

# TRANSCRIPT

## ROAD SAFETY COMMITTEE

### Inquiry into motorcycle safety

Geelong — 15 November 2011

#### Members

Mr A. Elsbury

Mr T. Languiller

Mr J. Perera

Mr M. Thompson

Mr B. Tilley

Chair: Mr M. Thompson  
Deputy Chair: Mr T. Languiller

#### Staff

Executive Officer: Ms K. Jenkins  
Research Officer: Mr J. Aliferis

#### Witnesses

Acting Senior Sergeant S. Howard, and  
Acting Sergeant J. Lee, Victoria Police.

**The CHAIR** — Welcome to the Geelong hearings of the Victorian Parliament's inquiry into motorcycle safety. There are a few rules that apply to our hearings. One is that our dialogue has the benefit of parliamentary privilege. You will get a copy of the transcript, and you are invited to correct any typos and get it back to us. We envisage then placing it on the Web. We thank you for your attendance this afternoon. It is part of a process in which we are taking evidence around Victoria so that the work undertaken by the committee is rigorous in nature and reflects viewpoints from the spectrum of Victorian community life and those who use our roads. If there are some general remarks you would like to make, feel free to do so for 1 or 2 minutes, or longer, whereafter we will put a number of questions to you and take you through some of the material we would like to traverse.

**Acting Sr Sgt HOWARD** — Very well. I was asked to collect anything that I wished to present to you. I have here a video of some evidence taken. One part of it includes a newsreel on, I think, Channel 7 in relation to the Great Ocean Road from a couple of years ago about the number of collisions there. It also has some footage taken by the Torquay highway patrol who perform TAC operations down there.

**The CHAIR** — Thank you. I am not sure whether we have the PowerPoint facility. Kylie, can we run that shortly?

**Ms JENKINS** — Yes.

**The CHAIR** — How long does it go for?

**Acting Sr Sgt HOWARD** — You would not need to watch all of it. It goes for about 15 minutes all together. I also have a tactical or traffic intelligence brief performed by our own TIO in relation to off-road motorcycle collisions in the Surf Coast police service area. That PSA includes both Colac Otway and Surf Coast shires.

**The CHAIR** — Has that been previously forwarded to us, or are you handing it over now?

**Acting Sr Sgt HOWARD** — No, as far as I am aware, it has not been previously forwarded.

**The CHAIR** — Thank you.

**Acting Sr Sgt HOWARD** — The only other thing I have with me is a reply to a survey that this inquiry did. It was sent out some time ago which I think you would have a copy of. It is from Acting Sergeant Nigel Morrison at Torquay.

**The CHAIR** — We would be happy to take that on board as well.

**Acting Sr Sgt HOWARD** — When the survey was sent out he ordered that in.

**The CHAIR** — Can you outline to the committee any specific motorcycle safety initiatives currently being undertaken in the Geelong police district?

**Acting Sr Sgt HOWARD** — First of all, I am traditionally the OC of the Colac highway patrol. I am responsible for the policing in general of the Colac Otway shire, which includes the Great Ocean Road through to Princetown, and also, to a degree, the rest of it back through to this side of Torquay. John, at the moment, is filling in my role while I am the divisional senior sergeant for the area.

In relation to motorcycles themselves, most of our initiatives come through funding from the TAC. Because of the high number of motorcycle collisions we have, Surf Coast and ourselves receive funding at numerous times from the TAC to enable us to do enhanced enforcement on the ocean road. That enforcement generally includes from Torquay operations which are displayed on this DVD where they can use a bait car. So they set themselves up in a plain car and travel along the road. There is a driver and a passenger. They film motorcyclists performing illegal actions while riding. In addition they also mount themselves in positions along the road where they are able to observe these offences or, at the same time, are able to detect high speeds. They are generally the areas that they work on.

In relation to Colac we specifically have an area known as Johanna on the Great Ocean Road. That was at the end of a long area between Apollo Bay and Johanna where they came through winding areas and hills, and they

could only ride it at 70 or 80 kilometres an hour. They came out and at the top of the hill they could see down through a big long dip, which is probably a kilometre long, and they would go up out of the other side. We were regular getting both bikes and cars travelling at high speeds of 170, 180 and 200 kilometres an hour. It took some doing, but what we got there was actually a 100-kilometre-an-hour sign posted at either ends of that dip. Those two signs have made an enormous difference to the number of offenders that we get. They have dramatically lowered speeds they ride at. It was just a way of reminding people that they were still in a 100 kilometre zone. It made a dramatic difference to the point that the boys hardly go there now, because they will not get any offences out of it. They will not get any statistics.

