

# TRANSCRIPT

## ROAD SAFETY COMMITTEE

### Inquiry into motorcycle safety

Melbourne — 17 October 2011

#### Members

Mr A. Elsbury

Mr T. Languiller

Mr J. Perera

Mr M. Thompson

Mr B. Tilley

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#### Witnesses

Ms S. Cockfield, manager, road safety, and

Mr A. Woodroffe, senior manager, policy legislation and review, Transport Accident Commission.

**The CHAIR** — I take the opportunity to welcome you this afternoon to our hearings. You will note that we received some 68 written submissions regarding the terms of reference and that the purpose of the hearings is to obtain further evidence covering our terms of reference from a number of witnesses. You are reminded that anything you say or publish before the committee today is protected by parliamentary privilege. However, once you leave the hearing statements and documents do not have the benefit of that protection. Hansard will be recording proceedings today and will provide a proof version of the transcript to you for the purposes of correcting typographical errors. There are a number of witnesses or observers in the room, indicating the high level of interest that the issues before the committee are generating, and I ask that those people at the back of the room try to keep noise to a minimum. Also, the use of mobile telephones, cameras and recording devices is not permitted, and I ask people to ensure that their mobile phones are switched to mute or off at this point in time.

I welcome representatives of the Transport Accident Commission before us this afternoon. I invite you to speak to the Hansard record and introduce yourselves first. Then we would like to hear you speak on your submission to us, following which we will be pleased to ask a number of questions.

**Ms COCKFIELD** — Samantha Cockfield, manager, road safety, Transport Accident Commission.

**Mr WOODROFFE** — Alan Woodroffe, senior manager of policy legislation and review, Transport Accident Commission.

#### **Overheads shown.**

**Ms COCKFIELD** — Thank you for having us today. Our intent today — —

**The CHAIR** — One moment, Samantha. I want to make sure everybody in the room can hear. How are you at the back there? If you cannot hear at any stage, just put your hand up, and I will invite the speakers to speak not so much into the microphones, which are not for the back row but rather for Hansard.

**Ms COCKFIELD** — Our intent today is not so much to go through our submission verbatim but to highlight a few points, particularly information that the TAC has collected — its own evidence base, which may not be presented by other agencies. We are well aware that VicRoads and Victoria Police et cetera will be presenting to you, and we felt that repeating information that they might also be presenting was not going to take us too far, so the intent today is primarily to focus on evidence that the TAC has gathered itself and work that the TAC has undertaken. My main focus will be on road safety — the data aspects.

There is a question around TAC premium. Alan Woodroffe, our policy expert, will be primarily addressing issues there and any other policy issues that may come up today.

We have a presentation. As just a bit of background, I suppose, the TAC has a requirement under its act to reduce both the number of crashes in the Victorian community and also the costs of transport accidents to the Victorian community. Under its act it does actually have a reason for being involved in road safety. It has been involved in motorcycle safety issues for over 10 years; however, I think it is reasonable to say that our more intense effort over about the last five years has probably been in motorcycle safety. We very much work collaboratively through the Victorian road safety strategy with our partners — Victoria Police, VicRoads, the Department of Justice and in this case the Department of Sustainability and Environment, and also others, not necessarily government departments.

TAC works very much with an evidence-based approach; we try to make sure that all our initiatives and all our undertakings are based on firm evidence or the best evidence we can bring to bear. Just in terms of some of the evidence it utilises and undertakes itself in terms of research, we have an ongoing motorcycle tracking study. It involved about 1700 motorcyclists in its first year in 2009. Last year we had over 1500 motorcyclists. It was undertaken on a weekly basis during the riding season. We have ongoing tracking for our advertising programs or our public education programs. Motorcyclists are included in that as a matter of course, and when we are actually undertaking motorcycle-related education we up the interest there. We have the TAC claims database, which is unique to us and fairly unique in the world, in a way, because TAC is a monopoly provider of third-party insurance, so most people who have relatively serious injuries come to the TAC. Not all injuries end up as a TAC claim though, and we acknowledge that.

We have done some fairly specific work which is not necessarily ongoing but is relevant to this inquiry. We have undertaken research with TAC's own motorcycle clients who have been injured. It was fairly specific work that was done in 2008. We have been inputting into helmet testing that is being done through Crashlab in New South Wales. We have also been involved in a number of ARC linkage programs, specifically around motorcycling issues and very much looking at the protective clothing area. We have actually taken some observational studies in relation to wearing rates with the aim of them being benchmarking surveys, and we will continue to look at wearing rates through observational studies down the track. We have just started a protective clothing testing program that tests the quality and fit-for-purposeness of protective clothing.

Just a little bit about what we know from our work and from TAC claims: we know that 4 per cent of vehicles registered in Victoria are motorcycles. Thirteen per cent of TAC's accepted claims are by motorcyclists, and about 20 per cent of TAC claims costs also relate to motorcyclists. We know that motorcyclists are extremely vulnerable and that in TAC's own claims they are overrepresented. In terms of claims trends, the number of claims we have been receiving has increased over the years, as have motorcycle registrations. The majority of our claims by far are by males — 93 per cent. Most are under 49 years of age. Sixty-eight per cent live in Melbourne, but only 52 per cent of those people have their crashes in Melbourne, so a proportion happen some distance from their home area.

