<i>Reported to Police:</i>	Yes. Crime Stoppers are calling for information.
<i>Most Serious Offence Charged:</i>	Not reported.
<i>Legal Proceedings / Court:</i>	Not reported.
<i>Outcome / Sentence:</i>	Not reported.
<i>Quotes:</i>	Not reported.
<i>Other Details (eg. famous people):</i>	Not reported.
<i>Reference:</i>	<i>Herald Sun</i> , Monday 11 Aug. 2003, p.12.

■ Case No: 61

<i>Date/Time of Incident:</i>	Wednesday 13 Aug. 2003, am.
<i>Location of Incident / Postcode:</i>	St Georges Rd., Toorak 3142.
<i>Incident Triggers:</i>	A minor traffic disagreement when both 'blondes' were dropping their children off to school.
<i>Offender's Sex / Age / Vehicle / P-Plate:</i>	Female, in a 4WD.
<i>Victim's Sex / Age / Vehicle / P-Plate:</i>	Female.
<i>Victim / Offender Primary Aggressor:</i>	Both parties.
<i>Road / Traffic Conditions:</i>	Not reported
<i>Circumstances/Weapons:</i>	In a minor traffic disagreement Blonde 1 strode over to her opponent's 4WD and let go a mighty kick, which provoked Blonde No 2 to do the same. Both blondes limped back to their cars and started to speak on their mobile phones. Weapon: feet.
<i>Injury (most serious) / Financial loss:</i>	Not reported.
<i>Reported to Police:</i>	Not reported.
<i>Most Serious Offence Charged:</i>	Not reported.
<i>Legal Proceedings / Court:</i>	Not reported.
<i>Outcome / Sentence:</i>	Not reported.
<i>Quotes:</i>	Not reported.
<i>Other Details (eg. famous people):</i>	Not reported.
<i>Reference:</i>	<i>Herald Sun</i> Thursday 14 Aug. 2003, p.21.

■ Case No: 62

<i>Date/Time of Incident:</i>	Sept. 2002.
<i>Location of Incident / Postcode:</i>	Footscray 3011; the long-term car park at Melbourne airport 3043; Bundoora 3083.
<i>Incident Triggers:</i>	Not reported.
<i>Offender's Sex / Age / Vehicle / P-Plate:</i>	19-year-old J.C. and 21-year-old A.A.
<i>Victim's Sex / Age / Vehicle / P-Plate:</i>	The victims were unrelated except for the couple: D.O., M. and A.S., S.W.
<i>Victim / Offender Primary Aggressor:</i>	Offenders.
<i>Road / Traffic Conditions:</i>	Not reported.
<i>Circumstances/Weapons:</i>	The two youths committed a number of offences including three alleged 'road rage' incidents. (1) A man was 'run over' when he tried to stop the youths stealing his car – D.O. told the court he was run over as he tried to stop the pair stealing his Commodore from outside a Bundoora milk bar. (2) A couple were chased down Punt Rd at up to 150 km/ph. Another man told the court he and his wife were chased at up to 150 km/ph as he drove down Punt Rd in September last, when the offenders drove their car straight at them. When they stopped after a high-speed chase their pursuers' car damaged the couple's car. (3) And a Holden car salesman, S.W., said he pursued the thieves when a Monaro was stolen in Footscray.
<i>Injury (most serious) / Financial loss:</i>	Not reported.
<i>Reported to Police:</i>	Yes. Both offenders are in custody .
<i>Most Serious Offence Charged:</i>	The offenders face more than 100 charges each.
<i>Legal Proceedings / Court:</i>	Magistrates' Court.
<i>Outcome / Sentence:</i>	A preliminary hearing before Magistrate Louis Hill is continuing.
<i>Quotes:</i>	Not reported.
<i>Other Details (eg. famous people):</i>	Not reported.
<i>Reference:</i>	<i>Herald Sun</i> , Thursday 4 Sept. 2003, p.19.

