

## VEHICLE IMPOUNDMENT

### *Providing an Enforcement Strategy that Achieves Community Expectations*



**Tom McGillian**  
**Inspector**  
**Vehicle Impoundment**  
**Strategic Services**  
**Victoria Police**





# HISTORY OVERVIEW



Legislation commenced 1<sup>st</sup> July 2006

Intention of Process is to provide a–

- An enforcement program to manage “hoon” road safety behaviour; &
- Control anti-social road use to preserve proper public amenity

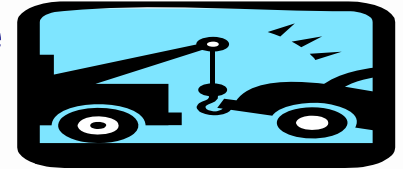
## EXAMPLES OF RELEVANT OFFENCES

- Driving in a manner dangerous to the public (loss of traction)
- Conducting illegal street racing
- Exceeding the speed limit by 45 kph or more
- Failing to have proper control of a motor vehicle
- Improper use of vehicle (intentional loss of traction)
- Driving whilst Disqualified



# VEHICLE IMPOUNDMENT SANCTIONS

- **Detection** – 48 hour impoundment of motor vehicle



- **Cost** – vehicle only released on receipt of costs of towing & holding fees

- **2<sup>nd</sup> Offence** – 3 month further impoundment if second relevant offence (court order)



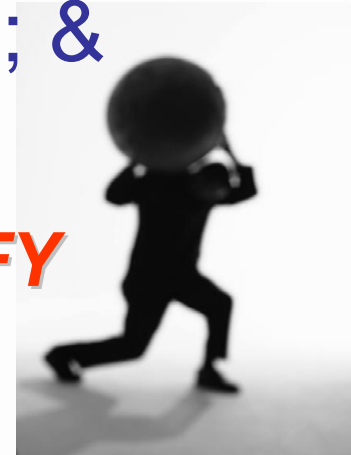
- **3<sup>rd</sup> Offence** – Forfeiture if third relevant offence (court order)

- **Penalty** – found guilty of relevant offence
  - » Fines
  - » Licence may be Suspended / Disqualified

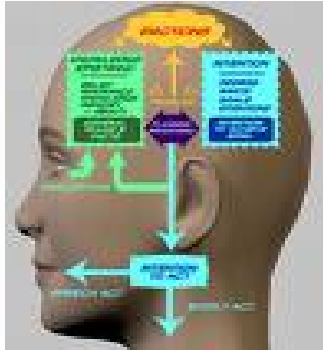
# WHAT THE LEGISLATION MEANS TO POLICE

- **Authority** to immediately deal with “hoon offending” (Community & Police Satisfaction);
- **Responsibility** to provide appropriate/ acceptable management processes; &

**SERVICE DELIVERY MODEL TO SATISFY  
COMMUNITY EXPECTATIONS**

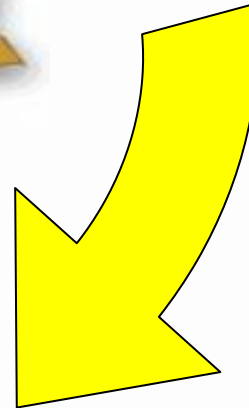
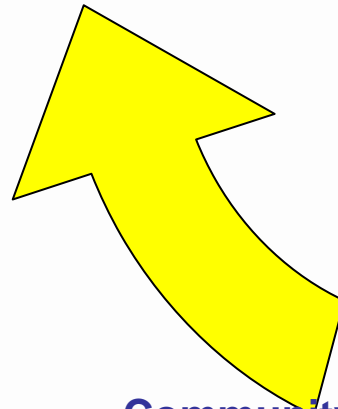


# SERVICE SUCCESS CONCEPT



**Faithful to  
Intention of  
Legislation**

**Managed  
Enforcement Program  
Lawful, Fair  
& Proper**



**Community Involvement/Acceptance  
Diverse Detection  
Capability**

# ENFORCEMENT FEATURES

- **State-wide enforcement capability** - process is same across state – not limited to specialists);
- **Training** – state-wide training model, focus on legislation, policy and procedure); &
- **Supported by Forensic Aides** - pro-forma statements, legislative forms and other investigation & process aides.

***STANDARDISED ENFORCEMENT PROGRAM***

## *“Convergence of police, community and technology”*

### **1. On the spot – Conventional**

- Immediate impoundment or surrender provisions (consideration of risk/safety/outcome/hardship)

### **2. Public Complaint**

- Investigate/establish relevant offence and surrender



*“Diverse Capability = detection & deterrence”*



## 3. Crime Stoppers

- State-wide intelligence data base - Investigate/establish relevant offence and surrender
- If no relevant offence – build intelligence profile for alternative enforcement activity



## 4. Safety Speed Cameras

Camera network detects offences -  
Investigate/establish relevant offence and  
surrender provisions utilised

# SAFEGUARDS

## Hierarchy Of Enforcement Compliance

*“Achieves Lawful, Fair  
And Proper  
Impoundments”*

**Inspector**  
Review within 48 hrs.  
•Ensure compliance



**Patrol  
Supervisor**  
•Authorisation notes

**Informant**  
•Form 1255  
•Admin. & compliance

## HARDSHIP PROVISIONS

- Application made to police
- Inspector considers grounds for hardship (welfare, health issues, financial impost or employment)
- Decision made and person informed
- Application may be made directly to court



# SUMMARY (formula for success)

- Appropriate Legislation +
- Managed enforcement program - lawful, fair and proper +
- Diverse detection capability +
- Community involvement +
- Effective safeguards +

=



**Road Safety and Community Satisfaction**

# SUCCESS MEASURES

- Widespread Detection (all detection elements have been engaged);
- Public Feedback (parents, and offenders);
- Positive Media (print and electronic);
- Successful prosecutions in courts;
- Hardship decisions reinforced by courts;
- Low recidivism rates; and
- Engaging a formal evaluation this year (3 and 5 year evaluation)



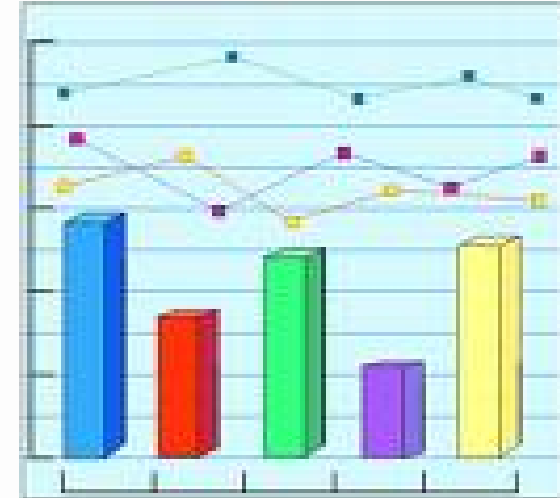
VICTORIA'S ROAD SAFETY STRATEGY: FIRST ACTION PLAN 2006-2010



arrive  
alive

# General Statistics

- Total Impoundments – 5820
- Male / Female Ratio – 97 / 3 %
- Seizure / Surrender – 90 / 10%
- Prob.Licence / Full Lic. – 46 / 40%
- Age – over 66% under 25 years of age
- Prevalent Offences – exceed speed & improper use



# END