Interestingly, we do see some trends. In terms of Melbourne crashes, they do tend to be committed-type crashes. We see peaks in the mornings and evenings. In terms of the rest of the state — basically rural and regional areas — we see weekend and daytime crashes being much more prominent.

There is a little bit about our knowledge of off-road versus on-road crashes: 60 per cent of our claims at TAC relate to on-road or to road bikes in on-road crashes; 31 per cent are off-road; 7 per cent are scooters; and about 1.4 per cent are mopeds. We do not really know what the others are. There are some cases where we just do not understand what the bike type was.

We know that large bikes account for a very large proportion of claims, so 45 per cent of over 500 cc. Interestingly, most of the bikes that come through our claims are actually registered, so registration rates for TAC claims are very high. That may be expected because there probably is a perception in the community that you need to have your bike registered to make a TAC claim.

The Victorian Injury Surveillance Unit data showed us, when we were looking at this submission, something quite interesting in comparison to our own claims data. We know from the VISU data that 18 per cent of admissions and 25 per cent of all emergency presentations, or all off-road emergency presentations, are from 0 to 14 years — very young people — yet the TAC's own data shows that only 2 per cent of claims are actually represented by those under 17 years. The TAC's data is probably not representing the real picture. We are starting to understand that there are a lot more young people — and we did just hear the coroner also speak about this — being injured in motorcycle crashes, potentially off-road, than we previously understood.

We do have some evidence — and this is probably more through cases coming to court where we have had to investigate in some detail — of unregistrable and do-it-yourself in terms of build bikes being involved in fairly serious crashes, and that is coming more to the fore in fairly recent times.

In terms of using police data, because our own data does not give us this information, we know that 39 per cent of crashes occur at intersections, with about 15 per cent of those being side-impact crashes. Loss-of-control crashes account for about 27 per cent of injuries.

**The CHAIR** — Is this generic information or motorbike information?

**Ms COCKFIELD** — This is specifically related to motorcycle injury crashes. And 21 per cent of motorcycle injuries relate to run off-road. We feel that particularly loss of control and run off-road crashes could be related to speed. Although we do not have good information around speeding in relation to injury crashes, we do know from police data on fatality crashes that a large proportion are speed involved.

I spoke earlier about the fact that the TAC undertakes a range of research, particularly in relation to behaviours and attitudes, that is particularly relevant to our work in public education. We have been undertaking this work for quite some time. In relation to what we know about attitudes and behaviours to the most obvious risks on the road, drink-riding self-reported behaviour is very low amongst riders compared to drivers. We have only got

3 per cent of riders actually admitting or saying that they do ride and drink. A lot believe it is a very risky practice, so it is not unusual that we would see that very few actually undertake the practice.

Interestingly, self-reported drug use amongst riders is slightly higher than for drivers, but fewer actually report riding after drug use compared to drivers. We have 11 per cent of riders saying that they would ride after taking drugs, compared to 25 per cent of drivers. These are of people who actually admit to using, and again it is understandable because riders actually believe this is a highly risky practice. There are 16 per cent of riders who admit to speeding all or most of the time, and this compares to 11 per cent for drivers — probably not too much difference there. The thing that is interesting about this, though, is that riders believe they are less likely to be caught speeding than the average driver, so 13 per cent of riders versus 26 per cent of drivers believe they are likely to be caught if they speed.

In terms of attitudes to bike safety features and protective clothing, we have 10 per cent self-reporting that they have ABS on their bike. We believe this would be an over-report, because VicRoads tells us that only about 7 per cent of new bikes in the current environment actually have ABS, so it is very unlikely that 10 per cent in the general population of bikes that are on the road would actually have it. We feel that this is actually an issue of education. The TAC has only just embarked on educating riders about the benefits of ABS, so we feel that people probably either do not know what it is or think it is on their bike — or perhaps they are just getting confused with what is on their car. There are 58 per cent who say that they would consider ABS on their next bike, which is very positive.

Approximately 80 per cent of people say that they own a complete set of protective clothing; they actually own most of the clothing. Those who do not own it generally say they do not because it is too expensive or they do not believe they need it. About two-thirds believe that they own, or say that they own, body armour. We are not specific about what types of body armour and whether it is for your knee, elbow or full body armour. If they do not wear gear, it is generally because they think that they are only taking a short trip, the weather is too hot or it is just inconvenient at the time to actually put their gear on.

A bit more about protective gear: TAC has done some of its own research in relation to its clients and the protective gear they were wearing at the time they were injured. I am sure others will talk about Liz de Rome's work in relation to protective gear, which was just released this year and which we also got more recently. What we know is that it is particularly effective in relation to open wounds. Putting gear on does protect against open wounds, but it is not 100 per cent effective. Even with open wounds, we still see it. We saw a good case yesterday at the MotoGP, where somebody actually lost a finger and they still had their glove on. It is very effective, but we cannot say it is 100 per cent effective. I will talk a little bit more about that later.

We also know that wearing a full-face helmet, boots — and when I say 'boots' it is not necessarily protective motorcycling boots but boots versus shoes, runners or thongs — gloves, jackets and riding boots offers substantial protection. The finding from Liz de Rome around the fact that just any boots that cover your ankle offer protection was new news for us, and it was great evidence for us to be able to talk more to riders about the issue of protective clothing.

