“There’s no way in hell I would pull up”: Deterrent and other effects of vehicle impoundment laws for hooning

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Abstract

Traffic law enforcement is based on deterrence principles, whereby drivers control their behaviour in order to avoid an undesirable sanction. For “hooning”-related driving behaviours in Queensland, the driver’s vehicle can be impounded for 48 hours, 3 months, or permanently depending on the number of previous hooning offences. It is assumed that the threat of losing something of value, their vehicle, will discourage drivers from hooning. While official data shows that the rate of repeat offending is low, an in-depth understanding of the deterrent effects of these laws should involve qualitative research with targeted drivers. A sample of 22 drivers who reported engaging in hooning behaviours participated in focus group discussions about the vehicle impoundment laws as applied to hooning offences in Queensland. The findings suggested that deterrence theory alone cannot fully explain hooning behaviour, as participants reported hooning frequently, and intended to continue doing so, despite reporting that it is likely that they will be caught, and perceiving the vehicle impoundment laws to be extremely severe. The punishment avoidance aspect of deterrence theory appears important, as well as factors over and above legal issues, particularly social influences. A concerning finding was drivers’ willingness to flee from police in order to avoid losing their vehicle permanently for a third offence, despite acknowledging risks to their own safety and that of others. This paper discusses the study findings in terms of the implications for future research directions, enforcement practices and policy development for hooning and other traffic offences for which vehicle impoundment is applied.

Keywords

Deterrence, hooning, vehicle impoundment

Introduction

A major aim of road rules and, in turn, traffic law enforcement, is deterrence. That is, if the consequences of violating traffic laws are seen as negative or unpleasant, drivers will adhere to road rules in order to avoid this punishment. Further, drivers who have experienced punishment for violating road rules will change their behaviour in order to avoid experiencing punishment again. Some penalties also serve to constrain future offending behaviour, such as alcohol ignition interlocks for drink driving, and vehicle impoundment to increase compliance with licence suspension or disqualification. This paper reports on a pilot qualitative study that applied Stafford and Warr’s [1] expanded deterrence theory to “hooning”-related driving behaviours, which in Australia and New Zealand includes illegal street racing and driving a vehicle in a way that causes unnecessary noise and smoke, such as burn outs and other types of skids. Among other sanctions, the penalty of vehicle impoundment can now be applied for hooning-related offences in all Australian jurisdictions and New Zealand. The results of this study are discussed in terms of each aspect of the theory, and the implications for traffic law enforcement practices and larger scale research projects designed to evaluate vehicle impoundment laws for hooning.

Deterrence theory

Deterrence theory has traditionally been used as the basis for countermeasures such as random breath testing and speed camera programs in Australia [2-4]. In its classical form, deterrence theory posits that individuals evaluate legal threats according to the perceived risk of punishment, which is determined by a combination of the perceived risk of being apprehended and the perceived certainty, severity, and swiftness of legal sanctions. Thus it is expected that drivers will refrain from engaging in particular behaviours if they perceive the risk of being apprehended by police to be high, believe there is a high certainty that they would receive a punishment when caught, and that the punishment would be severe and delivered in a timely manner [5].

There are two types of deterrence identified in the literature: general and specific. General deterrence refers to
the effects of legal punishment on the general public (i.e., potential offenders), while specific deterrence pertains to the effects of legal punishment on those who have experienced it (i.e., punished offenders) [1, 6]. However, Stafford and Warr have suggested that if deterrence is based on the fear of legal punishment, then general deterrence refers to the deterrent effect of indirect experience with punishment and punishment avoidance and specific deterrence refers to the deterrent effect of direct experience with punishment and punishment avoidance [1]. They argue that in most populations (i.e., the general public or punished offenders), people are likely to be exposed to a mixture of indirect and direct experience with punishment and punishment avoidance [1]. Stafford and Warr [1, p. 125] also argue that:

“punishment avoidance does more to encourage crime than punishment does to discourage it. Offenders whose experience is limited largely to avoiding punishment may come to believe that they are immune from punishment, even in the face of occasional evidence to the contrary”.

