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THE EFFECTS OF POLICE WITHDRAWAL FROM TRAFFIC CONTROL: A COMPARATIVE STUDY*

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"More people are disgruntled with traffic control than with police effort in any other field; traffic control causes the police more annoyance and subjects them to pressure from a greater number of sources than any other problem."¹

Can anything be done to relieve both police and public of tension caused by traffic law enforcement? Comparison of the state of relations between motorists and the police in Australia and New Zealand sheds some light on the problem. Australia has, in common with many other countries, what may be termed a conventional system of traffic control by police while New Zealand is unique in that police take very little part in traffic law enforcement.

The problem of antagonism between motorists and the police appears to be widespread. For instance, a survey conducted in the United Kingdom in 1960 for a Royal Commission on the Police² revealed that 10% of the public and 36% of the police considered motorists, as a group, were particularly against the police or resentful of them. The Final Report of the Royal Commission stated that "the evidence before us showed that an important—according to some witnesses the most

important—factor affecting relations between the police and the public today is the problem of enforcing the traffic laws. It is as motorists that ordinary men and women most often have dealings with the police."³

To analyze the differences in police-public relations stemming from the traffic control systems currently operating in Australia and New Zealand, the authors conducted surveys among both police and public in the two countries.⁴ The results of these surveys, and their implications for improving relations between motorists and the police, are discussed in this paper. However, before considering these results, a brief description must be given of the Australian and New Zealand systems of traffic control.

In Australia police, who are organized primarily in State forces, bear the main responsibility for traffic control, although in some large urban areas civilians are now employed by local councils to supervise specified metered and unmetered parking zones. Australian police must not only perform such typical control duties as directing traffic at busy intersections, but are also required to act as the principal prosecuting agency for traffic offences. In addition, the police are responsible in many areas for administering tests for driver's licenses. They do not, however, register motor

³ FINAL REPORT, Royal Commission on the Police, H.M.S.O., 1962, p. 114.

⁴ This article describes only one aspect of this study, a full analysis of the surveys being contained in CHAPPELL, D. & WILSON, P. R. *THE POLICE AND THE PUBLIC IN AUSTRALIA AND NEW ZEALAND*. Brisbane: University of Queensland 1969.

* The survey results discussed in this article have been obtained during the course of a wider study made by the authors of relations between the police and the public in Australia and New Zealand. The authors wish to express their gratitude to the Nuffield Foundation and the Australian Research Grants Committee who have jointly sponsored this research.

¹ WILSON, O. W., *POLICE ADMINISTRATION*, New York: McGraw-Hill, 1963, p. 353.

² ROYAL COMMISSION ON THE POLICE, Appendix IV: The Relations between the Police and the Public, H.M.S.O., 1962.

vehicles, this being a task carried out by State Motor Transport Departments.

The New Zealand system is best described in terms of its historical development. Prior to 1935, it was much the same as the system currently in operation in Australia. Gradually, however, large urban municipalities began to employ their own officers to deal with parking offences, minor accidents not involving personal injury, speeding, careless driving, and points duty. Without any conscious plan, the pressure of other duties obliged the New Zealand police, who are a national force, to employ more and more men on non-traffic duties. This trend served largely to eliminate the possibility of overlapping occurring between departments. Formally, the police did not lose jurisdiction over any aspect of traffic work, and they continued to report blatant breaches of traffic laws that came to their attention. But in practice Municipal Traffic Department Officers, the term applied to men appointed by urban municipalities to perform traffic duties, detected and prosecuted almost all non-moving traffic violations, and the majority of minor moving violations. In more recent years these officers were also given power to arrest drunken drivers. However, after effecting an arrest, the driver had to be taken directly to a police station to be dealt with by the police. In any subsequent court action, the arresting officer would act only as a witness, prosecution of drunken drivers remaining a police function.

The development of a third agency to control traffic in New Zealand can also be traced from 1935. At that time, the police had a very inadequate traffic fleet. Consequently, the highways linking cities and towns, although carrying an increasing volume of traffic, were virtually unpatrolled. To remedy this state of affairs, the New Zealand Government formed a Transport Department—a national body under the control of a Commissioner for Transport. Officers from this Department were provided with powers similar to those of Municipal Traffic Department Officers, but their jurisdiction ceased at city or town boundaries.