Geelong is obviously one of the top 10 PSAs for road trauma and collision. It is routinely, at the moment, funded through the TAC for enhanced enforcement. They have five operations which are due to commence now, and they go through until the end of, I think, June. One of those includes motorcycle behaviour down here. They will use similar methods to us, particularly targeting high speed though on the ring road.

**Mr TILLEY** — Before I ask a question, and we have a conversation about this point, it is an issue of operational matters. This is not what I am seeking or anything like that. The question here relates to not who you are going to process and those sorts of things. It is a matter of how do we best achieve it. This committee will make recommendations to the government to implement some of that as policy. You work within the realm of Victoria Police, the organisation itself. You have good connections with local government, road safety committees and various things like that. What I want to drill down to — and you have the surety that whatever you say here has parliamentary privilege — is, more or less in simple terms, a bit of a wish list. What sorts of initiatives, as the officer in charge of the highway patrol in the immediate region, would you like to see implemented that will bring down the incidences of fatalities and serious injuries?

**Acting Sr Sgt HOWARD** — I listen to Neil Mitchell regularly, and it is regularly said that the best deterrent there with anything such as this is a visible police presence. We would all love to have two more cars and six more troops put on the road. The Colac Otway shire in itself looks after the Great Ocean Road, the Princes Highway, the Hamilton Highway and the three feeder roads that lead to the Great Ocean Road. Two of them take people to the ocean road, and one of them, particularly, brings people back from the Twelve Apostles. It is not unusual for us to get high speeds along those roads. The thing we dread is that one day we are going to lose a bus over the side. But in terms of the troops, we have at the moment three and we are about to lose a car because we are swapping that for a motorcycle to share with Surf Coast. But obviously we are a sergeant and six; we will soon be a sergeant and five. What that is a result of I am not sure. What was the name of it?

**Acting Sgt LEE** — Regionalisation.

**Acting Sr Sgt HOWARD** — It is regionalisation. We now come under Geelong, whereas before we were under Warrnambool. Warrnambool took part of our area. As a response to that we had to give over two troops so that it could then police that extra area. But at the end of the day that Corangamite shire added very little to our collision statistics. We still have to police those six major roads that we had to police before. The wish list is yes, for two extra cars and six extra troops. I do not think you would find a highway patrol in the state that would not say the same thing.

**Mr TILLEY** — You are working with the same resources. Have those resources changed in the last decade?

**Acting Sr Sgt HOWARD** — Believe it or not, we were only one of two that were given extra resources in recent times, which was an extra car and an extra member. But, as I said, we are losing two and swapping a car for a motorcycle.

**Mr TILLEY** — Would it be a fair enough statement to say that you cannot measure productivity when it comes to road safety by the number of infringement notices or briefs that are prepared rather than having a very clear, visible presence of police on the road?

**Acting Sr Sgt HOWARD** — That is right. Anyone in this room would say that if they see a police car on the road, it makes them slow down. Everyone knows that we can all travel from here to Echuca and we might not see a car. The chances are we will not because for our area we had, as I said, two cars this morning. If one is down on the ocean road and one is on the Hamilton Highway, four of those roads are not going to see a police car. One of the old terms was 'line patrols' — to do line patrols up and down. It did not matter where you were

travelling on that road that day, you would have seen a police car, but now, because of manpower and that, there are obviously a lot more vehicles on the radar.

**The CHAIR** — Can you explain that term ‘line patrol’?

**Acting Sr Sgt HOWARD** — In the olden days — 20 years or so ago — you would be given an area of patrol say from Colac to Warrnambool and back. So any car that went along that road on that day would say, ‘I saw a police car’.

**The CHAIR** — By virtue of being stationary on the road?

**Acting Sr Sgt HOWARD** — No, it would patrol; it was general patrol. In the old days we only had hand-held radios so you would park on the side of the road, behind a tree or something like that, but someone would always see the police car and be flashing their lights. The thing about people flashing their lights to oncoming cars is that at least you are working 5 kilometres further down the road, so I was never worried about that. If it slowed them down, at the end of the day that is what it was all about. Whereas now we can still run line patrols, but because there is so much more traffic on the road we have only got two cars. You can only do those sorts of patrols in certain areas.

**Mr TILLEY** — Then you have got to cover the towns and the backstreets.

**Acting Sr Sgt HOWARD** — That is right, especially at night-time. The towns become more of a central area for us because of hoon behaviour, et cetera.