■ Case No: 63

Date/Time of Incident:	Not reported.
Location of Incident / Postcode:	Springvale Rd.
Incident Triggers: Offender's Sex / Ag:	Unknown.
Offender's Sex / Age / Vehicle / P-Plate:	Four males.
Victim's Sex / Age / Vehicle / P-Plate:	A 24-year-old woman D.B.
Victim / Offender Primary Aggressor:	Offenders.
Road / Traffic Conditions:	Not reported.
Circumstances/Weapons:	The victim was stopped at a red light so a group of males behind D.B. also had to stop. The situation turned aggressive when the 'hoons' then followed D.B. for more than 30 minutes through the back streets near Springvale Rd where they were driving dramatically and where they were all over the road.
Injury (most serious) / Financial loss:	Emotional trauma. D.B. said 'I was petrified ... it's a pretty scary experience'.
Reported to Police:	Not reported.
Most Serious Offence Charged:	Not reported.
Legal Proceedings / Court:	Not reported.
Outcome / Sentence:	Not reported.
Quotes:	D.B. said 'I was petrified ... it's a pretty scary experience'.
Other Details (eg. famous people):	Not reported.
Reference:	<i>Herald Sun</i> , Tuesday 14 Oct. 2003, p.13; <i>Herald Sun</i> , Wednesday 15 Oct. 2003, p.18.

■ **Case No: 64**

<i>Date/Time of Incident:</i>	Thursday 30 Oct. 2003, between 1430–1500.
<i>Location of Incident / Postcode:</i>	The intersection of Canterbury and Wantirna Roads, Ringwood 3134.
<i>Incident Triggers:</i>	Not reported.
<i>Offender's Sex / Age / Vehicle / P-Plate:</i>	The driver of a brown 1981 Landcruiser.
<i>Victim's Sex / Age / Vehicle / P-Plate:</i>	Not reported.
<i>Victim / Offender Primary Aggressor:</i>	Not reported.
<i>Road / Traffic Conditions:</i>	Not reported.
<i>Circumstances/Weapons:</i>	Police believe that an exchange took place.
<i>Injury (most serious) / Financial loss:</i>	Not reported.
<i>Reported to Police:</i>	Not reported.
<i>Most Serious Offence Charged:</i>	Not reported.
<i>Legal Proceedings / Court:</i>	Not reported.
<i>Outcome / Sentence:</i>	Not reported.
<i>Quotes:</i>	Not reported.
<i>Other Details (eg. famous people):</i>	Not reported.
<i>Reference:</i>	<i>Herald Sun</i> , Tuesday 2 Dec. 2003, p.24.

■ Case No: 65

<i>Date/Time of Incident:</i>	Not reported.
<i>Location of Incident / Postcode:</i>	Roslyn Rd, Geelong 3220.
<i>Incident Triggers:</i>	The offenders' car came into the right lane pretty carelessly, went through a stop sign, went through oncoming traffic and a bike lane and nearly crashed into the victim's car. The offenders then tailgated the victim and waved for him to pull over.
<i>Offender's Sex / Age / Vehicle / P-Plate:</i>	Two men.
<i>Victim's Sex / Age / Vehicle / P-Plate:</i>	New Ford XR6.
<i>Victim / Offender Primary Aggressor:</i>	Both parties may have contributed to the incident.
<i>Road / Traffic Conditions:</i>	Not reported
<i>Circumstances/Weapons:</i>	They pulled into the car park and two men approached the victim with a hammer, and in a stand-off encounter the offenders left the scene. Weapon: a hammer.
<i>Injury (most serious) / Financial loss:</i>	Not reported.
<i>Reported to Police:</i>	Not reported.
<i>Most Serious Offence Charged:</i>	Not reported.
<i>Legal Proceedings / Court:</i>	Not reported.
<i>Outcome / Sentence:</i>	Not reported.
<i>Quotes:</i>	Not reported.
<i>Other Details (eg. famous people):</i>	Former sportsperson: M.T. – 'road rage' victim.
<i>Reference:</i>	<i>Herald Sun</i> , Saturday 3 April 2004, p.122.


