

LEGISLATIVE COUNCIL ECONOMY AND INFRASTRUCTURE COMMITTEE

Inquiry into the Increase in Victoria's Road Toll

Melbourne—Tuesday, 6 October 2020

(via videoconference)

MEMBERS

Mr Enver Erdogan—Chair

Mr Bernie Finn—Deputy Chair

Mr Rodney Barton

Mr Mark Gepp

Mrs Bev McArthur

Mr Tim Quilty

Mr Lee Tarlamis

PARTICIPATING MEMBERS

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Ms Melina Bath

Dr Catherine Cumming

Mr David Davis

Mr David Limbrick

Mr Andy Meddick

Mr Craig Ondarchie

Mr Gordon Rich-Phillips

WITNESS

Mr Stephen Leane, Road Safety Camera Commissioner.

The CHAIR: Welcome to the Economy and Infrastructure Committee's public hearing for the Inquiry into the Increase in Victoria's Road Toll. I wish to welcome any members of the public that are watching via our live broadcast. I wish to also acknowledge the traditional owners of the land, and I pay my respects to their elders past, present and emerging. My name is Enver Erdogan, and I am the Chair of the committee. I would also like to acknowledge my fellow committee members—Mr Mark Gepp; Mr Lee Tarlamis; Mr Andy Meddick; Mr Tim Quilty; Mr Rod Barton; and our Deputy Chair, Mr Bernie Finn—who are also online with us today.

All evidence taken at this hearing is protected by parliamentary privilege as provided by the *Constitution Act 1975* and is further subject to the provisions of the Legislative Council standing orders. Therefore the information you provide during this hearing is protected by law. However, any comment repeated outside the hearing may not be protected. Any deliberately false evidence or misleading of the committee may be considered a contempt of Parliament. All evidence is being recorded. You will be provided with a proof version of the transcript following the hearing. Transcripts will ultimately be made public and posted on the committee's website.

We welcome your opening comments but ask that they be kept to a maximum of 5 to 10 minutes to allow plenty of time for discussion. Can I please remind members and witnesses to mute their microphones when not speaking to minimise any interference. If you have any technical difficulties at any stage, please disconnect and contact committee staff using the contacts you were provided. Could you please begin by stating your name for the benefit of our Hansard team and then start your presentation.

Mr LEANE: Thank you, Mr Chair. My name is Stephen Leane. I am the Victorian Road Safety Camera Commissioner. First of all, thank you, Chair and members, for the opportunity to attend the committee today. I note the broad terms of reference that you have. I understand your remit is to consider a range of issues critical to road safety. I also understand the focus is on understanding what happened in 2019, but I also further understand the committee's consideration is about reducing road trauma into the future, and as a road safety advocate I welcome the opportunity to come and have a conversation with you.

I took over this role of Road Safety Camera Commissioner in late 2019. The role itself was established in 2012. I am in fact the third commissioner to hold this position. Essentially the role is about reviewing and assessing the accuracy of the camera operations; conduct investigations and reviews, either by request of the minister or in my own motion; and work with community, either through a complaints process—they can come and make complaints direct to my office—or through engagement, to ensure that we have the most accurate and fair camera system that we can have in the state of Victoria. Since taking over the role I have published three reviews—they are available on the website of the Road Safety Camera Commissioner—and I have just completed the 19–20 annual report, that covers the period prior to my appointment for my predecessor as well. I understand that will be tabled in the next sitting of Parliament, which I think is next week for you good folk.

There is a lot of community interest in the role that I perform. As you will appreciate as members of Parliament, there is still a lot of significant community interest in the role that road safety cameras play in their daily lives for some—and for less we hope as we work our way through reducing road trauma. In the last financial year, for example, we had many hits on the website, lots and lots of phone calls, but we had 420 direct inquiries either being complaints about an issue or a system or ranging also to the point where people actually contact us and ask if we can influence the installation of cameras in their neighbourhood or perhaps the operation of mobile cameras in their neighbourhood to keep their community safe.

I have kept my comments brief, so I hope we have time so we can consider what the future of the road safety camera program might look like, if that is something you want to consider. I also appreciate that I have a very brief time. You have got a very busy day, looking at your agenda. So I will stop there and I will hand over and answer the questions I can. I am happy to take any issues on notice and come back to you.