**Mr LANGUILLER** — Thank you for your submission. If I may say, it might be a good day, given the appointment of a new chief commissioner.

**Acting Sr Sgt HOWARD** — It might be.

**Mr LANGUILLER** — We might create a wish list; you never know. On a very serious note — and that was serious, actually — do you have any contact or exposure to off-road riders, and if yes, in your opinion what are some of the issues associated with off-road riding that need to be addressed?

**Acting Sr Sgt HOWARD** — The intelligence brief that I handed up was actually in response to the issues we have in relation to off-road riders. Our main issue is being able to police them. We have actually received funding from the TAC for the next four months and our plan is actually not to target them on their bikes, but we target them at the trail heads. So a car will go out and its job will be to actually patrol and find where the motorcyclists are. Then we will sit off and wait for the bikes to come back. Rather than actually go and ride the trails hoping to come across 20 motorcyclists, we will find the 5, 6 or 20 cars with the trailers on the back and just sit there and wait for them to come back.

**Mr LANGUILLER** — How much off-road riding is there in your region, to your knowledge?

**Acting Sr Sgt HOWARD** — It is huge.

**Mr LANGUILLER** — What does that mean? Can you quantify it approximately?

**Acting Sr Sgt HOWARD** — The Otway national park. Especially after the bushfires it was certainly a lot busier because they could not go up there. It has died off to a degree now, but if you went and sat at the end of the ring road when they come off the ring road onto the highway on any weekend, you would probably see as many as 100 trailers come past.

**Mr LANGUILLER** — I just want to get this accurate. You said in your earlier submission that two out of four roads were not patrolled; is that correct?

**Acting Sr Sgt HOWARD** — Yes.

**Mr LANGUILLER** — Two out of four. Plus you have got the off-road issue in terms of resources?

**Acting Sr Sgt HOWARD** — Yes.

**Mr LANGUILLER** — I am not a former policeman, so I do not know, but presumably you have the same resources to cover the entire area, including off-road.

**Acting Sr Sgt HOWARD** — That is right, and we do not have any resources — any off-road motorcycles.

**Mr LANGUILLER** — You do not have any?

**Acting Sr Sgt HOWARD** — No.

**Mr LANGUILLER** — So how do you patrol it?

**Acting Sr Sgt HOWARD** — That is why we target the trail heads. We do not have ready access because we are in the country. If we were in the city and we were able to go into Dawson Street and grab a car that morning and head out on patrol and half an hour later be in our patrol area, then we could get the resources. But we are 2 hours out of Melbourne, so if we want to get motorcycles down we have to pay for them. We have to pay for them out of a budget, so we have to be able to justify that et cetera. It is much easier, in my belief, to actually target the trail heads, which is what we plan to do. We have done it before and that is what we will do as part of this operation.

**Mr ELSBURY** — One of the main parts of the inquiry is protective clothing. I seek your thoughts on the best way to encourage people to wear protective clothing. Taking that a step further, would you support making protective clothing mandatory?

**Acting Sr Sgt HOWARD** — Personal or professional? I have read what VicPol has put forward and I am aware that part of its submission is that the five parts of clothing should become mandatory and have high visibility. I am one of those folks who turned 40 and went and got his motorcycle licence for the first time, but at the same time I am also a fellow who only rode it for 12 months. Now the thing sits in the garage, and I one day hope I can get it out and go riding again. My thing is that I would obviously not go out without the five areas of protective clothing and it would be high visibility if that was the case, but with most of the people that ride motorbikes, that ride in a manner that we see, they do not think like I do. They are risk-takers. That is why they are riding their motorbikes in the way that they do in the area that they do. The only way that it would be able to be enforced would be that it was a part of law that they were required as a motorcycle rider to do that; and obviously if they did not, then there would be penalties applied to them.

**Mr ELSBURY** — Would you see any difficulty in enforcing that sort of mandatory protection considering a lot of the equipment these days looks very much like normal clothing? We had a gentleman in here just before wearing what looked like camouflage pants — just normal material camouflage pants — but they were Kevlar reinforced. Some of the jackets and other items look very pedestrian in their normal, everyday application.

**Acting Sr Sgt HOWARD** — They even have jeans that look like normal denim jeans.

**Mr ELSBURY** — Yes, and even some of the jackets. You can get jackets that look like a motorcycle jacket in any shop. Do you think there would be a difficulty in being able to enforce that?