Just a bit about drivers' and riders' attitudes towards each other: TAC has been doing ongoing work in this area, but with this inquiry coming on we did do a little bit of specific group work, which we are going to continue, into more qualitative work down the track. I suppose what we have seen over the years that we have been doing work looking at drivers' and riders' attitudes is that the idea that there is a joint responsibility to look out for each other and to take care has certainly shifted from when we started this work in about 2002 to today, and the majority actually believe it is both parties' responsibility to do that. We also have quite good agreement between both riders and drivers that drivers do not understand what it is like to be a bike rider. They do not understand the risks that are faced or how hard it is in terms of safety, and that is, as I said, both drivers and riders reporting that.

Just in relation to that recent research — and that was done in August — we found that drivers do not think very much about riders. They do not perceive them as a threat. They do not perceive riders as a major concern in their day-to-day driving, whereas we found that riders actually reported thinking a lot about drivers, drivers' actions and what drivers are doing.

Difficulties were acknowledged by both drivers and riders in terms of safety, so again we found that the market research or the group research we did echoed that of our ongoing tracking work. We also found that drivers felt that motorcyclists were hard to see, that they were often very small and they just literally did not see them. This does back up, I suppose, behavioural research that says that when drivers say they did not see a motorcyclist, they genuinely did not see them. They were not looking for something that small. I think it was echoing very much what we know from the literature in this area. If we were trying from this limited research to capture what we thought the relationship was, we would have said it is one of neutrality. We did not really discern any particular concerns in that area.

In relation to off-road riding specifically, the TAC's involvement in a road safety sense has been fairly limited to date. Certainly our evidence base, or the evidence that the TAC has to make decisions on in relation to off-road riding, is very limited, and we have not been doing research specifically in that area up until the last couple of years when we started our own client research.

**The CHAIR** — Just on that point, what is the legal liability of TAC for off-road riding?

**Mr WOODROFFE** — Any vehicle used or intended to be used on a road is covered by the TAC, so that would include largely off-road riding. Unless it is on private land it would be covered.

**The CHAIR** — Private land, no state park?

**Mr WOODROFFE** — State park would be covered — any public access area, because they are usually on tracks that are open to and used by the public for passage with those kinds of vehicles, so they are covered by the act.

**Mr PERERA** — Even an unregistered vehicle?

**Mr WOODROFFE** — Whether they are registered or not, they have some level of coverage. There are certain restrictions in the legislation if you do not have registration, but you are still covered, certainly for all of your medical and like costs. Hospitalisation and all of those sorts of costs would be covered by the TAC.

**The CHAIR** — Long-term rehab needs?

**Mr WOODROFFE** — Yes, absolutely. There is a small restriction on income benefits for people who are unlicensed or not registered, but beyond that all the major cost items in the benefit schedule are covered.

**The CHAIR** — If someone was riding off-road in a national park and then went onto private property, they would not be covered in that circumstance because it is their own property?

**Mr WOODROFFE** — That is probably correct. Even in some cases private land is often open to and used for passage by vehicles. It would depend on the degree of its privacy, if you like. If it was completely closed off and fenced off and all of those sorts of things, then it is probably not covered.

**Ms COCKFIELD** — In relation to our evidence base, at the moment one of the things we are hoping to gain from the Department of Health is admission data that might help us better understand the full range of injuries that hospitals are seeing. We believe that there may not be good understanding, in relation to if you are not registered or your bike is not registered or you are unlicensed, of the level of coverage you may actually be able to access, hence people are not actually coming to our scheme, which is potentially leading to underreporting, particularly of off-road riding.

More recently in this space we have started a collaborative relationship with the Department of Sustainability and Environment. They have had an ongoing program in this area and done a lot of research, and we feel that they are best placed right at the moment in terms of helping us on our way in terms of off-road riding safety programs.

Just a little bit about what the TAC has been doing since it started to get involved in motorcycle safety: the TAC's main role in the Victorian road safety strategy is the public education component. It does have a role in all aspects of the safe system — safer road users, safer roads and safer vehicles — but I think certainly our focus is on the public education areas. We have run a number of campaigns over time. One of the first ones was 'Put yourself in their shoes'. This was very much around relationships between riders and drivers, and it was very

much about saying to drivers, 'Put yourself in their shoes. Have a think about what they are seeing, where they are on the road et cetera'. It is a fairly old campaign now.

More recently we have started talking about protective clothing, as evidence comes out that it is exactly what it is aimed to be — protective. I suppose our main campaign in that area and which we are still running — in fact, we have run it this weekend during the MotoGP — is 'What's between you and the operating theatre?'. Basically there are television advertisements and a range of print and outdoor advertising to support that.

Our most recent campaign has been 'It's up to you to reduce the risks'. That campaign is very much about understanding that no matter who is at fault in a crash, the motorcyclist is most likely to come off worse. The campaign goes through a number of risks that motorcyclists face, particularly not wearing protective clothing — speeding, placement on the road et cetera. It is just to say, 'Look, these are risks. At the end of the day you are the one best placed to protect yourself'. Again, there is a television commercial that is supported by a range of other information.

We have also been involved with what was then the Victorian Motorcycle Advisory Council in producing, through levy funds, a remake of an English ad which was specifically aimed at the issue of 'looked but did not see' at intersections, which we know are high risk for motorcyclists. As I said, it was a remake; I suppose it was a relatively cheap way to get an ad addressing this issue. When I say it was a remake, it was actually a voiceover and changes to elements of that TVC from the Department for Transport in England. We have actually continued to run that campaign from the TAC's media spend.