The CHAIR: Thank you, Stephen. It is always refreshing when our witnesses stick to their 5-minute introduction. I will pass over to the Deputy Chair, Mr Finn, to ask the first question, and then we will go to Mr Tarlamis and then Mr Barton.

Mr FINN: Thank you, Mr Chairman, And Mr Leane, thank you very much for being with us today—it is still this morning, yes, but just. Clearly—not your main job perhaps—one of your main jobs is to ensure that there is a degree of public confidence in the efficiency and the entire system of speed cameras. I am just wondering if you could tell us what your view is of how the public regards cameras as being road safety implements as distinct from being, well, basically fundraisers.

Mr LEANE: Yes, and I think it is a timely question, I suppose, and it is on the tip of people's lips, just flicking through. My predecessor, John Voyage, conducted a community survey some three years ago and we are just finishing polishing a recent one that we have conducted off, Mr Finn. We asked some questions, a lot of questions, around that. I have got some notes, if I can find them, which may help your consideration. Essentially the issue around revenue raising is still an issue that we found some, off the top of my head—yes—54 per cent of the community when asked that question do believe that revenue raising is what the purpose of cameras is. So there is still that maybe half of the community that is concerned around those sorts of issues. Having said that, with the surveyed group, half of them who received a ticket—so the ones receiving a ticket from a speed camera or a red-light camera—actually said that they changed their driving behaviour, so in spite of the revenue-raising issue that has to be dealt with.

In a road trauma issue consideration, 25 per cent of people we surveyed actually said that they do deliberately speed on occasion. And what we did also ask were questions around people who did receive a ticket, and there was a correlating question in the survey around whether they had had a crash in their driving history. The survey data that we have got shows us that if you have received a ticket, you are actually three times more likely to be involved in a crash.

So interesting data. I know you have talked to a lot of road safety scientists for your deliberations. These are just the findings we have had. What we intend to do, Mr Finn, is actually get that survey out for the community and for researchers, and they can tell me some of the answers to why these are the responses we are getting. If I can just add one more thing: I listened in to your last presentation, and I have spoken to Mr Carlon from New South Wales on numerous occasions, but in relation to distraction cameras, our survey results show 63 per cent of those surveyed knew about them and were supportive of them. So as far as part of my role is to have the confidence of the community, that survey is something that is really useful to try and understand that.

Mr FINN: Mr Leane, just one other question very briefly: did the debacle at Fines Victoria heavily impact the efficacy of the cameras in the public mind? Did they think, 'Well, I'm not going to be fined anyway, so who cares', and just go ahead anyway?

Mr LEANE: In regard to the Fines Victoria issue, it was at the end of the process; so for people who had paid their fines, they would not come necessarily into the remit of Fines Victoria. They pay them online and they are dealt with, and the majority of people do. As far as whether that impacted on behaviours, I really have not considered that. I know you are listening to some people from department of justice later today. They may have a view, but there is no evidence of that that I have seen so far, Mr Finn.

Mr FINN: Thank you.

The CHAIR: Thank you. Mr Tarlamis.

Mr TARLAMIS: Thank you, Chair, and thank you, Mr Leane. I guess just following on from Mr Finn's questions, can you talk us through the decision-making process about where you actually place road safety cameras?

Mr LEANE: Yes, and I think it is a good question, because I think it is an issue that probably needs to be debated or put up for reconsideration. At the moment there is a small committee that sits within department of justice. So if I can go backwards a little bit to describe the system, there are three systems of operation of road safety cameras across the eastern sea belt. You have just heard from New South Wales, and in New South Wales they run the system and issue the tickets and then collect the revenue and then reinvest within the Community Road Safety Fund. They do it that way. In Queensland the Queensland Police run the system, operate the cameras and then issue the infringements. In Victoria all the back end up until the time that the infringement is produced is run by the department of justice, and they use a matrix of contractors who then operate the cameras, install the systems and produce the infringements ready to go out for issue by Victoria Police.