■ Case No: 66

<i>Date/Time of Incident:</i>	Wednesday 26 May 2004.
<i>Location of Incident / Postcode:</i>	Bethanga Rd, Bellbridge 3691; Wodonga 3690.
<i>Incident Triggers:</i>	Not reported.
<i>Offender's Sex / Age / Vehicle / P-Plate:</i>	Not reported.
<i>Victim's Sex / Age / Vehicle / P-Plate:</i>	Not reported.
<i>Victim / Offender Primary Aggressor:</i>	Offender.
<i>Road / Traffic Conditions:</i>	Not reported.
<i>Circumstances/Weapons:</i>	In a series of 'road rage' incidents a man allegedly followed a fellow motorist to Bethanga Rd, Bellbridge and allegedly threatened him with a meat cleaver. A short time later he walked into a motorcycle shop and threatened staff with a meat cleaver. Following this there was a report of a stolen car that had been crashed into a carport, and following this the man was caught after a 20-minute high speed chase when he crashed his car into an unmarked police car. Weapon: meat cleaver.
<i>Injury (most serious) / Financial loss:</i>	Not reported.
<i>Reported to Police:</i>	Yes. Police chased the man to near River Rd where he allegedly rammed into a police vehicle.
<i>Most Serious Offence Charged:</i>	Charges: Armed robbery, Unlawful imprisonment, Kidnap, Aggravated burglary, Conduct endangering life, Threats to kill, Criminal damage and Assault.
<i>Legal Proceedings / Court:</i>	Wodonga Magistrates' Court.
<i>Outcome / Sentence:</i>	Remanded in custody.
<i>Quotes:</i>	Not reported.
<i>Other Details (eg. famous people):</i>	Not reported.
<i>Reference:</i>	<i>Herald Sun</i> , Thursday 27 May 2004, p.11.

■ Case No: 67

Date/Time of Incident:	Tuesday 29 June 2004, about 0730.
Location of Incident / Postcode:	Stud Rd, Dandenong North 3175.
Incident Triggers:	The man was driving along when he tried to overtake a car, which swerved to its left and sideswiped the van.
Offender's Sex / Age / Vehicle / P-Plate:	Three men and one woman in a late model blue Proton.
Victim's Sex / Age / Vehicle / P-Plate:	A 50-year-old man driving a van.
Victim / Offender Primary Aggressor:	Offenders
Road / Traffic Conditions:	Not reported
Circumstances/Weapons:	Both drivers pulled over to the side of the road after the car sideswiped the van. Four occupants of the car – three men and one woman – walked to the victim's van and smashed in the driver's side window with an iron bar. The man jumped out and ran along Stud Road. Outside the Dandenong basketball stadium the group punched him to the ground and repeatedly kicked him in the head. During the attack a bus stopped and two passengers rescued the victim. Then some passengers restrained the offenders until the police and the paramedics arrived.
Injury (most serious) / Financial loss:	Not reported.
Reported to Police:	Yes.
Most Serious Offence Charged:	The four people were charged with multiple offences including Affray and other related charges and were bailed to appear in court.
Legal Proceedings / Court:	Melbourne Magistrates' Court.
Outcome / Sentence:	Not reported.
Quotes:	Senior-Constable George said 'It was quite a vicious attack ... You don't get road rage incidents like this. Generally they don't escalate to this level of violence.'
Other Details (eg. famous people):	Not reported.
Reference:	<i>Herald Sun</i> , Wednesday 30 June 2004, p.11; <i>Herald Sun</i> , Wednesday 30 June 2004, p.11 (2nd edition news).

Appendix 9: VicRoads Booklet *Keep Your Cool in the Car*



Keep your cool in the car

FACT SHEET 12

Driving a car in today's traffic can be frustrating at times. The road is busy, you're on a tight schedule, and the pressures of family and work are getting to you. Then some inconsiderate driver blocks an intersection, tailgates or cuts in front of you, and you can feel your temper coming to the boil.