We have a website called [spokes.com.au](http://spokes.com.au) that is specifically dedicated to motorcyclists. We have a training CD-ROM which helps specifically with motorcycle hazard detection and workload management skills. We are currently working on putting that online rather than a CD, which has to be mailed out. It has always been available free of charge, and obviously when it goes online it will remain free of charge.

We work at providing high-level public education messages at the MotoGP and the Australian Motorcycle Expo — the same sorts of messages as for TV — and we provide some support for Victoria Police in terms of specific motorcycle enforcement activities. We have got a range of other initiatives that we are starting to work on or that we actually think there may be some benefit in working on in the future, particularly around anti-lock brakes for bikes. We are starting to see some really good crash reduction outcomes from that, and we are working to ensure riders are actually aware of those outcomes.

We are seeing some motorcycle airbags and evidence of their effectiveness. I must admit it is fairly low-level evidence at this stage, but we are seeing some effectiveness at lower speeds. Inflatable body protectors are becoming more and more popular on the race circuit. We certainly saw them at the MotoGP over the weekend. We are looking at how effective and practical they may be.

On protective clothing, we have a really good evidence base now, I think, to say it works. One of the problems for us is how do we get information to consumers about not just protective clothing but the level of effectiveness. We know that not all protective clothing is created equal; some is better than others. How can we act to provide better information? Literally the no. 1 question that is asked of us when we are at places like the motorcycle expo and the MotoGP is, 'What should I buy?', not just 'Should I buy boots', but, 'What brand?'. It is like 'Should I buy a 5-star or a 3-star car?'. People would like to know what the 5-star protective clothing brand is or piece of clothing is.

Intelligent speed assist (ISA), which is a device currently being incorporated in GPSs in cars — and there are specific ISA devices for cars — we believe has a lot of potential benefit for bikes. It would have to be specifically developed because the interface that we currently have for cars is obviously not suitable for bikes, but we do believe that some sort of speed assist device, letting people know what speed limits they are actually in — —

**The CHAIR** — Have you seen that applied in the Victorian context at all?

**Ms COCKFIELD** — Are you talking about ISA generally?

**The CHAIR** — ISA generally.

**Ms COCKFIELD** — For cars or for bikes?

**The CHAIR** — Bikes.

**Ms COCKFIELD** — No, and we do believe that it would have to be a specific application. But the TAC did help fund development of an electronic speed limit map for Victoria, so the underlying speed limit map is there. It would be some sort of device, a user interface, which riders could use easily. The most common way at the moment is a visual warning — this is, for car drivers — plus an auditory warning. I do not think bike riders taking their eyes off the road to look at a visual warning is very suitable, and I am not sure that the auditory warning would be loud enough, so it would be something like a vibration or something like that, but it would have to be developed. We certainly believe that the technology is there to do that.

We believe that there is also potential in training and graduated licensing. We know that to date in the training area we have not seen good evidence coming out that training improves safety outcomes, but we do not believe that just because we have not seen the evidence that does not mean it cannot. It is just that we do not have something we can hand on heart say is going to work. We know graduated licensing more generally has benefits, as we, I suppose, introduce risks slowly to novice riders and as they increase their experience, their introduction to risks like alcohol et cetera can increase, and we know that has good benefits generally.

Just in terms of research and other research that we have been involved in, the TAC funds a very large Safer Roads Infrastructure program. It is, I suppose for want of a better way of describing it, retrofitting safety to Victoria's roads. The current investment is over \$650 million and that is due to end in 2017. From previous evaluations we have evaluated the effectiveness for motorcycle crashes, motorcycle injury outcomes, and we know that the program is not only effective for car drivers and car crashes but also for rider crashes.

We are investing quite heavily in helmet studies and helmet testing. One of the reasons again is because consumers want that information. They want to understand whether there is any difference between buying a \$100 helmet and a \$2000 helmet. We are making sure that we can get the best possible information out to riders.

We have been in an ongoing sense talking to motorcycle retailers that actually sell protective clothing about how we can better assist them to actually sell protective clothing. We do work with them in store to get people to purchase, because they tell us it is a hard sell, that people come in to buy a bike and they have no intention of spending another \$500 to \$2000 on protective clothing.

We have also, as I said before, been working quite hard with a number of universities and other agencies in relation to Australian Research Council grants and programs.

I am just going hand over to Alan now to speak about the issue of TAC premium.

**Mr WOODROFFE** — The underlying objective of the scheme is to provide both no-fault and common-law cover to everybody on an equitable basis, regardless of their transport choice. So the underlying theory of the scheme is to remain viable in that overall context. There are very few factors that are used in fixing premium. One is vehicle class and the other is essentially your garage address, so whether you are metropolitan, outer region or rural. There is a concession for pensioners, but aside from that those are really the only factors. The scheme does contain some cross-subsidies, but it is actually quite dangerous to look at the cross-subsidies, given the limited factors that we use for fixing premium. For example, we do not fix premium based on age or experience or gender or any of the other factors. It is simply vehicle class and garage address.

It would be fair to say that motorcycles generally are a recipient of cross-subsidy. You will see that because the amount of revenue that the TAC gains from motorcycle riders is only 3.5 per cent of our revenue, whereas 20 per cent of the total TAC outgoings last year in compensation worth was for motorcycle riders. It is not the only cross-subsidy, but it is one of them.