**Acting Sr Sgt HOWARD** — I do not think so. A lot of that would come through branding. LAMS is difficult to enforce, but we have a list of things that are on it and we just pull the bike and have a look and if it is not on that list, he should not be on it. There are only so many makes of clothing in relation to motorcycle things. I think it would be quite easy to make clothing identifiable.

**Mr PERERA** — If any, what specific outcomes would you like to see from this inquiry?

**Mr LANGUILLER** — It is a good day for a wish list!

**Acting Sr Sgt HOWARD** — Two cars and six extra troops.

**Mr LANGUILLER** — So that is one.

**Acting Sr Sgt HOWARD** — That is one.

**Mr ELSBURY** — Not putting too much on this inquiry.

**Acting Sr Sgt HOWARD** — I have been to numerous motorcycle fatalities, and while a large percentage of the people that we are involved with are risk-takers, another large percentage of them are like me. Education for older riders is vital. They would make up a certain percentage of those being killed or injured on our roads. I see that is part of the police submission, too, in relation to older riders and separating licences and things like that. Being able to regulate a training regime is one. It is like a learner driver at the moment. We teach them to get their licence, but we do not teach them to drive. It is much the same with motorcyclists. It is pretty easy to get your L-plates on a motorcycle and even to get your P-plates, and then you are out there on your own; you have no governance whatsoever. A wish list would be to actually regulate instruction for motorcycle riders.

**Mr PERERA** — Do you have a view on filtering and lane splitting?

**Acting Sr Sgt HOWARD** — No, not so much with lane splitting. Overtaking is obviously a big issue for us because of the ocean road. A lot of it is either double or single continuous white lines because of the winding and hilly terrain that it is. If you watch the video, you see that that is pretty much what the main issue is, and that is certainly one of our concerns. The fact that they are overtaking and the fact that they lean onto the incorrect side of the road when they are going around bends is an issue on a blind bend. But generally down here we do not have an issue so much with lane splitting. There probably is in Geelong, to a degree, but it is certainly not the issue that it is in Melbourne.

**The CHAIR** — Are there any unaddressed hazards on the Great Ocean Road that you are aware of?

**Acting Sr Sgt HOWARD** — The ones that affect our feeder roads are currently being addressed. Roads that have speed limits of 100 kilometres an hour — there is no way you can do 100, even on a bike — are currently in the process of being brought down to 80 kilometres an hour. Eighty kilometres an hour on the Great Ocean Road is being extended. We will see how far that goes. I personally, as OC of Colac, would be looking for further extensions to that. The collaboration with VicRoads is ongoing. If there is a fatal, we attend together and audit the site to see if there is some way we can improve it, but it is the nature of the terrain.

**The CHAIR** — You mentioned that you had been to a number of fatalities. Were they on the Great Ocean Road, or were they dispersed throughout the Colac-Otway region?

**Acting Sr Sgt HOWARD** — I had one in February this year on the Great Ocean Road, just outside of Wye River. I have probably been to three or four, I think, altogether, at different points.

**The CHAIR** — Have you had to assess the cause of the death?

**Acting Sr Sgt HOWARD** — Yes, it is my role either to be the investigator if I am the only member working or, if I have a member working, to oversee the investigation so long as that rider is not the person at fault, and when the rider is at fault he is usually deceased. If the rider is at fault but did not die and someone else died, then the major collision investigation unit would attend, but if the rider dies and he is the person at fault, the MCIU do not attend. That is our role then.

**The CHAIR** — Have you had occasion to work through some of those reviews that are not still subject to a coronial inquest?

**Acting Sr Sgt HOWARD** — Yes.

**The CHAIR** — Could you take us through what your view was as to the cause of accidents?

**Acting Sr Sgt HOWARD** — It is usually rider error: overtaking when it is inappropriate, and more often than not it is inappropriate speed. They do not anticipate the tightness of a bend.

**Mr LANGUILLER** — So not excessive speed but inappropriate speed?

**Acting Sr Sgt HOWARD** — Inappropriate speed. The fact that — —

**Mr LANGUILLER** — That is mostly your observation.

**Acting Sr Sgt HOWARD** — Yes. The one in February this year was actually in a 60 kilometres an hour zone, and they said his speed was only 60. He was with other riders, and he just did not back off enough to go

around what was a hairpin bend heading into Wye River. He went out onto the incorrect side of the road into a vehicle which was heading out of Wye River on a tight bend. He just caught the front offside guard into the windscreen, and he died almost instantly. His speed was not excessive; it was inappropriate. Where a car would put the brake on to get around, he did not anticipate the tightness of the bend, and also, obviously, a motorcycle reacts differently to a car when you brake at the wrong times.