Several years after the formation of the Transport Department, a number of smaller towns requested that the Department take over control of their municipal traffic departments. Primarily economic considerations prompted these requests, the Transport Department being financed by the national government while local tax payers had to

meet the expenses of municipal traffic departments. The national government acceded to these initial requests, an act which prompted other towns to make similar calls for assistance. Eventually, the national government was obliged to offer all urban municipalities the services provided by the Transport Department, an offer which has been accepted now by all but four of the main towns and cities in New Zealand. It remains to be seen whether the obdurate four will eventually be persuaded by pressure from tax payers also to accept the national government's offer, leaving only the police and Transport Department in the field of traffic control.

At first sight, the current tri-partite traffic control system operating in New Zealand may seem confusing. But the system appears to operate in practice without conflicts occurring in the jurisdiction exercised by the three traffic agencies. Basically, the police are only concerned in two categories of traffic law enforcement—first, in investigating accidents which involve personal injury and, where necessary, prosecuting persons involved in such accidents; second, in bringing proceedings against persons apprehended for drunken driving. While the police do not ignore flagrant breaches of other areas of the traffic law, the Transport Department and the four remaining Municipal Traffic Departments are responsible for the enforcement of all other categories of traffic law.

It will be apparent from this account of the evolution of the tri-partite traffic control system in New Zealand that the substantial removal of the police from this system was not intended as a measure designed to improve the state of relations between the police and the public. Yet the ensuing description of the comparative levels of public respect for the police in New Zealand and Australia suggests that despite the absence of conscious planning, the substantial separation of traffic law enforcement from other police functions in New Zealand has had a beneficial effect upon police-community relations in that country.

SURVEYS OF POLICE-PUBLIC RELATIONS

The surveys conducted by the authors were designed to investigate not only relationships between police and motorists, but also to examine in detail many other aspects of police-public relations. The section concerned with motorists included questions on the degree of respect motorists had for the police, attitudes toward police probity

and, in New Zealand, public attitudes toward and knowledge of the functions of each of the three traffic control agencies.

The survey encompassed six major groups of informants—Australian public, New Zealand public, New Zealand police, and three Australian police forces—South Australia, Tasmania, and Queensland. In all cases, the samples matched the populations from which they were drawn on a number of relevant variables. For the public these were sex, age, religion, occupation, type of community in which they lived and, for Australia, state of residence. For the police relevant variables included age, rank, number of years' service and type of community in which they served (i.e. large city, provincial town, rural area).

In Australia, 1036 members of the public were interviewed of whom 681 held drivers' licenses and were classified, for the purposes of the present study, as "motorists".⁵ Further information about the number of miles driven each year and length of time motorists had held drivers licenses was obtained. In New Zealand, 769 interviews were conducted, 544 with motorists. The questionnaire was almost identical with that used in Australia. Police samples varied in size, with 376 from New Zealand, 405 from South Australia, 288 from Queensland and 191 from Tasmania. The questionnaire used was basically the same for all forces.

Survey Findings: As Table 1 indicates, in Australia motorists display a significantly lower level of respect for police than do non-motorists. While overall 65 per cent of Australian respondents claimed they had great respect for the police, among motorists this level dropped to 63 per cent, and among non-motorists rose to 69 per cent. In New Zealand, on the other hand, not only was the overall level of public respect for the police higher than in Australia (72 per cent versus 65 per cent), but the disparity in levels of respect between motorists and non-motorists was small (72 per cent versus 73 per cent).

These findings in themselves suggest that the public's experience with police in the motoring arena is not an inconsequential factor in determining their attitude toward police in general. Further evidence to support this view can be discerned from Table 2 where public respect for police is analyzed by the number of miles individual

⁵ The sample was drawn from persons aged 18 years or above, 18 being the normal age at which persons may be licensed to drive in Australia and New Zealand.