Deterrence researchers often presume that offenders only consider their own personal experience when evaluating the certainty and severity of punishment [1]. However, Stafford and Warr argue that in the case of delinquent behaviour, that assumption is problematic as delinquency is generally a group phenomenon. This is particularly relevant to hooning-related driving behaviours, as these tend to occur in groups. In those areas where hooning behaviours tend to occur, there may be large groups of spectators, groups of vehicles, and groups within vehicles [7]. Thus these individuals are likely to have collective experiences with their companions, meaning that their experiential base is likely to be much larger than their personal experience alone [1]. It has also been suggested that the immediate presence of companions may alter perceptions of certainty and severity, as the presence of companions may produce a heightened sense of anonymity and invulnerability among offenders, which may translate into perceptions of low certainty and severity [1].

Stafford and Warr’s [1] expanded deterrence theory has been applied to a number of areas of road safety research. For example, Piquero and Paternoster [6] applied the theory to drinking and driving, as this is a relatively common crime and people are likely to have had extensive experience violating drink driving laws, and therefore experience with punishment and punishment avoidance. Consistent with Stafford and Warr’s [1] theory, they found that deterrence appeared to involve a mixture of both general and specific deterrence mechanisms, and that both personal and vicarious experiences have (mixed) effects on behaviour [6].

Australian drink driving research using a sample of recidivist offenders also found support for the punishment avoidance component of the theory, however vicarious experiences were not associated with further drink driving behaviour [8]. Similar results were found in Australian research on unlicensed driving [9], speeding [10] and hooning [11, 12]. However, despite Stafford and Warr’s [1] expanded theory accounting for a broader range of influences on behaviour, deterrence theory in general has been criticised for its narrow focus on sanctions and for ignoring such things as the social implications of behaviour (e.g., peer approval), and the intrinsic rewards associated with a behaviour (e.g., feelings of exhilaration when racing) [5, 9, 10, 13].

Hooning-related driving behaviours

There is no clear definition of hooning-related driving behaviour in the general road safety literature, although hooning tends to refer to activities such as “burn outs”¹, “donuts”², “drifting”³, unnecessary speed or acceleration, as well as speed trials⁴ and illegal street racing, which can be highly organised or spontaneous in nature [14-16]. The definition of hooning-related driving behaviours adopted in this study was consistent with previous studies in the program of research [17, 18], consisting of the prescribed offences under Queensland’s “anti-hooning” legislation (Police Powers and Responsibilities Act and Another Act Amendment Act 2002): dangerous operation of a motor vehicle; careless driving of a motor vehicle; racing and speed trials on roads; and wilfully starting a vehicle, or driving a vehicle, in a way that makes unnecessary noise or smoke. However, as dangerous operation and careless driving offences are also applied to traffic incidents that do not involve hooning-related behaviours, and are usually applied in conjunction with street racing or noise and smoke hooning offences in Queensland, street racing and noise and smoke offences are considered more appropriate offences to describe hooning-related behaviours for this research.

¹ A burn out is when the rear tyres of a rear-wheel drive vehicle are spun at high revolutions per minute until they heat and smoke. More smoke is generated if the road surface has oil or petrol spills.
² A donut is when the driver of a real-wheel drive vehicle has turned the front tyres until the steering is fully locked during a burnout, so that the real wheels cause the car to rotate and a circular (donut) pattern of tread marks from the rear wheels remains on the road surface.
³ Drifting is when a rear-wheel drive vehicle slides sideways through a turn taken at high speed. 
⁴ Speed trials are when the acceleration and top-speed capability of a vehicle, or driver skill, are tested, usually on a straight stretch of road of a set distance. Speed trials also include attempts to establish or break records.
As noted earlier, all Australian states and territories, as well as New Zealand, now have anti-hooning legislation in place. Among other sanctions imposed (including fines, demerit points, and licence disqualification), vehicles of drivers charged under this legislation may be immediately seized and impounded by police, and the length of the impoundment period increases with repeat offences. Thus for hooning-related offences, vehicle impoundment serves to both deter hooning-related driving behaviour, and provides a means of constraining the behaviour during the impoundment period.

In Queensland, the vehicles of drivers charged with a prescribed hooning-related offence are impounded for 48 hours for a first offence. Police can apply to a magistrate for an impoundment order to impound the vehicle for three months for a second offence within three years, or a forfeiture order for a third offence within three years. Since the introduction of the legislation in November, 2002 (and until the end of 2008), 5,533 vehicles have been impounded. Of these, 5,417 were held for a period of 48 hours for a first offence. A small proportion ($n = 103, 1.86\%$) were held for three months for a second offence, while 13 were eligible for permanent forfeiture to the state for third ($n = 11, 0.20\%$) and fourth ($n = 2, 0.04\%$) offences [19]. The Queensland Government has argued that the small percentage of repeat offenders indicates that the legislation is successfully deterring hooning behaviours [20]. However, while the low rate of reoffending may be evidence of a specific deterrent effect, the total number of impoundments each year suggests that the general deterrent effect of the legislation is low, or that the deterrent effect of the initial 48 hour impoundment period is far lower than that of the three month and permanent forfeiture periods. It is also important to consider the effects of the level of enforcement and resulting offences detected. Finally, while formal evaluations of the effectiveness of this type of legislation in terms of its implementation, procedures and deterrent effect have commenced in several Australian states and New Zealand, no published data is presently available.