**Mr TILLEY** — I would just like to go back and explore some of the comments earlier we had about off-road and targeting off-road. Firstly, how much space in your PSA do you have as far as state parks and forests go, just so I can get an idea? We have had some earlier witnesses talk about the issues and problems we have with off-road riding. I just want to try to explore that a little bit more with you.

**Acting Sr Sgt HOWARD** — It is huge. It is the Greater Otway National Park; it is a huge area. It extends from Anglesea right through to the Twelve Apostles effectively, so it is huge. They have access anywhere from Geelong right through to Camperdown to get into those areas.

**Mr TILLEY** — Bearing in mind the resource issue we discussed earlier, are you aware of other PSAs that have connections with the Department of Sustainability and Environment with their patrols and things like that? Have you heard of those sorts of programs?

**Acting Sr Sgt HOWARD** — Yes, and we have used them before, but they are difficult to get to work the way we want them to work. A lot of the time our methods of enforcement and all that are different, so when we first did what we are doing, one of the things was education, and that was part of the statewide highway patrol thing with yellow flag and black flag. Part of that was education. I am sorry, but I am not in favour of education in relation to that, because these people are fully aware of what they are doing. They are putting unregistered bikes on the backs of trailers, they are unlicensed and they are going off into the bush to ride a motorcycle. They are fully aware of what they are doing. Education is irrelevant to them, so that is why we go more along the lines of targeted enforcement, because that enforcement — if we give them penalty notices, especially if they have points attached to them and those points also affect their car licence and not just their motorcycle licence — actually does have an impact on them. But we have worked previously with the DSE on that.

**Mr TILLEY** — Considering that Geelong is a substantial distance away from Dawson Street, as we know, and as other parts of country DMUs do not have the same accessibility as some metropolitan units and things —

**Acting Sr Sgt HOWARD** — Can I just add to that? Geelong has two off-road motorcycles, but they are supplied by, I think, the Geelong council, so they are not permitted to use them outside of Geelong even though their riders are prepared to come outside. The fact that they are paid for by Geelong council means they are not permitted to use them outside.

**Mr TILLEY** — So far as training is concerned, what category licence or service licence do you need to operate the off-road motorcycle?

**Acting Sr Sgt HOWARD** — There is a colour for it now. It used to be A-class, but — —

**Mr TILLEY** — Do you still have to do a solo course?

**Acting Sr Sgt HOWARD** — Yes, you still have to do a specific off-road solo course to be able to ride off-road.

**Mr TILLEY** — One of the challenges we have, as you are no doubt aware, is that it does not matter whether it is in a state park or a forest, a road is covered by existing statutes and it is still a road. Whether it is the Great Ocean Road or whether it is in a state park or forest, the challenge is the compliance and enforcement to minimise the accidents and crashes, whether they be serious injuries or fatalities. We have seen a serious increase in those types of injuries right across the state, not necessarily in your area as such, but certainly in other parts of Victoria we have certainly seen a huge increase in those crash statistics. I am just trying to work through that and get some commentary. You are at the coalface and working with this.

**Acting Sr Sgt HOWARD** — We have had an increase. The interesting part about that is that we were not aware of it until we went to a motorcycle Compstat meeting in Melbourne in November about two years ago. I

am sure you have the document. Mr Lay chaired that. We were not aware of it until we went to that meeting. It highlighted that we had all these motorcycle crashes off-road. But a large majority of them are not reported to us. A large majority of them are reported once they get back to the city, so if they break an ankle or do a knee or something like that they report it there for TAC. They might have been on an off-road track, but by the time they get back there and go and report it at, say, Sunshine police station, they are on Mount Sabine Road, at the intersection of whatever road, and lost it in some loose gravel, and they were not on their unregistered bike, so we have no way of knowing.

**The CHAIR** — Do you have any evidence in relation to the inaccurate reporting of an accident?

**Acting Snr Sgt HOWARD** — No, that is just our guess. The reason for that is otherwise why would you not report it at the time and have police attend? The reason is that they are on an unregistered bike. Then they have to say, 'No, I am on a registered bike'. If their mate has got a registered bike, they say 'I was on that bike'. Again, we do not have the time or resources to investigate all these collisions. They are our thoughts on how it comes to be, and why they do it.