Table 1
RESPECT FOR THE POLICE: MOTORISTS
AND NON-MOTORISTS

Question: Considering everything about the way the police do their job, would you say you have great respect for the police, little respect for them, or mixed feelings about them?

Answers	Motorists		Non-Motorists	
	Aust. (%)	N.Z. (%)	Aust. (%)	N.Z. (%)
Great respect	63	72	69	73
Mixed feelings	33	23	22	19
Little respect	1	3	3	4
Don't know	1	2	3	3
No answer	2	0	3	1
Total; Percentage	100	100	100	100
No. of Informants	681	544	354	219

motorists drove each year. It will be seen that as the number of miles driven increased, the level of respect for police decreased, particularly among those who drove more than 12,000 miles per year. This trend, which was much more pronounced in Australia than New Zealand, no doubt reflects, among other things, the impact upon heavy road users of an increased exposure to police activity. It would seem reasonable to assume that the more frequently a person drives, the more likely he is to come in contact with the police performing their traffic functions. This contact, when it occurs, deflates rather than enhances the motorist's image of the police.⁶

Australian motorists, apart from expressing lower levels of respect for police than their New Zealand counterparts, were also found to have more doubts concerning the probity of police. While the differences were not substantial between the stated views of Australian motoring or non-motoring respondents to a series of survey questions dealing with police probity, motorists consistently rated the integrity of police at a lower level than non-motorists. Slightly more Australian motorists than non-motorists, for example, claimed that the police sometimes used unfair methods of questioning suspects, sometimes took bribes, some-

⁶ This deflated image may, of course, be contributed to by the experience of being detected by the police committing a traffic offense. Unfortunately, the authors were unable to obtain reliable information concerning the number of motorists in their sample, whether heavy road users or otherwise, who had been warned or prosecuted by police for traffic offenses.

Table 2

RESPECT FOR THE POLICE ANALYZED BY MILES DRIVEN PER YEAR

Question: Considering everything about the way the police do their job, would you say you have great respect for the police, little respect for them or mixed feelings about them?

Answers	Miles Driven per Year					
	0-8,000		8,000-12,000		Over 12,000	
	Aust. (%)	N.Z. (%)	Aust. (%)	N.Z. (%)	Aust. (%)	N.Z. (%)
Great respect	71	74	58	69	54	67
Mixed feelings	25	22	33	24	43	24
Little respect	1	2	3	4	1	8
No answer	3	2	6	3	2	1
Total; Percentage	100	100	100	100	100	100
No. of informants	302	309	193	108	143	79

Table 3

PUBLIC RESPECT FOR TRAFFIC CONTROL
AGENCIES IN NEW ZEALAND

Question: Considering everything about the way each of these three organizations handles traffic matters, would you say that you had great respect; little respect, or mixed feelings about it?

Answer	Organization		
	Police	Transport Dept.	Municipal Traffic Dept.
Great respect.....	52	48	39
Mixed feelings.....	16	22	22
Little respect.....	4	9	13
Don't know.....	27	20	24
No answer.....	1	1	2
Total; Percentage.....	100	100	100
No. of Informants.....	769	769	769

Respondents were then asked which traffic control agency they felt was mainly responsible for dealing with each of these offenses. In their responses, 70% of the public correctly attributed parking offenses to the Municipal Traffic Departments. Opinion was divided on speeding offenses, 45% assuming these were dealt with by the Transport Department and 42% by the Municipal Traffic Departments. In fact both views are correct, since the Transport Department handles speeding in some towns and on the highways while some centres still retain Municipal Traffic Departments. 69% correctly allocated accidents in which people suffer injury to the jurisdiction of police and 61% thought the police handled drunken driving. Again, this is basically correct since all drunken drivers must be taken direct to police stations for charging, although they may be arrested by officers of the other departments.

It would seem from these survey results that the public is well informed about the respective functions of the three traffic control agencies, realizing that minor offenses such as speeding and parking are not subjects of police responsibility.

A further question was asked in the New Zealand survey to determine the degree of public respect for each of the three agencies in regard to its handling of traffic matters.