The present study

The purpose of this study was to conduct an in-depth examination of the deterrent effect of vehicle impoundment as a penalty for hooning offences. Using a sample of drivers who drive in Queensland and engage in the behaviours listed in Queensland legislation, this pilot qualitative study aimed to inform the development of a quantitative instrument for use in a larger study through focus group discussions applying the constructs of Stafford and Warr’s [1] expanded deterrence theory to hooning-related driving behaviours. The results of this larger study may be useful in informing traffic law enforcement practices.

Method

Participants

Participants for this study were recruited via a media release calling for people who drive in Queensland and had engaged in illegal street racing or behaviours such as burn outs, drifting, donuts or skids in the previous month, and snowballing by encouraging those who contacted the researchers to tell friends who may also meet the selection criteria about the research. A total of 22 drivers (18 males, 4 females) participated in the four focus groups conducted. Most participants were under 25 years old (median age = 22 years; range 19 – 45 years), although three participants were 30 or over. Three groups with five participants each were conducted in South East Queensland ($n = 15$), while one group was conducted in a regional location ($n = 7$).

Measures

Participants completed a brief demographic survey regarding their education and employment status, and some driving history questions. The focus group questions were based on Stafford and Warr’s [1] expanded deterrence theory, and were used as prompts to discussion. Participants were asked whether they or their friends had been caught hooning (direct and indirect experience with punishment), whether and how they and their friends had avoided being caught (direct and indirect experience with punishment avoidance), how likely it was that they or their friends would be caught hooning (perceived likelihood of detection), and finally how severe they and their friends felt each of the impoundment periods were (perceptions of severity). Questions relating to other theories and the legislation were also asked, but will not be discussed in this paper.

Procedure

Prior to participant recruitment, the relevant ethical and health and safety approvals were obtained from
Queensland University of Technology. The focus group discussions were conducted in neutral locations at local universities and Tertiary and Further Education (TAFE) colleges. Refreshments were available prior to focus groups while waiting for all participants to arrive. Once all participants had arrived, the researcher invited everyone to be seated and distributed project information sheets and consent forms. Participants were given the opportunity to ask any questions about the research, and signed and returned the consent forms. All groups were facilitated by the lead author, with a research officer taking brief notes to assist in assigning comments to participants during transcription. All participants consented to the focus groups being audio recorded, and were asked not to mention the names of any person to protect their anonymity and that of their acquaintances. At the conclusion of the focus groups, all participants received an envelope containing AU$20 cash to reimburse them for their time and travel costs and were thanked for their time and openness.

Results

Participants discussed their experiences with punishment and punishment avoidance, and their perceptions of the likelihood they would be caught for a hooning offence and the severity of the different impoundment periods. They also discussed whether the experiences of their friends would be similar to their own. As each focus group consisted of two to six members of the same friendship group, it was generally agreed that the experiences of their friends were similar. However, they suggested that people from other groups may be more likely to be caught based on where they engage in hooning behaviours, and police targeting the vehicles of drivers known to be involved in hooning.

Experience with punishment and punishment avoidance

In terms of indirect experience with vehicle impoundment, all of the participants knew someone who had received this penalty, or had witnessed it being applied to someone. Four participants reported being charged for at least one hooning offence prior to participating in the study, where two participants reported being charged once, one participant reported three hooning offences, and the other reported five. However, only the participants with one hooning offence reported having their vehicles impounded, as the hooning offences of the other participants occurred prior to the implementation of the legislation.

Participants discussed many ways they and their friends had avoided being punished for a hooning offence. In the following exchange, two participants discussed the use of technology to avoid detection:

“There are mobile phones and police scanners” (Participant #1, Female, age 22).
“We’ve heard of cops coming on the scanner and everyone’s just taken off” (P#2, F22).