**Mr TILLEY** — The thing is unless we establish these things, we cannot address it. Certainly a big part of this inquiry is establishing the capture of data and where it is going and what is going on with it. I know it is hard, but keep up the good work in your area.

**Acting Snr Sgt HOWARD** — Thank you.

**Mr ELSBURY** — In relation to data that is collected, we have heard evidence that police accident reports for coronial court purposes are often subject to varying levels of quality. How could police reporting, which feeds into data sets and is used by regulators, be improved because there is not really a set standard?

**Acting Snr Sgt HOWARD** — In relation to causation factors — and I think that is probably the issue — I think there are about 20 boxes — —

**Acting Sgt LEE** — Twenty-four tick boxes.

**Acting Snr Sgt HOWARD** — And you can tick three boxes at once. It could be rider inexperience, rider error and loose gravel, so there are three causation factors for one collision. It would have to be possible to tighten up a number of the causation factors. If the description was, 'Rider lost control in loose gravel due to inappropriate speed', you would still tick three boxes. So an improvement would be if they were only allowed to tick one, or there might be some other system thought up to be able to account for those factors.

**The CHAIR** — Is there much space for additional commentary as to whether the helmet stayed on or came off, the nature of damage to the helmet, a description of injuries and other possible road conditions?

**Acting Snr Sgt HOWARD** — There is a description field for the collision. Most coppers will put the least in rather than more than they need, if you know what I mean. They will — —

**Mr LANGUILLER** — I do not.

**Acting Snr Sgt HOWARD** — At the start when you bring up a collision report, it asks for a description of a collision. Some police will put, 'Vehicle lost control on right-hand bend and collided with tree'. I would put 'Vehicle A travelling east along Cape Otway Road, 500 metres west of whatever intersection, lost control in gravel to the left-hand side, swerved onto the right-hand side into the gravel', et cetera, and tell the whole picture. There are differing degrees of description used by different members, and that comes down, I suppose, to supervisors or the force as well, and how they enforce the quality of work of the members.

**Mr TILLEY** — And workload to some extent.

**Acting Snr Sgt HOWARD** — And workload. It is a lot easier now. When they started this new TIS system, the thing was, 'Oh great, here we go again'. But actually if it works it is really quite good and you can be finished in half an hour as opposed to the 2 hours it used to take to put a collision on. But members are still under the pump if they have four or five jobs on their plate. It is easier to write one line than to write, 'As a result of collision, rider lost helmet, suffered head trauma', et cetera, They just put one line as to how it occurred, tick a few boxes and hopefully within 15 or 20 minutes — —

**Mr TILLEY** — Have the diagrams got any easier?

**Acting Snr Sgt HOWARD** — I get someone to do my diagrams. I do not find it a very easy system to navigate. I am a dinosaur.

**The CHAIR** — As a committee we are interested in proving the data that is available so that wise steps can be taken of a preventive nature and that we will not be arriving at recommendations that do not correlate with the facts. If the issue related to excessive speed, more training may not necessarily specifically address that particular issue. If it is excessive speed on a bend, then issues like that can be filtered back into the training system and the licensing system so that people acquire better experience. If you have any thoughts of data that relate to collisions that is not being collated, we would be very pleased to take that on board.

**Acting Sgt LEE** — It is just in relation to what your colleague said in relation to helmets: was there damage and things like that? We only have ‘helmet worn’ and ‘helmet not worn’. We tick a box. We do not put whether it was damaged as a result of the accident or not. It has not got any provision for safety clothing, whether they were wearing that or anything like that.

**Mr LANGUILLER** — Or any standards for that matter?

**Acting Sgt LEE** — There is nothing that is recorded from our reports for that. With cars we have, ‘ABS, did it work? Did it go off?’. With motorcycles we do not have anything like that.

**Mr LANGUILLER** — So you have more requirements in terms of cars, but lesser requirements in terms of motorcycles?

**Acting Sgt LEE** — If you are thinking of trying to find out anything in relation to clothing, there is nothing that we record as to what they were wearing at the time and what level of damage there was to it.

**Acting Snr Sgt HOWARD** — Other than the helmet — if the helmet was worn. For instance, now you could actually ask in relation to clothing, ‘Were air bags fitted?’, because you can get motorcycle clothing that has air bags in it. So did the air bag deploy on the clothing? Our TIS reporting system does not extend that far. It does not extend to, ‘Was the clothing worn protective or not?’.

**Mr LANGUILLER** — Just to be clear on the subject, are you saying that there is more detailed reporting for motor vehicles than there is for motorcycles?

