

# TRANSCRIPT

## ROAD SAFETY COMMITTEE

### Inquiry into motorcycle safety

Wodonga — 30 November 2011

#### Members

Mr A. Elsbury

Mr T. Languiller

Mr J. Perera

Mr M. Thompson

Mr B. Tilley

Chair: Mr M. Thompson  
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#### Witness

Sergeant C. Roberts, Victoria Police.

**The CHAIR** — Welcome to the hearing of the Victorian Parliament's Road Safety Committee inquiry into motorcycle safety. I welcome our first witness for the day, Sergeant Cameron Roberts. Sergeant Roberts, following your evidence you will get a copy of the Hansard transcript. You are invited to amend the typographical errors and send it back to us. You will note that there has already been a submission by Victoria Police in Melbourne. What we are interested in getting is some local perspectives. We had a very good day in Wangaratta yesterday. Senior Sergeant Gore gave us some enlightened insights into the region that he has covered over a long period of time. To commence proceedings, we invite you to speak generally about your overall insights into motorcycling safety, correlating to our terms of reference, and then we will be happy to put you in the dock.

**Sgt ROBERTS** — All right. Broadly speaking I have been in charge of the traffic management unit, traffic operations and highway patrol at Wodonga since 1998. In that time one of our big issues, particularly in remote areas, has been motorcycle safety. A lot of our issues over this period of time have been motorcycle related — trauma, serious injury and death — particularly up in the high country in the higher speed zones. We have identified the touring traffic at weekends around the Phillip Island MotoGPs and an attitude among motorcyclists, the attitude being an unhealthy, competitive, catch-us-if-you-can-type thing, which has encouraged further enforcement from us over the years.

This has culminated in regular operations targeting motorcyclists, not only for the state-based things but also any time around the Phillip Island MotoGP our risk goes through the roof with interstate traffic coming down through the high country and travelling to Phillip Island. Speeds around 200 kilometres per hour are not uncommon in very remote farming areas. We have had fatalities over the years and these fatalities have been the fault of the motorcyclist. Broadly speaking, in terms of motorcyclists, we find it a bit of a constant battle trying to chase them through the hills, with their attitudes and that type of thing. In terms of road trauma it is probably right up there insofar as being a quantifiable road user group that we need to pay attention to.

**The CHAIR** — Is this particular grouping the weekend touring riders whom you are referring to who might not comply with the law? Is it a group who might be coming from interstate on their way through to the Phillip Island MotoGP?

**Sgt ROBERTS** — I think broadly speaking it is your middle-aged males. They go for a ride. That might be on the weekend up through the high country or alternatively they are on their way to the Phillip Island MotoGP. I guess the common denominator in the whole thing is the same in that they are generally on touring-type bikes in the windy high country and they overdo it and stuff up.

**Mr LANGUILLER** — On weekends and Phillip Island. You can almost identify what period, the week or the month, that this is likely to happen.

**Sgt ROBERTS** — I can tell you right now that the high-risk periods for us are when the weather becomes more conducive to wanting to be on your motorcycle, so it is during the milder weather, particularly at weekends. It is also either side of the Phillip Island MotoGP when we are inundated with hundreds of motorcyclists travelling from interstate.

**Mr LANGUILLER** — What resources do you have available to you, particularly during those weekends and Phillip Island? Are there additional resources? Can you put extra officers on the road? Can you talk about the resources available to you to patrol on-road. We will come to off-road later.

**Sgt ROBERTS** — On-road there is not an awful lot open to us. The state highway patrol are based in Melbourne. If we need their services we effectively have to go into a bidding or submission process to try and run a valid argument to get them up here. The bottom line is that we do not see an awful lot of them; therefore it generally falls back to me and my staff.

**Mr LANGUILLER** — How many is that? It is you — that is one.

**Sgt ROBERTS** — Yes. Technically speaking I have 8.75 people. The 0.75 is brought about by the fact that we allow part-time policing. I had a member drop 0.25 which I cannot pick up. Nobody is going to apply for a quarter of a position.