Sound familiar? Then learn to keep cool!

Losing your temper affects your judgement and reduces your driving ability. It also increases your stress levels. This causes fatigue, which also has a negative effect on driving skills.

How to handle aggressive drivers

Aggressive drivers can make you feel unsafe on the roads.

There are a number of things you can do to avoid confronting aggressive drivers, including:

- If you make a mistake while driving, admit it and try to signal you are sorry
- If another driver makes a mistake or becomes aggressive, do not take it personally and do not retaliate

Instead:


- If the other driver is ahead, increase the gap between you and the other car
- If the other driver is tailgating you, maintain a steady speed or pull over in a safe place and let him or her pass
- If you are very concerned, drive to a police station or stop by a police patrol car
- Do not get out of your car.

Assault is a criminal offence and Victoria Police are on the look out for aggressive drivers. Recklessly or intentionally causing serious injury can lead to a jail sentence of up to 10 or 15 years respectively.

Help other drivers keep their cool

The busier the road, the more drivers have to rely on each other to do the right thing. This includes:

- Not blocking intersections
- Using traffic indicators to allow plenty of warning
- Giving way to others when pulling out
- Not following too closely
- Changing lanes correctly
- Not driving too slowly in the overtaking lane
- Letting others merge into the traffic
- Flashing your headlights or using your horn only when it is really necessary.




Appendix 10: Summary of Programmes Targeting 'Aggressive driving' and/or 'Road rage' in the United States and Canada

State	Program Description
Arizona	This state program is the longest running in the U.S. and relies on both enforcement and a media campaign. Several aggressive driving patrols are scheduled each week and there is zero tolerance for the aggressive driver. Arizona is one of only two states that has specific aggressive driver legislation in place.
California	California initiated the long-running media campaign known as 'Smooth Operator' - a name also adopted by the Washington, D.C. Metropolitan Area. Enforcement activity was also expanded, including programs for red-light running. At the municipal level, a number of cities have adopted San Francisco's program, known as STOP, which impounds cars of unlicensed drivers.
Colorado	Colorado's program began in late 1997 and features an extensive media program as well as enhanced enforcement. Known as ADAPT (Aggressive Drivers are Public Threats), the program relies on unmarked cars, motorcycles, and aircraft.
Connecticut	The program, which began in 1997, uses unmarked cars in conjunction with marked patrol cars. A 911 system is available for cellular phone callers to report aggressive drivers.
Delaware	Delaware's program, known as 'Take It Easy', started in 1997 and features unmarked and non-traditional vehicles in conjunction with marked patrol cars. A media campaign with public service announcements is also being conducted.
Florida	The St. Petersburg Police Department program, referred to as 'Where's Jockers?' uses a variety of non-traditional vehicles and a plain-clothes officer to record violations with a radar unit and to relay information to patrol vehicles in the area.
Illinois	The Illinois program, started in 1997, is a decentralised effort that relies on individual districts using a variety of tactics. These can include enforcement teams, catch cars, targeted patrols, air operations, covert operations and speed enforcement. Notes are being added to tickets to indicate aggravated behaviour.
Maryland	Maryland is one of three participants (the others are Virginia and Washington, D.C.) in the 'Smooth Operator' program conducted in the Washington metropolitan area. The Maryland state police program, known as ADVANCE (Aggressive Driver Video and Non-Contact Enforcement), started in 1997 and uses digital video cameras and lasers to record violations on the National Capital Beltway. Added features include a televised public information campaign and letters and photos mailed to aggressive driving offenders.
Massachusetts	This program, started in 1997, is known as the '3D Program' (for Drunk, Drugged and Dangerous). It includes a special unit that uses video-equipped, unmarked cars.
Michigan	Michigan's effort consists of a media campaign combined with enhanced enforcement efforts (including the use of unmarked cars) in two existing programs: Operation C.A.R.E. and Campaign Safe & Sober.
Missouri	The Missouri program targets typical problem areas and relies on cooperation between the State Highway Safety Office for media efforts, and police agencies throughout the state for enforcement. The Highway patrol uses aircraft, unmarked patrol cars and non-conventional vehicles to spot aggressive drivers. The state is adopting a zero tolerance policy and enforcement officers are placing notes on tickets to indicate aggressive driving behaviour.