The structure of our premiums has been in place since the scheme's inception. Aside from indexation associated with it, there has been very little change in the structure. So cross-subsidies, if you like, that have emerged over time have not really ever been addressed in the scheme. The only significant change in terms of motorcycles was the 2002 introduction of the motorcycle safety levy, which was originally on all motorcycles over 250, but

now if you have multiple motorbikes you pay it only once. That is currently at \$58. Because that does not go into our premium pool, we do not consider it that as part of the cross-subsidy issue.

The motorcycle charges in Victoria are relatively comparable with those in other jurisdictions: a little higher in New South Wales in a couple of places, and cheaper in some of the fault-based states — Western Australia, Queensland — and in South Australia a little lower. One of the things that perhaps we learn from that is that when you take into account fault you perhaps get a different picture on the cross-subsidisation, but because the TAC has essentially a no-fault scheme and most costs on claims are paid on a no-fault basis, we tend to work out our premiums on an involvement basis, so we equally divide the experience, regardless, and we do not consider fault per se.

I think that is it, in summary. I am certainly happy to answer any questions around the premiums.

**Ms COCKFIELD** — We are almost finished, in fact. We were just about to finish up and say that there was a line of inquiry around working with stakeholders other than government. The TAC has long held the belief that road safety is not owned by government agencies and has tried with all its programs, not just motorcycle safety, to engage with relevant stakeholders. In relation to motorcycling specifically, we have been talking to retailers and some industry groups. We have held demonstration days, particularly around ABS braking, where we have invited a whole range of stakeholders, both government and non-government. Whenever we are holding reference groups for specific products like our Ride Smart going online, we will have industry reps or relevant representatives from, in this case, rider training groups.

Our protective clothing testing program reference group has stakeholders outside government on it. We have recently held protective clothing seminars which were open to all involved in the motorcycle safety area. A lot of non-government stakeholders did turn up to them. We are also ongoing supporters of the Australian College of Road Safety, which from time to time runs motorcycle safety programs which are open to the whole community. Thank you for having us. We are open to questions.

**The CHAIR** — We have a number of questions we would like to go through. What progress has been made towards addressing the recommendations by the Victorian Auditor-General's Office in its report on motorcycle and scooter safety programs?

**Ms COCKFIELD** — I think the main recommendations that we have been working on in relation to that view involve the off-road area and looking at what more we can do in that area. One of the things we are hoping to do is get more data. We actually made a request to the Department of Health for data during VAGO's audit. That was actually before they put out the recommendations because they had alluded to the fact that we may have some underreporting going on. We have not been able to get that data yet, but we are continuing to work with the Department of Health on that. We have developed our relationship with the Department of Sustainability and Environment to a full partnership now, so we are working more in that area specifically.

**The CHAIR** — Your submission talks about an interagency data quality committee. Is this a new or ongoing body? Can you explain what sort of work it does, who sits on the committee, and how often it meets?

**Ms COCKFIELD** — I might take part of that question on notice. I do not sit on that committee personally. My understanding is that it is a committee that Victoria Police chairs and for which Victoria Police is the secretariat, and that the key safety agencies sit on that committee and look particularly at police data. I would like the opportunity to provide you with more information about that.

**The CHAIR** — Just for the record, the information we are interested in is what sort of work it does, who sits on it and how often it meets — and would you provide examples of the types of issues it has dealt with to date. The Hansard transcript will draw attention to that, and if you could follow that through, that would be appreciated.

**Mr LANGUILLER** — Thank you both for your very good submission. Can you provide an update on progress made by your agency to date across the 2009–13 initiatives in the road safety and transport strategic plan for powered two-wheelers? According to the first progress report of the PTW action plan, a number of initiatives due for completion in December 2010 appear to have not yet commenced. Can you explain why this is the case?

**Ms COCKFIELD** — A number of the specific TAC initiatives have not commenced?

**Mr LANGUILLER** — Yes. They were due for completion, as we understand, in December 2010.

**Ms COCKFIELD** — Could you elaborate on which issues they were?

**The CHAIR** — We could perhaps give that to you on notice. We will write to you so that it can be followed up.

**Ms COCKFIELD** — I am actually not aware that anything in the action plan has not commenced. I will take that on notice.

**The CHAIR** — Yes, if we can follow that through, thank you.

**Mr LANGUILLER** — Further, I am cognisant of your presentation on the premiums and the percentages that are allocated to both, which you talked about, but this is a question that you will appreciate one has to ask. One of the criticisms of the safety levy is that it has been used to fund dual-use projects — that is, projects that benefit cars and trucks rather than motorcycles alone. What is your response to that criticism?

**Ms COCKFIELD** — The TAC collects the premium, but it does not make the decisions around how the premium is spent. The process previously was that VMAC provided advice to government about projects it believed had benefit and would actually improve rider safety, and the Minister for Transport would approve projects.

My understanding is that in terms of benefits most of the projects would certainly have the most benefit to riders. A lot of projects we undertake have side benefits that accrue to other groups than the group they are specifically aimed at. When we run a motorcycle protective clothing program, although we are targeting people who ride right now we know that, for example, people who may get on as a pillion passenger down the track will also benefit from knowing that protective clothing actually works. That may not be a particularly good example, but nearly every program we run has some side benefit. I do not think you could say that would be an unusual outcome for road safety programs, that more than one road user group actually benefits from a program.