**Mr LANGUILLER** — How big is your area? What is the catchment?

**Sgt ROBERTS** — In round numbers it is approximately 9000 square kilometres.

**The CHAIR** — Covering which towns?

**Sgt ROBERTS** — Wodonga, Indigo and Towong local government areas. Effectively it is nearly to Bundalong in the west, right along adjacent to the New South Wales border up to the Victorian side of Khancoban, Beechworth, Yackandandah, Corryong, Mitta Mitta and those sorts of areas in the high country. It is a fairly extensive area and I do that with 8.75 people and three cars.

**Mr LANGUILLER** — Three cars and how many motorbikes?

**Sgt ROBERTS** — Zero. Wangaratta has just got a motorcycle which will be a divisional resource and which has seen time up in Corryong, but that is probably going to be on the minority of occasions because getting the bike all the way from Wangaratta to Corryong is going to involve accommodation and simply wasted travel time to get up there before he actually performs any task in the area.

**Mr TILLEY** — Just going on the point about the resources available to you, historically what sorts of numbers have you had in this PSA or region?

**Sgt ROBERTS** — My office has less staff than it did 20 years ago. Approximately 20 years ago my office consisted of a sergeant and 10 and then it was brought back to a sergeant and 9 because that was a cost-neutral solution to somebody's else's staffing level. With the allowing of part-time policing now where people can elect to reduce their hours — one of my staff has reduced his hours by 20 hours a fortnight and I have another one who has an application in the pipeline to do the same thing — we just seem to be going backwards.

**Mr LANGUILLER** — Why is that? What is the argument? Usually governments of all persuasions, if I may say, have various arguments they usually put to cut back, to rationalise, to restructure or to redirect resources. What has been the argument?

**Sgt ROBERTS** — The argument to allow the part-time work?

**Mr LANGUILLER** — Effectively to reduce your resources.

**Sgt ROBERTS** — I have no argument or justification that that occur. I have been against it. I have made noise about it when it has been going to occur. I am one voice in the wilderness and not a terribly successful one at that. I think it is just called playing ball.

**The CHAIR** — Have there been productivity gains?

**Sgt ROBERTS** — Insofar as — —

**The CHAIR** — Over the same time frame where different levels of communication or other efficiencies in paperwork completion through IT have meant that an officer's time is not tied up to the same degree at the door of a courthouse or in other ways.

**Sgt ROBERTS** — I do not think we have seen many productivity gains at all in terms of being efficient with our time. A lot of the backlog of stuff associated with getting people to court, preparing the paperwork and all of the background-type things is still very convoluted and time consuming. We are still way too reliant on reams of paper and lots of man-hours just to achieve basic things. There could be a lot of work with regard to that.

**The CHAIR** — Do you have any thoughts on that you would like to offer?

**Sgt ROBERTS** — Yes. With the brief system for courts there just seems to be reams and reams of paper and fishing expeditions in relation to, say, contest mention days. They are just an exercise, in my view, of lawyers getting more appearance fees. Either someone is going to plead guilty or they are going to plead not guilty under this contest mention rubbish. This is a personal view. It is time wasting. I get quite annoyed when my staff are told they have a contest mention case on because then as far as I am concerned I cannot use them for a night shift, or I cannot use them for an afternoon shift. I have to roster them for a day shift because they have to walk next door to the court and talk about why somebody should be charged with certain things and whether we can plea bargain, which is effectively what a contest mention date is. That to me is a wasted day. I

would like to see those go. The court is either a contest or it is a plea of guilty. This middle ground just seems to be wasting our time.

There are a few other areas such as the way we issue penalty notices, for example — a lot of these types of things. I walk around the city of Wodonga and watch parking enforcement officers in the 21st century using electronic things that seem to do it far more neatly and we are still writing on an A4 sheet of paper. Some are messy, some get misread, and some put wrong dates on them. We are not good at adopting technology. There are probably a few other things; I was not expecting to be asked this.

**The CHAIR** — They are helpful ideas for us to reflect upon and to drive change. It is ideas like that that in the past have driven change — someone's coalface experience that is reviewed that delivers a change. I can give you an example afterwards, if you like.