New Jersey	New Jersey utilises semi-marked patrol cars as well as unconventional vehicles in a multi-agency enforcement program. The program includes toll free and cellular telephone numbers.
New Mexico	The City of Albuquerque program is known as 'Safe Streets', and uses intensive enforcement to focus on violent offenders and areas with high numbers of violent felonies.
New York	Begun in July 1998, the program features enforcement and education components and has been expanded to local law enforcement jurisdictions. Efforts rely on non-conventional vehicles and unmarked cars, some with video cameras.
Ohio	Started on July 4, 1997, the Ohio Highway Patrol statewide program is known as TRIAD (Targeting Reckless & Intimidating Aggressive Drivers). The program uses thirteen aircraft along with ground units from the Highway Patrol and other local organisations.
Pennsylvania	The Pennsylvania State Police Program is known as 'Ticket the Aggressive Driver', and uses unmarked cars, aircraft and DOT vehicles in conjunction with some plain-clothes officers (63). Operation Centipede establishes police speed zones.
Rhode Island	Rhode Island State Police began their program in 1997. It features a media campaign and unmarked cars dedicated to an aggressive driving patrol.
South Carolina	Started in 1997 by the Greer Police Department, the program is known as 'Targeting the Aggressive Driver'. It features a thorough education component to promote community awareness and an enforcement component.
Texas	Begun in 1997 by the cities of Arlington and Fort Worth, efforts include increased attention to aggressive drivers by patrol officers and teams of marked patrol cars and motorcycles. A motorist call-in program has also been implemented, along with follow up letters and investigations, when warranted.
Utah	The Utah Highway Patrol began its aggressive driver program in Salt Lake City, in response to congestion resulting from freeway construction. The program uses unmarked cars and non-conventional vehicles in addition to a training program.
Virginia	The Commonwealth is a participant in the regional 'Smooth Operator' program. Coordinated by the Fairfax County Police Department, the effort includes Maryland and the District of Columbia in a multi-jurisdictional effort that utilises coordinated enforcement waves in a fifteen-agency effort. A special cellular phone number has been provided for direct reporting to law enforcement organisations.
Washington	Washington State has initiated a stepped-up law enforcement program and Aggressive Driver Apprehension Team that uses motorcycles and unmarked vehicles to apprehend aggressive drivers. The state has begun compiling road rage statistics.
District of Columbia	The District is a participating agency in the 'Smooth Operator' effort along with Maryland and Virginia.
British Columbia	Begun as a speed enforcement program in 1995, this effort combines enforcement and public information to target aggressive drivers in British Columbia. It uses lasers and radar. Enforcement schedules are posted on the Ministry of Attorney General Internet site.
Ontario	The Peel Regional Police Department began their efforts in June 1996, which includes a media campaign and intensive enforcement effort. They have also installed a data collection system to monitor aggressive driving. The Provincial Police conduct a separate program in Toronto-area highways. This program includes roadside counselling and the use of on-the-spot surveys.

Source: Rathbone & Huckabee 1999, pp.10–12 (references omitted).

Appendix 11: New Zealand's Community Roadwatch Form



**New Zealand
POLICE**
Nga Pirihimana O Aotearoa

Safer Communities Together

Community Roadwatch Report

This report will be used by the New Zealand Police to advise the owner of a motor vehicle about the driving behaviour you have observed and reported. The Police will regard your report as confidential; in accordance with the provisions of the law as it relates to privacy and disclosure of information.

What did you see?
(please tick an option)

- A driver overtaking on 'no passing lines'
- A driver overtaking in the face of oncoming traffic causing another driver to take evasive action
- A driver crossing the centre line on bends in the road
- A driver following too close (tailgating) behind your vehicle or another vehicle
- A slow driver holding up traffic and not making allowance for others to pass
- Other dangerous driving behaviour (please make brief notes about what you saw happening)

.....
.....