**Mr TILLEY** — Thanks for giving us your time today. I have four very quick questions. You said during your contribution that both drivers and riders agree that it is up to both groups to improve road safety. How effective do you believe the current TAC ad, which has the message ‘It’s up to you to reduce the risk’, focusing on motorcycle riders needing to reduce the risks, is? Are you able to give us some detail on how you measure the success of that campaign at this stage?

**Ms COCKFIELD** — The TAC tracks the outcomes for all its public education campaigns. That specific campaign was developed based on evidence. It would have gone into market research at the concept stage and also at what we call the post-production stage. That means that before the ad went to air it would have actually been seen by riders and we would have ensured that they were taking out the key messages from that ad. Following the ad going to air, we do ongoing tracking of our public education campaigns. I am aware that the key messages are certainly coming out of that campaign. Again, we could take on notice the exact outcomes and the exact percentages in relation to questions asked of riders around that, and also potentially drivers if they were asked the same range of questions. We do ongoing tracking of all our education campaigns for effectiveness. We are aware of the key message, which is what it is about: that people understand what we are trying to tell them. We have a key message, and they understand the key message; they are getting that out of the campaign.

**Mr TILLEY** — So the measure of success is either limiting the number of incidents of road crashes during the period of that campaign — —

**Ms COCKFIELD** — So in terms of injury outcomes?

**Mr TILLEY** — Yes, please.

**Ms COCKFIELD** — In relation to public education campaigns, we are primarily looking at attitudes and behaviours and self-reported behaviours and self-reported behavioural change. As I said, I will happily provide

the information in relation to that particular campaign. In relation to injury outcomes, partially because of reporting and partially because we know the relationship is not that direct, we do not track specifically against injury outcomes with those types of campaigns. That is across the board, whether it be a campaign targeting drivers or pedestrians or anybody else. The one thing that we are doing, and I did allude to it during our presentation, is observational studies of motorcycle riders wearing protective gear. We will be going back to look at whether wearing rates have improved over time. That will be an ongoing or longitudinal study to look at how successful campaigns have been.

**Mr TILLEY** — Just on your comments earlier, I think it was to the first question relating to specific examples, I am seeking some specific examples of the work that has been undertaken by the TAC in relation to off-road riding. You did mention that at this stage the TAC is needing to get more data. There are some observations from the Victorian Auditor-General's Office that there is some underreporting, and that was by your own admission just a short time ago, and you are trying to get some more assistance from the Department for Health. Can you go into some detail about what activities the TAC is doing, as of today, to address the issue of off-road riding?

**Ms COCKFIELD** — To be honest, the activities we have undertaken to date are very limited. We have been supportive where possible when requested, if people have asked us to join with them in undertaking an activity. For example, there are some police officers who run education programs in the north of the state. We have always tried to be supportive of them when they run stands at things like the motorcycle expo. We have supported police enforcement for specific off-road activity — that is, when they go into state forests or enter off-road riding areas to talk to riders, check licences, check registration and those types of things. However, it is very limited, and that is why we brought it up. It is a very recent space for us.

Historically we have seen off-road riding as a recreational activity rather than a transport activity, which is primarily what we have been concerned with — on-road activity across the board. We have only just started to move into this area. We like to base our programs on an evidence base. We feel that our evidence base is fairly limited, and that has also to some degree dictated how much our involvement has been to date. If we felt like the evidence base was very good or we fully understood what the issues were in relation to off-road riding, we could have moved a bit more quickly, but we are trying to build that understanding. We hope that our relationship with the Department of Sustainability and Environment will improve that.

**Mr LANGUILLER** — Will that include VicRoads? You mentioned DSE but not VicRoads.

**Ms COCKFIELD** — That was because DSE has been working in that space specifically. However, through our partnership we collaborate on nearly every project we do, so it will involve VicRoads, yes.

**Mr TILLEY** — We are looking for someone to step up to the plate and take responsibility. We have heard evidence throughout the day from a number of agencies. We talk about off-road riding, but it is not necessarily about riding around parks, forests and things; we have thousands of kilometres of unsealed roads, and they are roads.

**Ms COCKFIELD** — We are genuinely trying to better understand those issues. We believe we do not have a clear understanding of where the issues are occurring and what the issues are, because our evidence base — and TAC's own evidence base, being our claims database — is fairly limited in the number of claims we have and the types of claims we have. Moving forward, as we gather evidence we will be able to do a lot more in this space and potentially collaborate with others who work in this space.

**Mr TILLEY** — On another matter, which involves the courts, a lot of matters are dealt with by penalty notices and things like that, but when matters appear before a court of appropriate jurisdiction and there is some form of sentence or punishment, so to speak, do the courts have a relationship with the TAC in relation to off-road riders? Do the courts have a role or relationship with the TAC like we have in certain circumstances with diversion programs and those types of things?

**Mr WOODROFFE** — Not specifically targeted towards off-road. Courts deal with their own things, and we support a number of the diversion programs that are run, but there is nothing specifically targeted towards off-road, as far as I know.

**Mr TILLEY** — Thanks for that. In closing, I have one last question. Talking about non-government stakeholders, retailers programs, demonstration days and those things, is there a relationship between the TAC and manufacturers specifically? When we talk about retailers days, demonstration days and those things, does the TAC have relationships with specific manufacturers?