**Sgt ROBERTS** — I think we are very slow with our vehicles and mobile data. There is one vehicle at Wodonga that has a computer in it. We still cannot get computers in cars. Melbourne has got them. We have issues, and New South Wales is just leaving us behind in terms of their technology. I do not know whether that is in the same vein as what you mentioned — the numberplate recognition. All of these things just seem to be a never-ending proof of concept trial in the rural areas.

**Mr TILLEY** — Bearing in mind the patrol area that you have, the resources you have available to you and the targeted operations specifically during the times when we see interstate tourists attending that great event that we hold in Victoria, the MotoGP, apart from those things, are there any other things in this area that you are doing in relation to motorcycle safety?

**Sgt ROBERTS** — We have the Snowy motorcycle group that I was a part of New South Wales. We met up in Tumbarumba. This has not existed for a couple of years now. It basically ran out of puff when the lady that organised it all took maternity leave. It just ran out of legs. That was a group consisting of Victoria Police, New South Wales police, community members and shires. We all got together in relation to discussing what we were having go wrong in the high country. We brought the Victorian and New South Wales issues together and worked out that we have a lot of commonality there. Through that we developed brochures, which I completely forgot to bring today, but which I can provide. We developed brochures and education, which we tried to get into some of the retail outlets and cafes up in the high country where these people ride. As a result of that, I brought a PDF back to RoadSafe North East, and we developed a brochure through them. There were similar things, safe riding tips, clothing, maps and basically just food for thought for motorcyclists, but unfortunately in just a pamphlet we have not been able to tell them everything they need to know. As I said, that group is effectively no more.

**Mr LANGUILLER** — What was the name of the group again?

**Sgt ROBERTS** — The Snowy motorcycle group.

**Mr TILLEY** — Just extending on from that, you briefly mentioned being a border area where you have a relationship with other jurisdictions. You mentioned something in relation to ANPR before. As a management tool, are there other things that are happening in other jurisdictions, say, in New South Wales? We heard evidence yesterday about a state management role, which provided some autonomy in relation to those units that are charged with road safety in order to conduct their operations independently and without being tied up as an additional resource for general policing. Can you expand on some of those things for us?

**Sgt ROBERTS** — My view on that is that the smaller and more individual the highway patrols become, they become less efficient. A state control model, whether that is the way to go, I am not sure, but certainly more autonomy in terms of actually letting us perform our core functions, and some of the smaller jobs we get tied up with are absolute rubbish.

**The CHAIR** — Sorry, some of the what?

**Sgt ROBERTS** — Some of the smaller jobs we get tied up with are, shall we say, very disappointing.

**The CHAIR** — Can you give me an example of what you mean by smaller jobs, if that is appropriate?

**Sgt ROBERTS** — If somebody finds out that you are perhaps heading up to Beechworth or out to Rutherglen or something, they say, ‘Can you drop this message in for him and this message in for him, or run this dispatch to wherever?’. With minor policing jobs, or sometimes over the radio if the van is tied up, they will try to give you a job of some description which is not life threatening, not really time critical.

**Mr TILLEY** — Can I ask you as a manager and someone with responsibility principally in regard to road safety in this part of Victoria, do you think these things that impact on that role would have a direct impact on road safety as it affects injury crashes, whether they be minor, serious or even those tragic fatalities that we have been experiencing in Victoria?

**Sgt ROBERTS** — I think there is a direct impact any time we are taken away from our core function. If we are not performing our core role, we should be. The quick answer is yes, there is an effect. We like the idea that if we are traffic police, we go out and that is the job we do. We understand that if somebody needs backing up or there is another critical matter to attend to, that is fine — everybody goes. I think sometimes the lines are a little bit blurred in relation to who should be doing what.

**Mr LANGUILLER** — Can you give one example, if I may interrupt? For those of us who do not know, could you give one example?

**Sgt ROBERTS** — When you ring your resources through to the communications centre at the start of the day, you are a resource. You are a police resource. I am struggling to think of an example, but if they need somebody to go to a particular job and the van is tied up, guess who cops it. It might be kids causing trouble in the local park, or using bad language. Guess who is going? It is those sorts of things. I can probably come up with other examples given half an hour to try to reflect that, but it is minor public behaviour — stuff that is not going to result in much. You might be moving some kids on up the street, or that type of thing. Again, we get drawn off the task at hand. Are we as efficient or as effective? No, we are not.