**Acting Snr Sgt HOWARD** — To a degree, yes. But at the same time cars have ABS and cars have air bags, and motorcycles do not have that, so the amount of recording is less. If motorbikes had ABS, then I am sure that they would make it, ‘Was the motorcycle fitted with ABS?’.

**Mr LANGUILLER** — Some do.

**Acting Snr Sgt HOWARD** — Some do, but not many. The majority of them do not, so if it was standard as it is now for a car, then I am sure the police would change their TIS system and make that a part of the reporting process, and, as I said, with the clothing, if it is mandatory. It deals mainly with the mandatory things, so seatbelts in cars or seatbelts worn in motorcycle pillions obviously. But if protective clothing was mandatory to be worn, then I would suggest that we would probably see that five boxes would come in. ‘Protective gloves worn, yes or no?’, ‘Protective boots worn, yes or no?’, so at that stage it is not.

**Mr LANGUILLER** — Can we come back to the question of off-road riding? You would be aware that approximately 50 per cent of serious injuries and fatalities happen off-road, so you are not supervising them. You mentioned the lack of resources that we are cognisant of, and we seriously think you do a great job given those limitations. You are able to supervise all of the sealed roads, but you are unable to supervise most of the off-roads where 50 per cent or thereabouts of the serious injuries and fatalities take place. In addition, if I may say, to my knowledge Victoria Police and VicRoads underreport data, as compared to the Department of Health. They have a much greater number and for obvious reasons. Can you expand on those issues and say what is the way forward if you had your wish list? Do you see the point that I am driving at? You supervise 50 per cent of the roads, and that is fine and good, and all of us want you to do that, but 50 per cent of injuries happen to take place off-road and it would be fair to suggest that you are not in a position to supervise off-road adequately. In fact the supervision is very inadequate.

**Acting Sr Sgt HOWARD** — That is it and that is the issue. We cannot. The police force, I would suggest, is underresourced to be able to police the whole off-road issue. For us obviously it would require manpower particularly, and it would only mean, for us, two bikes for Geelong or Torquay to be able to service motorcycles, road and off-road, out of there in particular for our area.

**Mr LANGUILLER** — What sorts of costs are we talking about?

**Acting Sr Sgt HOWARD** — For motorcycles you are probably looking at \$15 000 to \$20 000 a pop to train members up. Obviously budgets have now come down to a PSA. By chance I had a member go off on a motorcycle course last year to do the on-road course. He managed to lay his bike down, tore his anterior cruciate ligament and as a result of that he got blood clots. He went to the doctor yesterday and the blood clots have gone, so now we wait another month and hopefully he can come back to being operational. But at the same time the motorcycle course has been changed because of the number of collisions they are having, both in training and on the road. He is now going to have to go and do the whole four weeks of the on-road course again, which means four weeks of putting him up in a motel, and that eats into your budget. It is something that the PSA inspector has to look at in relation to whether or not he can afford to do that.

**Mr LANGUILLER** — You would agree with me that it makes no sense not to have the resources available given that we have heard submissions that the costs associated with a severe serious injury per person are in excess of \$1 million. In fact I said \$1 million and I have been challenged on that. They suggest that it is more than that. It would make sense to spend \$50 000 plus a wage and various other conditions and put somebody off-road to patrol them.

**Acting Sr Sgt HOWARD** — If you would — —

**Acting Sgt LEE** — The wish list would be two off-road motorbikes and members qualified at both Torquay and Colac to be able to enforce it, but that is a big wish list.

**Mr LANGUILLER** — Can I just come back, if I may, to an earlier comment. You made a comment that stuck in my mind, and we respect you because we seriously think you do a great job. You said that you do not believe training would necessarily help or improve certain circumstances. Then you talked about motorcycle riders being risk-takers. Can you explain that? The reason I have put this question to you is that we are increasingly hearing in submissions and getting evidence, not just in this jurisdiction, but other jurisdictions, that training does help, and incidentally working in partnership with motorcycle riders and associations helps to deal with some of these issues. I would be interested in hearing you explain to me why you made that comment?