When asked about how they or their friends had managed to avoid detection, a common strategy discussed was being selective about the location and time:

“Doing it at a place where we are allowed to do it. And we don’t do it in peak hour, we don’t do it in an hour when it’s going to bother someone and we wouldn’t do it in an area that’s going to bother someone” (P#1, F22).

“Not drawing attention to yourself. Doing it in a less populated area” (P#3, F23).

One participant described a very thorough process of determining the level of police activity prior to going out:

“It’s getting a lot more organised these days, so you can get away with it. Even before I bring my car out, I make a phone call or I even take another vehicle out and you go for a safety lap. Less than 10 and it’s not too bad, less than five, you are great, you are out. Police cars that is. This is basically just to take it for a drive, not to go racing. I don’t think anyone ever sends a text message to organise a race. But you get a lot of phone calls – it’s a lot easier way to organise stuff. Mainly it’s just a phone call to see how many police are out. That’s basically what I’m doing” (P#4, M, age not specified).

Participants also discussed strategies they or their friends use to avoid punishment once detected by police, including fleeing:

“By running” (P#5, M, age not specified).
“Take off. And don’t muck about. If you are going, you absolutely go” (P#6, M45).
Other strategies were used to take advantage of provisions in the legislation, or providing false information, to avoid the application of the relevant vehicle impoundment period:

“People hoon in other people’s cars and when they get police footage or footage of any sort doesn’t necessarily mean it’s the owner of the car” (P#1, F22).

“My car is not under my name as well. Just put it under somebody else’s name. I have never registered a car under my name, put it that way” (P#7, M23).

“Give someone else’s name, address and date of birth” (P#8, M30).

Finally, one participant suggested that the choice and value of the vehicle could minimise the effect of experiencing punishment:

“Then you buy an old snotter, particularly to hoon in. I mean, leave it or set fire to it when you are pulled over. Then you don’t have to worry about it. ‘See you later, I’ll buy another one next pay’” (P#6, M45).

Perceived likelihood of detection

Perceptions of likelihood of detection varied from very unlikely to every time they drive, and appeared to be linked to a number of factors. For instance, many participants noted that who you associate with can influence how likely you are to be targeted by police:

“I’ve probably got an 80% chance [of getting caught]. But I think it depends on who you associate with because if you associate with people that are well known hoons obviously you’re going to get targeted more” (P#3, F23).

However, the following exchange that occurred during the same focus group highlights how engaging in hooning behaviours with others can also be protective:

“If you’re in a group you’re safer. If you go out by yourself for a hoon through town you’re 50% chance of getting caught” (P#2, F22).

“But on that level if there is only one skid pulled and they’re [the police] not there to witness it and you’re there with a big bunch of associated hoons, they can’t really fine anyone in particular” (P#1, F22).

Participants discussed how being “smart” about where they choose to engage in hooning behaviours and “organised” in alerting others to potential police presence affected the chances of being caught:

“It depends on how smart you are I guess” (P#5, M, age not specified).

“I think it’s just very dependent on the area you are in, what you are doing, what you are driving, as to whether or not you are going to get done” (P#9, M29).

“I think if you’re racing up any main street where there’s traffic you will get caught. I am 25 and I haven’t been caught for street racing. It’s just time and place and organisation. I think it’s stupid to go up a main street” (P#10, M25).

“With CB radios and texting, everyone scatters now, so the chance of you getting caught is pretty slim” (P#11, M22).

“If it’s an organised event, usually, you won’t get caught, depending on who shows up” (P#4, M, age not specified).

One participant also discussed how once you had been caught for two hooning offences, the likelihood of being caught for a third offence and losing your vehicle permanently increased:

“Well the problem I see with that one is that once you’ve lost your car twice the police know your vehicle and they’ll be looking for you and keeping an eye on you so yeah, you wouldn’t have to step out of line very far at all to lose it” (P#12, M37).
In summary, participants generally felt that the likelihood of being caught depended upon the individual driver involved and the circumstances:

“It depends who you are, what you are driving and how old you are” (P#6, M45).

Perceptions of severity

Participants’ perceptions of the severity of the penalty depended on the length of the impoundment period and the circumstances of the offence. Generally, the perceived severity of the initial 48 hour impoundment period was not high:

“I don’t think it’s too bad” (P#2, F22).
“I think the 48 hour period is a good starting point, shows that they’re serious” (P#1, F22).
“It would depend how heavy the offence was too, whether you would be too upset about it. If you genuinely felt you deserved it then I guess I would be okay with it, if I was doing something stupid like putting other people’s life in danger.” (P#13, M19).