**Mr TILLEY** — I just want to expand a little bit. I should place on record at this point that Sergeant Cameron Roberts was my immediate supervisor in my former career, so I have known him for many years and I have worked for him and with him. So just for my colleagues and the committee, we do have a relationship in that sense.

In view of the area, the patrol areas and the things that impact us here in north-east Victoria — we have many thousands of kilometres of unsealed roads, particularly in our state parks and forests — we are seeing significant numbers of crashes in off-road incidents, so when things are going wrong in off-road circumstances in this area, how do you and other emergency services get to an injured rider?

**Sgt ROBERTS** — In terms of actual access?

**Mr TILLEY** — Considering the motor vehicles you are operating in are low SS Commodores.

**Sgt ROBERTS** — It is tricky. We scrape the front and rear of our car going over the driveway of the police station, so some of these more remote locations cause problems. We struggle to get into some of the camping areas up along the Murray River at different times. One of the things I like to do is try to police a little bit off-road, but we are a bit limited in the vehicles. We like to try to get into the camping areas and do a few breath tests, because word spreads like wildfire. You only have to be in there 5 minutes, but the trouble is getting in there. With injured riders, I heard an example recently of a motorcyclist being in a remote location and somebody saying over the radio, ‘That particular car is not going to get in there. You are going to need a four-wheel drive to get in’.

**Mr LANGUILLER** — You do not have a four-wheel drive?

**Sgt ROBERTS** — Not in the highway patrol. There are four-wheel drives around at a few of the different stations, and given time you could probably access them, but when you get an issue which is obviously time critical we would rather not muck around with that. The vehicles we have got, in terms of being suited to our main issues, are good, but we do have periodic issues where access is a problem. But it is also a problem for ambulance service staff to get into various locations, and quite often it will wind up being a helicopter coming to resolve the issue.

**Mr TILLEY** — In view of the types of vehicles, the remote localities, the types of topography, the terrain and road surfaces, do you have any thoughts or views in relation to off-road motorcycles and the use of EPIRBs for the purpose of locating them and being able to facilitate and shorten that period of emergency response?

**Sgt ROBERTS** — I think the locator beacons are an excellent idea. If a motorcyclist is out on his own and gets injured, as long as that thing can be activated somebody can know about him and pinpoint him very quickly. Obviously if he has critical injuries, that will mean the difference between life and death. What was the other aspect of your question, sorry?

**Mr TILLEY** — It was just in relation to what is currently available to you in terms of resourcing vehicles, topography and the response times in responding to those off-road incidents. We have seen significant increases in off-road crashes. A percentage of them are reported, but there is a significant number that go unreported.

**Sgt ROBERTS** — Some are reported some time later for TAC benefits. We are not aware of some of them at the time they happen. They are completely off our radar until we go through our accident or crash statistics and look at some of them and think, 'I don't remember half of these', and then we find out how they happened. The topography access to them in a timely fashion can be very difficult. Once we get off the road we can struggle. We — that is, ambulance and police — can also be a long way away from the incident. One of our issues is remoteness and being able to get to people. Another issue is being able to enforce the law in remote areas. A lot of rider behaviour trades on the fact that they are remote. We have 9000 square kilometres, 8.75 people and three cars. There are lots of roads that will not be seeing us that day.

**Mr TILLEY** — So the staff at the Wodonga TMU are often having to invoke rule 305 under the regulations and put themselves at considerable risk because of the remoteness, principally.

**Sgt ROBERTS** — Effectively, yes.

**The CHAIR** — For the purposes of Hansard, could you tell us what rule 305 is, Mr Tilley?

**Mr TILLEY** — Under the regulations of the Road Safety Act it enables police in particular to breach the road rules. It enables them to speed and do a whole range of things as long as they are appropriate under the circumstances and not careless in nature. Do you agree that is sufficient?