**Acting Sr Sgt HOWARD** — These people have the opportunity to go and race at Phillip Island or Sandown in regulated conditions on purpose-built tracks. They will go and do that, they will wear all the safety equipment and, if they crash, they will go out onto some gravel or sawdust or whatever, and they will get up, scrape themselves off and go home. They come down to the Great Ocean Road or wherever else and they ride exactly the same way. The only difference is that if they come off, they hit something and the chances are that they will die. They do not regulate the way they ride. They do not see any difference, so they take the risk out on the track where they will go at excessive speeds up to 300 kilometres, but they come down to the Great Ocean Road and ride at 100 kilometres an hour around a bend, which is the same as doing 300 at Phillip Island. However, the risks are even higher on the Great Ocean Road because if they make a mistake they crash and could die. At least at Phillip Island, even at 300 kilometres an hour, they might lose a bit of bark as their leathers rip, but generally they should stop and be all right, perhaps just some broken bones or something. In the past we have done educational things. We have pulled over motorcyclists and given them pamphlets. I have had riders refuse to take pamphlets from me because they have never had a crash. 'I do not need one, mate; I have never had a crash'.

It is not on that DVD that I have given you, but Torquay highway patrol have footage of a fellow whom they saw overtaking cars over double lines and travelling at high speed, and a couple of kilometres up the road he crashed into a car and died. The people that ride like that are risk-takers. Some people are like me. If I got on my bike tomorrow, I would never go down the Great Ocean Road, but for other people that might be attractive. I do not go because I know the risks, but they might think it is attractive. If they make just one small mistake, unfortunately the results are horrific.

**The CHAIR** — You mentioned earlier in relation to the Great Ocean Road that one way of enforcing law would be increased resources through police presence as it can have a deterrent impact on rider behaviour. You also said there are some people who have been reluctant to take a brochure from you that might alert them to riding safely in this particular region. Do you have any other suggestions as to what could improve the level of motorbike rider safety along the Great Ocean Road?

**Acting Snr Sgt HOWARD** — It is very difficult because it is an icon of the country. Governments, state and federal, are promoting it as being the no. 3 tourist attraction in the country. We are encouraging people to come down. It is regulated now to 80 kilometres an hour through to Apollo Bay, and it will not be much longer that through almost to Princetown there will be regulations.

The issue is the traffic levels that we have. We have a mixture of caravans, heavy vehicles and cars, and because of the terrain the caravan in front can hold up everyone behind, but there is nowhere to go. For a caravan to pull over and then get going again, in summer he may never get going because of the stream of traffic. He cannot afford to pull over because he might have to wait 15 minutes for the line of traffic to actually go past before he can pull out again. It is a common-sense thing that if you are going to ride on a tourist road, then you have to accept that you have got to ride like a tourist. It is easy to say, but it is hard to get them to do it because they go down there with high-powered machines that can do things that cars cannot. VicRoads and ourselves are doing all that we can within limitations. To go much further you are looking at touching — —

I am thinking of the word ‘liberties’, but I do not know that it is liberties. Where do we stop in allowing people the freedom of choice to do what they want to do on their weekend?

**The CHAIR** — To pick up that point, you said earlier that near Johanna there were some motorcyclists going at 170 or 180 kilometres per hour, and that is not just inadvertent creeping over the speed limit.

**Acting Snr Sgt HOWARD** — No, that was deliberate.

**The CHAIR** — That is a massive uplift in speed. Do you have to profile that rider, as such, who would be non-compliant with the law to that degree?

**Acting Snr Sgt HOWARD** — That is in an area that is unlike most of the rest of the Great Ocean Road, where it is winding and you cannot do high speeds. This is just an area where they are coming out of something like that and all of a sudden they can just look down, right across the road and up through there and it is all clear. What they do not see is a police car sitting on a dirt road down the side that is lined up with where they are travelling. They quickly glance through there — and it is cars as well, high powered cars — and away they go. Sometimes it is not even high-powered cars. People in Falcons or whatever were doing it. Just putting in two signs, one at either end, made a marked difference. The rest of the Great Ocean Road is fairly well signed. It was just one particular spot where we identified that they would regularly do this.

We have another area at Skenes Creek, which has I think nine 70 kilometre an hour, or during summer 60 kilometre an hour, zone signs. It is the highest area in the western region for traffic camera stats. When we stick the camera there over summer it can come back with 300, 400 or 500 offenders for the day, yet we have nine 60 kilometre an hour signs there. It is an area where drivers come out of going through the windy stuff, and all of a sudden it is straight and clear. Even though there are houses on one side and the water on the other, they go from driving at 80 kilometres an hour to driving at 90 or 100. Sometimes, as much as those signs help, in other areas too many signs make drivers lose focus.

**The CHAIR** — Thank you very much, Acting Senior Sergeant Howard, for your evidence today, and thank you, Acting Sergeant Lee, for your support.

**Witnesses withdrew.**