So a long answer to your question, I am sorry, but in regard to that context the department of justice is therefore the holder of the agency that actually delivers that front-end process. They conduct a committee consisting of Victoria Police and some other road safety stakeholders, and so inside that department they make those decisions. I am not a part of that process, and it is a limited group that sits inside it.

Mr TARLAMIS: Are they basically driven by the data that is collected?

Mr LEANE: There is a range of issues. The data is there. As I said, people will contact my office and request, and I will provide that advice. I will write back to them and provide that to that committee. They have also got issues around what budget they have got available and what other agenda the government of the day has, so others may get asked more fulsomely on what actually happens inside the committee.

Mr TARLAMIS: Thank you.

The CHAIR: Thank you. Mr Barton.

Mr BARTON: Thank you, Chair. Thank you, Mr Leane. Just going about confidence of the community, I think it is a weakness that people still question whether this is about revenue raising. We just heard from New South Wales that all the fines money gets put back into road safety programs. Where does our money go? Does that go into consolidated revenue or does it go into specific programs? Is it isolated?

Mr LEANE: No, it does go back into road safety, but it goes back in through infrastructure investment—so it goes through Safer Roads. The Department of Transport, who I have seen on your agenda, will appear this afternoon, so the money gets funnelled back into there and then Safer Roads projects are invested in through that fund. One of the obvious weaknesses, if you are asking this question, is that we need to be better with the community to explain where the money goes and how it used. I have recommended—and this is not out of school—to the minister responsible for my Act that it would be nice to see a sign on a country road saying, ‘The improvements to this road were actually provided through that fund’, so that you can see if you do pay a ticket, if you get one every 10 years if you are an average driver, where that has been invested back into road safety. But there is an absence of knowledge right across the community.

Mr BARTON: Yes. I think that would be a great thing. It is just that the community has got to have confidence in the system, and that is one of the things I was thinking about. Thank you, Mr Leane.

The CHAIR: I might go to Mr Gepp, to Mr Quilty and then to Mrs McArthur.

Mr GEPP: Thank you, and thank you, Mr Leane, for being with us today. I have got a simple question—again without you giving away any state secrets, as it were. If you could implore this committee to do a couple of things to improve the Victorian road toll, I am interested in, given your experience, what you think we could reasonably focus on.

Mr LEANE: I might have a list, so I had hoped I might get a question like this.

Mr GEPP: This was not set up, by the way!

Mr LEANE: I have had a lot of experience appearing before committees over the last 20 or so years, so I understand the types of questions one gets asked. If I can give you the headings, these are issues that you will talk through. The first one is around governance. The 2020 *Towards Zero* strategy obviously expires this year, so the critical issue is to get that strategy right. In the reports that I have already published I have pushed that there be substrategies, particularly around the use of road safety cameras. But people will understand that in my previous life in Victoria Police I actually published a strategy for Victoria Police around road safety while I was the assistant commissioner. The first thing is governance: be really clear about what we are trying to achieve from the very high level and then work through the road safety partners as they deliver their business, including in my sphere that I am interested in. These need to be published, to take up Mr Barton’s point, so people can see them and read them and academics can fight over them and argue about what is right and what is wrong.

Data you deal with all the time in every one of these committees. I am a strong advocate that there needs to be a central agency that looks at road safety data. I note previous road safety committees have considered it over the last 15 years. With the experience of the crime data that we have moved to with an agency that looks at it, I think that it is probably time to consider how the data is collected and made available not just to researchers but

to community people so they can understand what the numbers are and how they move. For me, data is the big data issue too. There is a lot of data out there that people collect that is really critical to road safety. For example, the Department of Transport through the old VicRoads have got cameras all over their network, their major roads. They know exactly what the average speed is of vehicles travelling along those roads, and in a big data sense that is really interesting to understand trends. There is no central repository where you can find that or an agency that collects it.

The issue about leadership is around vision, so as parliamentarians whether you are on the government side or the other, vision is critical to community. They want to see what the future is. If you look around the world, the use of the word 'vision' is often in a 'Vision Zero' or the vision for what the future is around road trauma, so have a statement about what we want to try to achieve.