**Sgt ROBERTS** — It lets us legally go places quickly.

**The CHAIR** — I think we have got the idea. Thank you. It is not available for the Ulysses Club, I hasten to add.

**Mr TILLEY** — Parts of this area are considerably remote. Corryong is up the Murray Valley Highway, about 122 kilometres away from here. It is a winding road that is often used by primary producers and milk trucks. There is wildlife and other hazards along it. Some people work nights up in those areas. Given the lack of resourcing, having to operate principally around the Wodonga area and having to invoke rule 305 to cover distance fairly quickly to get to those remote areas where people are injuring themselves, do you have some commentary on your concerns, as a manager and supervisor, for the welfare of your own troops having to respond in those circumstances? I do not take anything away from members of Victoria Police, their role and function and their training in relation to their capacity to drive their vehicles. The troops here are extraordinarily good drivers because of the conditions and the topography we have up here, but there is still a significant risk in that regard. Can you offer some commentary in relation to your role as supervisor and having to be mindful of morale and the welfare of your troops?

**Sgt ROBERTS** — Their wellbeing is obviously something that is no. 1 on my list of priorities. They are opened up to risk when they try to get to an incident that might be a long way away. One of the ones that comes to mind is a fatal motorcycle crash that happened at Wahgunyah 18 months ago. My bloke had to come almost from Corryong and go out to Wahgunyah. Driving at the speed limit and taking it easy, Corryong is about an hour and a half from here. Wahgunyah is about another half-hour or 35 minutes out to the west. When you hear that sort of scenario start to unfold, you know he has got to push it. From a supervisor's point of view there is something there to manage, and there are further risks. It would be very nice to have resources there, there and down there. I wish we had a magic pot from which we could take some extra money and create those resources,

but we try to basically task to where the issues are. Murphy's Law says that when an incident occurs, on most occasions it will be where the police car is not, so that is going to involve trying to get there relatively quickly.

I have said to my staff — rightly or wrongly, and I do not really care how people take it — if it is a fatal, do not bust a gut getting there; they are not getting any deader. I do not mean that in a belittling or uncaring way, but I take that line because I would rather see my staff go home at the end of their day. What is the point in pushing?

**Mr LANGUILLER** — Can I just ask you whether there is any one incident, accident or fatality where you think if you or any of your staff had gotten their earlier, that person would have survived? Is there any one incident that comes to mind, even anecdotally?

**Sgt ROBERTS** — One that comes to mind is a motorcycle fatality up on the Wabba Gap, which is on the Murray River Road. Wabba Gap is the only hairpin bend. That was a fatal crash where a motorcyclist travelling to the GP ran wide on a bend and struck the only oncoming car that was present for miles. He died while waiting for a considerable time for medical assistance because the location was so remote. He was not necessarily waiting for police — there was probably naught we could have done — but because of the remote location and the wait for an ambulance that person is no longer with us.

**Mr PERERA** — Thank you for your presentation. What are your thoughts about the best way to encourage riders to wear protective gear?

**Sgt ROBERTS** — Legislate.

**Mr PERERA** — Do you support making it mandatory?

**Sgt ROBERTS** — Absolutely.

**Mr PERERA** — What sort of protective gear? A helmet is of course mandatory.

**Sgt ROBERTS** — At present the only thing that is enforceable is the helmet. The helmet has a standard, but everything else sneaks through the cracks. As a bare minimum, I think there should be a prohibition on shorts, T-shirts, singlets, flimsy sneakers and that type of thing. On a more proactive level, mandated should be clothing that would actually protect a rider, such as boots and a jacket. The pants are open to interpretation. I am not a motorcyclist. I have only ever ridden dirt bikes, so my expertise in on-road clothing does not exist, but I think mandating a certain level of protective clothing would be very sensible.

**Mr PERERA** — How do you enforce it if you do not have a standard? Some people can wear their gardening gloves! How do you enforce it?

**Sgt ROBERTS** — It may come down to something like the same way we enforce helmet standards. There is a compliance sticker on the helmet, and if it is not there, it is not a helmet.

**The CHAIR** — Are you ever involved in issuing fines for non-compliant helmets?

**Sgt ROBERTS** — That happens so rarely that it really does not matter.

**Mr PERERA** — What are your views on filtering and lane splitting — that is, motorbikes splitting the lanes and changing lanes?