When and where?

Date:/...../..... Timeam/pm

Location:
(please write the name of the road or common landmark)

Nearest city/town:

Details of the offending vehicle

Registration number: Make: Colour:

Information about other passengers (please tick one) Driver only Family group Other passengers

Your details please

Title: Mr / Mrs / Ms / Miss (circle one) Name:

Address:

Registration number of your vehicle: Your telephone number: (.....)

Please sign here:

Post this form to: NZ Police, Community Roadwatch, PO Box 3017, Wellington. Or deliver it to your nearest Police Station.

Official use only
Prec Code:.....
Location:.....
Status:.....

Appendix 12: Road Violence Avoidance Tips

Academic advice

- ◆ Don't encourage people to vent with small-scale obscene gestures, swearing, etc – doesn't help concentrate on driving, and increases risk of retaliation. Aggression is not cathartic (Connell & Joint 1996).
- ◆ Find a place where further provocation is unlikely, and 'cool off'. The key is seen to be distraction. Don't 'cool off' by going for a drive – go for walks instead (Connell & Joint 1996).
- ◆ Always practise courteous driving by allowing cars to pass, even if they're speeding; avoid tailgating by leaving at least a car length's space; be careful not to glare at other drivers or make rude gestures; avoid 'rude driving' by letting people in and by not stealing parking spaces; use some form of signal as an apology for a driving mistake; if followed, don't drive home – find/call a police officer or go to a public space and honk your horn to attract attention. If attacked, jot down licence plate number, make, model and colour of car, and file a police report. And most importantly, if faced by an aggressor, avoid getting caught up in the game – refuse to respond to threats, avoid eye contact, keep the windows rolled up, don't get out of the car, and move off as soon as possible (Peters 2003).
- ◆ Don't react if being hassled by another driver (for example, don't accelerate, brake or swerve suddenly). If there is a problem drive to the nearest police station or busy place to get help. Lock car doors and keep windows and/or sunroof only partly open while driving. When stopped in traffic, leave enough space to pull out from behind the car in front. If someone tries to get into your car, attract attention by sounding the horn or alarm. Do not carry weapons (Joint 1995).
- ◆ Make sure you know how to get to your destination. Try to avoid peak traffic periods. Ensure car is regularly serviced, and carry spare items. Make sure windshield is clean – peering through a dirty windshield is a common source of stress & fatigue when driving. Make sure you're comfortable before starting – adjust seat & mirrors, seat belt, etc. Take journeys in easy stages – don't drive for more than 3 hours without a break. Get out of car when taking a break & eat light snack (not heavy meals). Concentrate on driving, not other factors, before you start. Learn to spot warning signs of stress & fatigue, and develop coping strategies (eg. listening to radio/cassette, novels/humorous tapes). Wind down windows to increase ventilation and breathe in air slowly. Don't grip

steering wheel too hard – tenses arm & neck muscles, leading to fatigue symptoms such as headaches (Joint 1995).