**Ms COCKFIELD** — On demonstration days, no. I am happy to speak about a recent demonstration day we held in collaboration with VicRoads. It was around ABS. We worked with Bosch Australia, which is a component maker particularly of ABS braking systems. I am unaware of any other component maker in Australia that does that work, but I am no expert in that area. We worked specifically with Bosch in relation to that. They have very good demonstration, information and animation in terms of video et cetera. We engaged with them, and I believe for that day they engaged with a number of motorcycle importers.

Other examples include our stand down at the MotoGP, and we have engaged with BMW at times because they have ABS on a range of bikes, and with Honda. We try to talk either through the FCAI or directly to importers about things like ABS on bikes. I do not think it is fair to say that we have specific relationships. When people from any manufacturer have come to us and asked to speak to us, we have been happy to hear from them and talk to them.

**Mr PERERA** — Could you expand on your proposed partnership with DSE, specifically what the partnership involves and the results hoped for as a result of the partnership?

**Ms COCKFIELD** — For the first year of the partnership, which is right now, the plan is fairly low key. The Department of Sustainability and Environment has had field officers working with off-road riders running a committee that involved off-road riders et cetera for a number of years. The TAC felt that this was a really worthwhile activity and a good way for us to start to better understand off-road riding, in a cultural sense primarily. Also one of the things it will help us to do is start our research around behaviours and attitudes to off-road riding compared to on-road riding. At the moment it is quite difficult to access people and reach off-road riders via our normal research methodology, which is either phone based or online based. The Department of Sustainability and Environment has a regional reach to people already, and that is the starting basis for the relationship.

It is also a funding relationship, so we are funding the Department of Sustainability and Environment. We hope that through that funding it continues some of the activities it was able to undertake previously. We hope, once we have an evidence base, that through our own experience and expertise in terms of public education we can start educating off-road riders through that relationship, which is a much more direct relationship. Maybe in the future it will be a more appropriate way to reach off-road riders than perhaps through a television or radio campaign. It is about being at a time and place where off-road riders actually are.

**Mr PERERA** — To clarify, are you funding DSE at the moment?

**Ms COCKFIELD** — Yes, we have provided some funding to DSE.

**Mr PERERA** — Your submission refers to an alternative approach to quantifying cross-subsidies, such as by who was at fault. User-pays models can lead to unintended consequences such as creating barriers to entry or stopping participants from taking part in an activity. Would a motorcycle-specific TAC premium based on risk be so costly as to stop people from riding?

**Mr WOODROFFE** — I cannot say whether it would stop people from riding. Obviously there is a balance you need to strike to ensure that premiums remain affordable, because if they become too expensive then people will make choices either not to register or not to pay the TAC premium at all. Given the level of coverage we provide regardless of registration, you need to make sure that the premiums remain affordable.

I did indicate that it is quite dangerous to look at cross-subsidies in isolation, given that the only classification the TAC uses is either garaged address or vehicle type, because there are lots of other factors which make behaviour more risky or less risky, including age and gender — all sorts of factors are involved in the determination of cross-subsidy. The cross-subsidy information in this paper is based on a very limited dataset in terms of vehicle class and location of registration. The TAC has never used premium per se as a vehicle to try to make people choose particular modes of transport. I do not think that is really part of our role. Theoretically,

could you make premiums so high that people choose other modes of transport? I assume you could, but it is not something we have ever considered.

**Mr ELSBURY** — I am not going to ask you do some mind-reading here, but the first part of this question does sound like it. What I am asking is: why are scooters so underrepresented in your claims, and can it be explained by reference to riding style, different attitudes and lower speeds?

**Mr WOODROFFE** — The answer is probably yes.

**Mr ELSBURY** — To all three?

**Ms COCKFIELD** — I think it is probably reasonable. In relation to travel speeds, scooters are generally seen in inner suburban areas, where speed limits tend to be lower and travel speeds also tend to be lower, which means that if you have a crash, the likely outcome is a reduced injury outcome. Having said that, I specifically remember undertaking some pre-interviews for market research that we have conducted. There was a scooter rider in the inner city probably going about 30 kilometres per hour when a car just popped out. That rider has never been able to lift his arm above his shoulder since that day. In and of itself it is potentially a predictive factor, but it is not going to protect you from all crashes or injury.

**Mr ELSBURY** — Another thing is that Victoria successfully introduced a requirement that all new vehicles sold in the state must have electronic stability control. Do you think that taking that approach and applying it to ABS by mandating it on all Victorian motorcycles would work and have any measurable safety benefits?

**Ms COCKFIELD** — I think the decision about mandating is definitely one for government, and it tends to be a federal government decision. I certainly think that the evidence to date is that for on-road riding ABS is successful in reducing crashes, and in particular injury crashes. That being the case, the more bikes we have on the road with ABS — and when I say ‘on the road’, I mean that at this point the evidence to the TAC points to on-road use — the better crash outcomes we are likely to see in Victoria.

**Mr LANGUILLER** — Just to be clear, that is the evidence that you have?

**Ms COCKFIELD** — It is not evidence we have collected ourselves, but the evidence we have sighted in relation to ABS for motorbikes, yes.