It can be seen from Table 3 that New Zealanders expressed greater respect for the police than for either of the other traffic control agencies—52% had great respect for the police, 48% great respect for the Transport Department and only 39% great respect for the Municipal Traffic Department.

times twisted evidence to win court cases, and sometimes used excessive force to make arrests. No similar trend emerged in New Zealand.

It was mentioned earlier that while the tri-par- tite traffic control system operating in New Zealand might at first sight appear confusing, in practice the system seems to produce few problems for the operating agencies. However, the authors were anxious to establish whether or not the general public in New Zealand also appreciated the system's intricacies and discerned differences between its three main components. With this in mind, New Zealand respondents were presented with a list of four types of offence—parking, speeding, accidents involving personal injury, and drunken driving.

DISCUSSION

On the basis of the survey findings it may reasonably be concluded that the role played by police in traffic control does influence their relations with the community at large. Where this role is dominant, the situation currently prevailing in Australia and many other countries, the level of public respect for the police is likely to be adversely affected. Alternatively, if police play a subordinate role in traffic control, as they do in New Zealand, their public image is likely to be improved.

By transferring effective responsibility for administering minor traffic laws from the police to separate agencies, the New Zealand government appears at the same time to have redirected much of the public resentment generated by such laws from the police to different targets.

Beneficial and related side effects of this transferred malice may well be better public co-operation with the police in detecting and preventing crime, and a rise in police morale. The authors found in their surveys of police attitudes in both Australia and New Zealand that the majority of police did not relish administering traffic laws. In Australia, police respondents commonly expressed the view that time-consuming traffic duties kept them from the far more important task of detecting and preventing crime.⁷ In New Zealand, this attitude was not found nearly so frequently among police respondents although in personal discussions with senior officers, the authors formed the opinion that they would not object if the few remaining police traffic control functions were transferred to other agencies. Table 3 strongly suggests that even the limited participation of the New Zealand police in traffic duties continues to provoke public resentment, only 52 per cent of the public having great respect for the way police handled traffic matters compared with 72 per cent who had great respect overall.

By themselves, improvements in police-public cooperation and in police morale may not be regarded as sufficient justification for undertaking the major task of restructuring responsibilities for traffic control. If these responsibilities are removed from the police, they must still be exercised by some agency, existing or newly created. Inevitably, considerable expenditure will be required to equip this agency for its job, including the furnishment

⁷ It seems that many police concur with the widespread public attitude that traffic offenses are not crimes.

of manpower and equipment needs. Before sanctioning such expenditure, legislators in particular will require positive and tangible evidence of the merits of divorcing traffic control from the traditional realm of police functions.

At a time of burgeoning crime rates, and plummeting detection rates, a measurable increase in the time spent by police attacking these problems may be the most telling argument in favor of this development. Recent research in the United Kingdom has indicated that working time over the whole police force, though subject to considerable overlap and local variation, is divided approximately into 20 per cent traffic, 30 per cent crime, 40 per cent civil order (general purpose control) and 10 per cent internal organization.⁸ Direct comparative data is not available for Australia and New Zealand. However, rough estimates of the Australian and New Zealand police time spent on traffic duties suggests a figure of 25 per cent for the former and under 5 per cent for the latter. Obviously, partial or total removal of traffic duties from contemporary police forces in these countries would release a substantial number of men for allocation to other duties, including detection and prevention of crime.

Police qualifications become relevant at this point in the discussion. It appears wasteful of specialist skills and talents to employ police personnel upon many of the routine tasks associated with traffic control. There would seem, for instance, to be no need to insist upon the stringent physical standards required of police, nor upon the acquisition of a wide range of knowledge in legal and allied fields, for officers only performing traffic duties.

In the United Kingdom arguments of this type have led to the relegation of certain police traffic duties to specially appointed traffic wardens. The duties of traffic wardens have been set out in two orders made by the Secretary of State under powers granted him by statute in 1960.⁹ The first of these orders, made in 1960, permitted wardens to handle various types of parking offenses, and to patrol school crossings. The parking offenses described in the order carried fixed penalties and did not include obstruction or leaving a vehicle in a dangerous position. The second order, made in

⁸ See MARTIN, J. P. AND WILSON P. G. *THE POLICE: A STUDY IN MANPOWER*, Heinemann, London 1969.