- ◆ What may start as an impersonal encounter between two 3,000-pound metal boxes on wheels can quickly become a personal dual between two angry individuals once eye contact is made. Give the angry 'Road Warrior' a wide berth. If he escalates the dispute, get out of there! He's not behaving rationally and may be truly dangerous, so respond as you would to someone who was mentally deranged or highly intoxicated. Back off and seek help, such as at a police station, if you know where to find one quickly (Willis 1997, p.5). Willis suggests the following steps to reduce the likelihood of road rage:
- ◆ Improve the driving environment – eg. listen to soothing music or a book on tape; practise relaxation techniques such as diaphragmatic breathing; adjust climate controls to a comfortable level. Accept the fact you are bound to meet a 'Road Warrior' some day – this may help you to be mentally prepared for the situation if it arises. Learn how to manage your anger – eg. through an anger management programme. Put yourself in the other driver's shoes – there may be legitimate reasons for his or her behaviour (Willis 1997).
- ◆ Consulting psychologist John Cheetham suggests taking a deep breath and focussing concentration on driving, pushing aside other issues, before getting into the car (cited in AAMI 2002 and Arnold Nerenberg, cited in Adler 1997).
- ◆ Regular exercise and healthy eating can help reduce stress and frustrations, along with deep breathing, meditation and other relaxation techniques. Have a cooling off period before getting into car if feeling stressed (Kowalski 1998).
- ◆ Nerenberg believes in taking a deep breath and letting it go (as well as noting details of offender and reporting to police)(cited in Pavelka 1998).
- ◆ Psychologists James and Nahl (writing under the name 'Dr Driving') suggest a 'Driver personality make-over', and recommend practising 'self witnessing in traffic', and working on 'self modification techniques' in order to resist the temptation to tailgate, speed, lane hop, etc (cited in Crime Research Centre, University of Western Australia 1997).
- ◆ Mizell suggests that motorists vary their schedule to avoid the worst times for traffic congestion, and also allow themselves plenty of time for their journey. In addition, he suggests improving the comfort of the vehicle by installing air conditioning, using a seat cover to make the driver's seat more comfortable, and listening to soothing music – and in particular that the driver avoid listening to 'anger-inducing talk-back radio'. He suggests drivers make an effort to concentrate on being relaxed

and proffers some in-car exercises to assist with relaxation. Finally, Mizell suggests that driving be avoided when the person is upset, angry or overtired (Mizell 1997).

- ◆ If 'road rage' is seen as part of general social malaise due to increasing stress at work, etc, then there is a need to lower stress – eg. take rostered days off, go out for lunch or walks, draw on other resources to reduce workloads (Dean 1998).
- ◆ Use 'auto-affirmations'. An auto-affirmation is: 8 x 3.25 inch plastic cards, imprinted with inspirational Bible verses and other messages, such as 'If It Is to Be, It's Up to Me!'. Can be custom printed. Attach them to the dashboard by adhesive tape, and the words are reflected onto a small portion of the windshield. Is a light and subtle reflection – doesn't obstruct your view. Through constant viewing, the positive message is supposed to become part of a driver's subconscious mind – may help prevent aggression (Black Enterprise 2000).

Self-help materials

- ◆ The AAA Foundation for Traffic Safety (1997) has produced a four-page brochure titled *Road Rage: How to Avoid Aggressive Driving*, which contains useful details on how to avoid being the victim of an aggressive driver based on three guiding principles:

Don't offend

Drivers are consistent in what angers them, so you can protect yourself by avoiding certain behaviours, such as: cutting off; driving slowly in the left lane; tailgating; rude gestures.

Don't engage

You can protect yourself by not getting involved in the fight. This can be done by: steering clear of angry drivers; avoiding eye contact; getting help if they follow you or try to start a fight.

Adjust your attitude

The most important action being to change your approach to driving: forget winning; put yourself in the other driver's shoes (imagine why they acted that way, and don't take it personally); if you think you have a problem, ask for help.

- ◆ The AAA Foundation for Traffic Safety has also developed the video *Preventing Road Rage: Anger Management for Drivers*. This video teaches motorists about anger management and provides advice for avoiding conflicts with other drivers.
- ◆ An audio-cassette produced by Dr. John Larson is intended to reduce stress levels through relaxation techniques and breathing exercises. Dr.

Larson is also the author of a book that includes a driver stress profile to educate readers on causes and remedies for roadway anger.