However, some participants did seem to perceive even the 48 hour period as quite severe:

“It’s severe, I tell you now, because I don’t want it” (P#14, M19).

One participant was very concerned about who had access to his vehicle during the impoundment period, and indicated that he would prefer for his vehicle to be immobilised in his garage so he could be certain it would remain in good condition:

“Where is your car in the 48 hours? If they grab your young one or something like that, or grabbed the missus and stored them for 48 hours, what are you going to do? Some people treat their car like their missus. It’s the same thing mate. I’m sleeping in that [the car]. My missus ain’t worth that much” (P#8, M30).

Another participant perceived any length of vehicle impoundment to be overly severe for a hooning offence, describing its use as follows:

“Two or three spins of a wheel, and that’s it, you walk, you lose your assets. To me, that’s just appalling. It’s legislatively enforced unlawful behaviour” (P#6, M45).

The three month impoundment period for a second hooning offence within three years was perceived as being far more severe:

“That’s pretty severe” (P#4, M, age not specified).
“Three months is a bit tough” (P#2, F22).
“The second offence is way severe. You’ll just be like ‘Oh crap!’” (P#1, F22).
“For the second offence I think three months would be a long time. It’s a bit harsh I’d say” (P#15, M20).

Participants discussed how losing their vehicle for three months had the potential to cause significant disruption to their daily lives, possibly leading to job loss:

“If that’s your only mode of transport to get to and from work, to get anywhere that you need to go, you could end up losing your job or God only knows what else” (P#9, M29).
“Three months is devastating. It could ruin you. You risk losing your job. Won’t be able to get to work. Three months is pretty bad” (P#10, M25).
“I would find that an extreme inconvenience and I would be very sad. It would make me think twice about doing it again, that’s for sure” (P#16, M20).

Some participants discussed the possibility that the three month impoundment period could actually make the
problem worse if drivers tried to evade police:

“Three months is a decent stint isn’t it? Could create people running. For three months, losing your car, it’s going to cause so much more problems. It’s going to push everybody more underground” (P#11, M22).

“Probably make me run, knowing what my car is capable of. Assuming they don’t have my number plates yet” (P#10, M25).

One participant discussed how the wealth of the individual related to how the penalty would affect them:

“It only affects you if you have your life tied up in the car. Then it really affects you. So that’s a major effect. But if you don’t, then it’s of no consequence. So if it is a cheap car or if you are wealthy and you have the ability to say, ‘Oh well, let’s pull something else out of the garage’, you know, it’s no issue” (P#6, M45).

When discussing their perceptions of the severity of permanent forfeiture, participants unanimously agreed that this penalty was extremely severe:

“It would be like taking away your legs, wouldn’t it?” (P#16, M20).

“I think it’ll make a lot of people unhappy. Any property that you knew you worked on, done anything to put together. Especially if it’s something you have dreamt about, finally grabbed and the next minute someone in a blue uniform decides to come along with a tow truck and take it away – that would be very hard” (P#8, M30).

There was also further discussion of willingness to flee from police in order to avoid losing their vehicles:

“You wouldn’t pull up. If you were on your third [strike] and you got pulled up for a hooning offence there is no way in hell I would pull up”’ (P#5, M, age not specified).

“I won’t pull up” (P#17, M, age not specified).

“I think if people think they are going to get their car taken away from them for good, they [the police] are going to find a lot of people, they are going to keep on running. They are not going to stop the third time. It’s going to lead to deaths and so forth. They really need to take that into account” (P#7, M23).

While it is possible that these comments were not a true indication of future behaviour but rather reflect an element of bravado, many participants qualified their statements with considered justifications for fleeing from a hooning offence:

“I think it gives people more reason to run as well. I mean, myself, having spent a lot of money on my car, if I ever do get to that point where I am going to lose my car, third time, third strike, I am going to lose it forever. Say I spent about $40,000 on my car – is it a $40,000 fine for having a race down the highway? To me, that’s worth running. I mean, you have given me $40,000 to run from the cops. That’s good enough reason for me to run and kill myself or the people chasing me or someone else on the road. Whereas if I knew it was the same as the first time I got done, $300, lose my licence, something like that, you’d stop. Stop. It’s not worth dying over. Forty grand might be, for a lot of young people” (P#10, M25).