**The CHAIR** — Okay. It is a requirement under the Multicultural Victoria Act 2011 that government departments report on their achievements and initiatives in multicultural affairs. How are you going within that context, and what is your breadth of coverage, nothing that among some diasporas living in Victoria people will be watching TV programs in their own language more so than perhaps on the four or five main stations?

**Ms COCKFIELD** — Could I take that on notice? In relation specifically to motorcycle programs, I am not aware that we are doing anything in other languages. We may be advertising in multicultural press in other languages. I would have to check that. Having said that, when we do our market research we try to engage across the board. We are not specific about who we are speaking to, and certainly in very recent market research that we undertook in terms of attitudes of drivers and riders to each other there were people with limited English skills who did seem to understand quite a lot about TAC campaigns et cetera. I feel that the message is getting through, but I would have to give you specifics about what we are actually doing in relation to advertising and public education in that area.

**The CHAIR** — Thank you.

**Mr WOODROFFE** — I can say that when anybody makes a claim on the TAC, access to interpretation services is available to them at the point-of-contact call centre.

**The CHAIR** — Do you have data on the breakdown of those requests, so that it may be possible to profile accident ratios at all?

**Mr WOODROFFE** — We would certainly have some information regarding people who asked for interpretation services.

**The CHAIR** — Could we have some of that information relayed through to us so that we might make some observations?

**Ms COCKFIELD** — Yes.

**Mr WOODROFFE** — That would only be, though, people who asked for interpretation services. It does not actually give you necessarily a great picture of the cultural diversity of our clients.

**The CHAIR** — There may be one or two clues. It might be of interest, nevertheless.

**Mr WOODROFFE** — Sure. Absolutely.

**Ms COCKFIELD** — We have looked at that data fairly recently from another project, and it does give some clues as to background and where our clients who actually require interpretative services might be coming from.

**The CHAIR** — Thank you.

**Mr LANGUILLER** — Just very quickly, I took on board and took notice of your submission in relation to some research you had done where you asked your clients whether they had actually seen the rider. In the order of 80 per cent of people responded, 'We've not seen the rider'. I am a driver, and I recognise what they say when they say that, because I think there is a blind spot. On occasion I have not seen a rider, nor have I seen the cops driving a very good big car next to me. I regret the last one more than the first one.

I must tell you about the concern I have with accepting that submission by you, if I may, on the following basis: if a driver does not see a rider, that driver by extension may not see a child on the road — it may happen to be my child or yours — or that driver may not see a football or a person. I accept that they might tell you that, but to be perfectly honest my anecdotal experience is that I would question that submission of, 'I didn't see the rider'. I am a bit cynical about it, I must confess. Accepting that submission on the part of yourselves is probably not a great idea, I respectfully suggest, because by extension then a child, a person, a football — and the list goes on and on. I am a driver, so I think you either take responsibility for your driving or you do not, and if you cannot see the rider, maybe you as a driver should not be there. Is that fair?

**Ms COCKFIELD** — I think what you are speaking about is self-reported, so this is drivers reporting that.

**Mr LANGUILLER** — Yes, I accept that.

**Ms COCKFIELD** — We are just reporting what people are telling us. I accept what you are saying, that basically any small object, whether it be a pedestrian, a bike rider or a motorcyclist, is hard to see. I think one of the confounding factors for motorcyclists versus some of those other small road-user groups is speed. When you have somebody moving relatively slowly, the time that you have to actually take in the information and react is a bit faster, so if you have two objects moving at speed your ability to absorb information and make good decisions is less. Often things are happening fairly quickly when we have two moving vehicles — and I am not saying with some bike riders. We see very similar crashes between pushbike riders and motorcyclists. So I think the issue of drivers not seeing small objects is a real one. We have talked about Ride Smart as a training product for riders to look out for hazards, is one of the things that that CD-ROM training program does. We do have a very similar product for drivers, which is also talking about seeing the unexpected, seeing small objects. We have had that evaluated by the Monash University Accident Research Centre, and it does seem that we can train to some degree for those skills.

So the point you make is right. I think it is a real phenomenon. I do not think that it is not happening. It is how we actually overcome the issue that we need to work on.

**Mr LANGUILLER** — I am not sure how to phrase this question, and I may have to be direct, but what is the cost of a death, according to your agency? How much does it cost, and how much does a seriously injured person cost?

**Mr WOODROFFE** — It is extremely difficult to say, because it varies such a lot. We look after people with significant brain injuries, and with levels of spinal cord injury right up to ventilated quadriplegia. The costs

will vary depending on the individual circumstances of that person. A ventilated quadriplegic would over the lifetime of their claim cost more than \$10 million.

**Mr LANGUILLER** — It has been put to me that it is \$1 million for a serious injury and \$100 000 for a dead rider; is that reasonable?

**Mr WOODROFFE** — Are you asking me whether serious injury costs the scheme more?

**Mr LANGUILLER** — Yes.

**Mr WOODROFFE** — Serious injury costs the scheme significantly more than death, yes.

**The CHAIR** — Time has eluded us now. Thank you very much for your time in appearing before us and for your information. You will get a copy of the Hansard transcript. It would be appreciated if you would peruse it, amend it as appropriate, and follow up any of those matters that you indicated you may be able to further assist the committee with. Should there be any other issues that you become aware of that you think might be of benefit to us in ensuing months, please feel free also to liaise with the secretariat, as we will not be reporting for some time.

**Witnesses withdrew.**