Community participation is really critical, particularly for rural and regional environments and for other communities. I have seen on your list you have heard or you are about to hear from the Mornington council. Community participation can be really critical, and it is sometimes overlooked when you look at the big picture. Local communities know the dangerous corners. They know the dangerous intersections. They also will understand that, in trying to protect each other, there is a reason for a speed limit to be reduced for a period of time while the local mayor and the local politician are trying to fight for money to improve the road or make the intersection safer. So if we do not engage with community, we are not going to take that next step in trauma reduction.

The last thing—well, two last things; I can keep going—is in relation to the camera system. That is my role, around fairness. There are some hard edges around some of the things that happen with people who get tickets. If you have not had one ever in your life, you may not be entitled to a caution. There are lots of diversion programs around the world for first offenders or even second offenders, depending on time limits. So I think there is a bit of a fairness issue that we could probably do a little bit better at in taking the community along. And the last thing you have already touched on is the funding model. I am particularly attracted to the New South Wales funding model. I think it works really well, the obvious investment they make back into it and how they are able to articulate it. I saw the witness off the top of his head from notes was able to very quickly articulate where the money goes. It is on the website. You can see it. So I think the funding model issue is: either really declare where it goes or maybe reconsider how it works. The cameras should be self-funding, and they do generate income because unfortunately drivers continue to drive in an unsafe way in some places. That would be the last thing I would consider that you could look at.

The CHAIR: Thank you very much. Mr Quilty.

Mr QUILTY: I guess I am one of those drivers who thinks that revenue raising is part of the purpose of these cameras, because all money is fungible. If the government is raising money from this, they do not have to get money from general revenue to pay for road safety. If this is the only source we have for road safety, that means if everyone stopped speeding there would be no more money spent on road safety, and I am not sure that is what we are aiming for. Do you think that creates a conflict of interest there?

Mr LEANE: As a taxpayer I think we all wonder where our governments spend their money and how they generate it and where it is used. As a road safety advocate and in my current role I am not fussed about the dollars. If they all dry up because everybody stops speeding, stops going through red lights or in the near future stops using their mobile phones, the money that is saved through that—I am not an economist, but I think it is almost a nil-all draw on either side if you look at the trauma of losing a loved one or spending your life disabled or without a limb. Mr Quilty, I think it is a deeper discussion around that, but from where I sit, if nobody gets a ticket and they do not pay a fine, then it is a matter for government to work out where they generate other income. That is a matter for the government of the day.

Mr QUILTY: I will leave it at that.

The CHAIR: Thank you. Bev, do you have a short question?

Mrs McARTHUR: Thank you, Chair. Mr Leane, 20 per cent of accidents involving an ambulance on the Great Ocean Road are caused by international drivers. How can your cameras do better at detecting the driver that can then be prosecuted, and do you think it is a good idea that we have the data for accidents that do not involve an ambulance but where police are called and where there are near misses?

Mr LEANE: I think probably some of this is more around the role of Victoria Police, and I know Libby Murphy is coming on later on, so maybe redirect that question to her. If I can clarify, though, cameras cannot at the moment detect—

I think the collisions with ambulances on the Great Ocean Road are international drivers on the wrong side of the road or turning across double lines in front of ambulances, I presume, so cameras are not—

Mrs McARTHUR: I did not mean accidents involving ambulances—

Mr LEANE: Sorry.

Mrs McARTHUR: but where ambulances are called to accidents, 20 per cent are involving international drivers.

Mr LEANE: Okay. As the Road Safety Camera Commissioner that is not within my remit. The data that is collected in an injury collision is collected by Victoria Police and the TAC. They have that data accessible to them, so they will be in a position to answer both have they done the research around the issue and, if they have not, what sorts of questions they may be able to pose so they can get those answers for you.

The CHAIR: Thank you, Commissioner Leane. I know my fellow committee members will agree with me you have been very informative, especially on some of your proposals. You have ideas for this committee to consider, but also you have given me a couple of ideas for our next couple of witnesses, so that is always an interesting takeaway. On behalf of the committee I wish to say thank you. It has been a pleasure to have you here, and keep up the work.

Mr LEANE: Thanks. It has been a privilege, and good luck with your considerations.

Witness withdrew.