Discussion

According to classical deterrence theory, hooning-related driving behaviours should be reduced if drivers perceive a high likelihood of detection, and that the penalty they receive is certain, severe and will be applied swiftly. Applied to participants in this study, classical deterrence theory would suggest that they were unlikely to continue engaging in hooning behaviours as they perceived that is was likely that they would be caught and that the punishment was severe and applied immediately. However, in contrast to these expectations, participants reported engaging in hooning behaviours frequently, and intended to continue doing so. It is important to note that there were marked differences in perceptions of severity for the different impoundment periods, where participants perceived the 3 month and permanent forfeiture penalties to be far more severe than the initial 48 hour impoundment period applied for a first hooning offence. Perhaps the classical deterrence
model is a poor fit for explaining first-time hooning behaviour, as the penalty for this initial offence does not reach a sufficient threshold of severity to effectively deter hooning behaviour, and it therefore has little general deterrent effect. However, as participants did perceive the impoundment periods for second and third offences to be extremely severe, it is possible that the classical model would be a better fit for understanding the hooning behaviour of these “repeat” offenders. Further, perhaps the 48 hour impoundment period does have a specific deterrent effect, as drivers who have experienced it become eligible for the more severe 3 month period and any associated general deterrent effect of this penalty.

Looking to the expanded model of deterrence, the group had far more experience avoiding punishment than experiencing it directly or indirectly, thus it is possible that the experience of punishment avoidance is having a disproportionate effect on their hooning behaviour, highlighting the utility of Stafford and Warr’s [1] model. It is therefore important from an enforcement perspective to better understand how drivers are able to avoid punishment, and whether police practices can be modified to reduce the effectiveness of these strategies and reduce hooning behaviour.

Although Stafford and Warr’s [1] expanded deterrence theory appears to be a more promising model for understanding hooning behaviour than the classical theory, focus group discussions raised a number of non-legal factors (i.e., separate to expanded deterrence theory) that may also be influencing hooning behaviour. Participants discussed social and economic / occupational effects of hooning, as well as risks of physical harm to themselves and others, that are not adequately captured by either theory. For example, participants discussed the enjoyment of sharing their mutual interest in cars and driving with friends, the thrill of performing new and difficult manoeuvres, and the possibility that the loss of their vehicle would restrict their ability to get to work and may result in them losing their jobs. Given the social nature of hooning behaviours, a more sociological theory such as Akers’ social learning theory [21] that also incorporates non-legal consequences (e.g., social rewards and punishments) of behaviour may offer a more complete understanding of this complex group of behaviours. This approach was supported in recent Queensland research with a sample of university students, which found that social learning theory explained additional variance in hooning behaviour over and above that explained by expanded deterrence theory [11, 12].

While the results of a study with a small sample size of 22 are not generalisable to the population of drivers who engage in hooning behaviours, the qualitative approach elicited rich information that can inform larger scale research studies. For example, future research with a larger sample of drivers should confirm the findings of this study and incorporate additional theoretical perspectives. Further, as there were many occasions when participants in the present study responded to questions with “it depends”, and expressed differing opinions depending upon the context of the situation, future research should account for this complexity by providing a number of examples or scenarios for each of the different types of hooning behaviour, as opposed to broadly asking about general hooning behaviour as in the Gee Kee study, to better understand the many facets of hooning behaviour.

Finally, a concerning finding of the research relevant to enforcement practices and policy was the possibility that some drivers may flee in order to avoid being caught by police for a third hooning offence and losing their vehicles permanently. While these statements may reflect a degree of bravado, they did not seem to be flippant, as participants provided detailed reasons for their intentions, even acknowledging the risk of physical harm to themselves and others. As a police pursuit situation could be more dangerous than the hooning offence, it may be wise for police to follow up repeat offenders at a later stage to seize the driver’s vehicle, rather than engage in a potentially dangerous pursuit with a driver who may be motivated to flee at all costs to avoid the penalty.

Conclusion

This research supports the findings of earlier studies that have found some support for the application of expanded deterrence theory to road safety, and suggests that the avoidance of punishment has a strong influence in maintaining risky driving behaviours such as hooning. The findings of this pilot qualitative study can be used to inform the development of an instrument for use in larger scale research to confirm the findings reported here, and explore the relative utility of non-legal issues in understanding hooning behaviour. An interesting avenue for further research is to explore the deterrent effects of vehicle impoundment with a sample of drivers who have experienced the penalty. Although sample sizes may be small, such research should aim to recruit repeat offenders to obtain an understanding of the general and specific deterrent effects of the increasing impoundment periods.
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References