⁹ Appointment of wardens, who with limited exceptions are civilians in status, was made possible by the Road Traffic and Roads Improvement Act (U.K.) 1960.

1965, permitted wardens to perform functions of controlling and regulating traffic at intersections and other congested places, but specified that this could not be done from a moving vehicle. More recently the report of a United Kingdom government working party on police manpower problems recommended further extension of the use of traffic wardens.¹⁰ These recommendations did not include, however, granting of the power of arrest to traffic wardens, nor the facility to undertake mobile patrols. It would therefore appear that traffic wardens will not, in the immediate future at least, play a role akin to officers of the Transport Department in New Zealand.

There are, of course, substantial arguments against passing control of traffic to a non-police agency.¹¹ It has been pointed out, for instance, that it is not practical to draw a line between crime, on the one hand, and traffic offenses on the other, passing administration of the former to the police and the latter to a separate agency. While the public's image of crime is not that of the law's, the average citizen no doubt equating the term with some wilful injury or loss to an innocent person, there are categories of traffic offense which in most people's minds amount to crimes. Causing death by dangerous driving is perhaps the extreme example of such an offense. Debate as to where the line is to be drawn beneath this soon becomes enmeshed in a consideration of the nature of crime, the function of the criminal law, and so on.

A working compromise to this particular dilemma has apparently been discovered in New Zealand by reserving to police the main power to deal with personal injury accidents, and to prosecute offenses involving drunken driving. Accidents, or offenses in these two categories, may initially be attended or detected by either Transport Department or Municipal Traffic Department officers, but subsequent action is a police responsibility. The same situation prevails when persons engaged in criminal activities such as burglary, robbery or larceny, are detected in the course of normal traffic duties by one of the non-police agencies. Once detected the police take over the investigation and, where appropriate, prosecution of the offenders.

¹⁰ HOME OFFICE POLICE MANPOWER, EQUIPMENT AND EFFICIENCY, H.M.S.O. London 1967.

¹¹ These arguments have been cogently expressed by D. W. ELLIOTT AND HARRY STREET, ROAD ACCIDENTS, Penguin Books: London 1968. See particularly pp. 63-81.

Another argument advanced by those opposed to passing control of traffic to a non-police agency is that there would be as much difficulty recruiting suitable men for this type of work as there is at present for general police duties. This objection loses some force when it is remembered that the qualifications, and especially physical requirements, envisaged for traffic officers would not be as restricting as those for police. However, to attract men to a permanent position in a traffic agency it would still be necessary to provide them with adequate career opportunities including advancement to positions of responsibility. If the agency continued to operate under the general control of the police, as is at present the case with traffic wardens in the United Kingdom, recruiting difficulties are likely to emerge. Such a situation has been avoided in New Zealand by completely removing control of the traffic agencies from the police.

CONCLUSIONS

The comparative study of the traffic control systems operating in Australia and New Zealand appears to confirm, in the words of the United Kingdom Royal Commission on the Police, "that an important . . . factor affecting relations between the police and the public today is the problem of enforcing the traffic law."¹² The authors' survey data suggests that one effective method of affecting these relations for the better is to terminate or reduce the police role in traffic law enforcement. It has been demonstrated over a period of years in New Zealand that a considerable reduction in this role can successfully be accomplished.

Whether the New Zealand traffic control system is directly translatable to other countries is perhaps questionable. As has been pointed out, it is a system which grew haphazardly without interfering with traditional law enforcement interests. Today, other police systems whose origins stem from an English model, including those of both Australia and the United States, have vested spheres of influence in traffic control. This influence is unlikely to be relinquished willingly. Probably the best that may be hoped for in the immediate future is a shearing away of the more mundane traffic duties to functionaries such as traffic wardens while real control of this area of law enforcement remains in police hands.

¹² FINAL REPORT, *op. cit.*, p. 114.