- ◆ Dr. Leon James has posted an extensive listing of self-help materials on his Internet Web site at www.aloha.net/~dyc.
- ◆ Psychologist Arnold Nerenberg offers an 18-page 'road rage' *10-Step Compassion Program* designed to combat 'road rage disorder' that includes visualisation techniques for drivers.
- ◆ Seminars and classes in anger management are provided by numerous organisations, and self-administered and face-to-face surveys are available.
- ◆ In Ontario's enforcement programme, officers of the Provincial Police provide roadside counselling and administer surveys to drivers who appear aggressive.
- ◆ The United Kingdom's Department of Transport is providing a laminated, glove-box sized card that provides motorists with advice on how to avoid stressful situations and what to do when they are encountered.
- ◆ The Coalition for Consumer Health and Safety in the United States has distributed wallet-sized cards for drivers that list courteous driving tips.
- ◆ The Iowa Department of Transportation's Internet website, for example, includes an informational section on 'road rage' that provides a list of common roadway irritants as well as tips for drivers.
- ◆ In Dallas, WRR, a local radio station, plays calming music during peak hour, labelling the songs 'Road rage remedies'. It has released a CD of the most popular songs played (Stidger 2003).

Submissions and presentations to the Inquiry

- ◆ Dr Ann Williamson believes that 'any form of soothing, such as music, can help – but need to be careful it doesn't interfere with driving task' (Dr Ann Williamson, New South Wales Injury Risk Management Research Centre, in conversation with the Committee, Sydney, 17 June 2004).
- ◆ Dr Jan Garrard, Senior Lecturer, School of Health and Social Development, Deakin University, recommends the use of humour and the arts to disarm aggression (Evidence given at the Public Hearing of the Drugs and Crime Prevention Committee, Inquiry into Violence Associated with Motor Vehicle Use, 22 June 2004).
- ◆ The Queensland agency WAVVE has produced a small card with tips on how to change aggressive driving behaviour on one side and tips for avoiding aggressive driving behaviour on the other side.

- ◆ Inspector Terry Leicester of NSW Police Traffic Services Branch recommended: Leave enough room between your car and the one in front – this avoids annoying; other drivers and leaves room for escape. Don't respond to provocation & remain calm. Call police if you have a mobile phone – may frighten them off. Don't carry a weapon – is against the law and may provoke them. If attacked, drive away quickly and get registration number. If you can't escape, sound horn and flash hazard lights to attract attention. Avoid eye contact with other drivers. If followed, drive to police station or busy area and use horn and lights. Keep doors locked, particularly at night. Don't open window if other driver approaches.
- ◆ Urbanbicyclist.org has produced a *City Rider Guide* with tips on how cyclists should deal with 'road rage' (as well as a definition and an outline of what it believes to be the causes of 'road rage').

'Metaphysical' techniques

- ◆ Naparstek recommends writing 'honku' – a haiku about honking and road rage – as a productive way to soothe the anger: A haiku consists of three lines totalling 17 syllables arranged in a 5-7-5 format. 'Traditionally, a good haiku makes a simple and direct observation of something in nature that leads to a Zen "Aha!" moment and a larger observation about the world as a whole' (Naparstek, 2003, p.xi). When struck by 'road rage', Naparstek wrote a haiku about the incident and stuck it on his local lamppost. This started a trend of others doing the same – with the eventual result being a reduction of honking in his neighbourhood (Naparstek 2003). There is a honku website: www.honku.org. '[T]he next time someone steals your parking spot, cuts you off on the freeway, or flips you the bird for no good reason, don't just sit and stew (though that's better than pulling out your crossbow). Write a honku. Separate yourself from the moment of rage, observe the thing that's making your blood boil, and crystallize the experience into a pithy little 5-7-5 gem. It sounds crazy. But it worked for me' (Naparstek 2003, p.xv).
- ◆ One person has developed an anti-road rage prayer for drivers to use so that 'if another driver does something stupid or rude, [you] say a brief prayer for that person.' (Ben M. Carter, Letter to the Editor, 'Sin of road rage: A driver's prayer', *Wall Street Journal*, 26 December 1997, at A9, cited in Blomquist, 2001, p.24). And an ordained Buddhist monk in Dallas, Texas, offers a two-hour class on 'Deflating Road Rage', with the aim being to 'help people find ways to develop happiness and peace in their minds rather than getting angry' ('Driver rage shouldn't run your karma off the road', *Dallas Morning News*, 10 December 1997, at 6C, cited in Blomquist, 2001, p.25).

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