**Sgt ROBERTS** — It is unsafe. We do not see too many instances of it around here because we do not suffer the sort of congestion that you might experience in Melbourne and places like that. The notion of a motorcycle trying to coexist with any other sort of vehicle in the same lane I do not see as safe behaviour, because at points in time it will involve the motorcycle being in somebody's blind spot and coming up between the traffic, and your average driver quite often is just not expecting it.

**Mr PERERA** — What are your thoughts on filtering — that is, when the vehicles are stationary, the motorbike filters through the vehicles at the signal light or something like that?

**Sgt ROBERTS** — That is less risky but still not as safe as it could be if they just took their turn or took their lot and sat in the queue like everyone else. But it is obviously less risky than lane splitting with moving traffic.

**Mr PERERA** — Do you think that should not be allowed because it is risky? Should we make it illegal?

**Sgt ROBERTS** — Filtering or lane splitting?

**Mr PERERA** — Filtering.

**Sgt ROBERTS** — I do not really have a view on it, to be honest. I think lane splitting with moving traffic should definitely be out. If the other traffic is moving, I think there is too much risk there. Regarding filtering, I should probably say that I have not investigated a crash, or I am not aware of a crash around here, that has come about through filtering. From an evidentiary point of view, I obviously do not have the evidence to say that it should not happen. I can see it being less safe than just sitting in the line of traffic, but once that traffic is moving, there is no way the motorcycle should be trying to weave through or share the same lane.

**Mr ELSBURY** — Thank you very much for your time today. I was listening to the experiences you have had with off-road riders and the issues you have with their remoteness. I wondered about how much exposure you put your troops in with riders — whether or not you pull over cars that are towing trailers and just give them some friendly words of advice, or maybe if you are able to get up into the campsites, you hand out a few brochures or just give them a few tips and that sort of thing. Is that something that is being done?

**Sgt ROBERTS** — Very rarely. We do not do a lot. The police who have four-wheel drives do it more than we do because they can get into those areas. It is done on a number of holiday weekends and that type of thing. I am aware that the policeman at Mitta Mitta does it. The guy who was at Yackandandah used to do it. He used to get up into the areas where blokes ride off-road because he had both the four-wheel-drive and the inclination to do it. He spoke to them, and just the fact that they saw the police up there obviously had some effect. But these guys get into some pretty remote places.

**Mr ELSBURY** — You were saying earlier on about being in a remote place, sometimes they take advantage of being able to open the throttles just a little bit more than they normally would. Are there any endemic issues that are associated with their activities that you have had to deal with?

**Sgt ROBERTS** — Off-road?

**Mr ELSBURY** — Off-road.

**Sgt ROBERTS** — We do not normally hear too much about it. Normally the only time we hear about anything off-road is when it has gone wrong and when someone has come unstuck.

**Mr ELSBURY** — So there are no issues of property damage, even up in the parks, or of ripping up trails and that sort of thing?

**Sgt ROBERTS** — Not that I am made aware of. The only thing I was aware of a couple of years ago was trail bikes using the rail trail out at Bonegilla, just out of town here, but that is all I have really heard about. Generally speaking the only time we know very much at all about it is when it has gone wrong and somebody gets hurt.

**Mr ELSBURY** — Do you have much contact with trail bikes on the fringe of the township at all?

**Sgt ROBERTS** — In what context?

**Mr ELSBURY** — Young blokes going out to paddocks and giving it a red-hot go or zipping across roads and that sort of thing?

**Sgt ROBERTS** — With most of my staff, if they find people on trail bikes who look like they are going to have a bit of a play around, they might get checked just to make sure all is good. We do not generally have too much of an issue with it. We do not have to make it terribly much of a focus.

**Mr ELSBURY** — On a totally different tack, you have had experience with trail bikes in the past. That is where your main experience has been. If you were to convert over to a road licence, if you were wanting to feel the wind in your hair — —

**Sgt ROBERTS** — What there is of it, yes?

**Mr ELSBURY** — I am heading towards the same club, so I am not making any comment. But if you want to get the full feel of the exhilaration on the road and understand just why these guys are out there, zipping around in their middle age, on these hogs, what kind of training would you expect to receive? What kind of training would you expect to have to go through to be able to get your licence?

**Sgt ROBERTS** — I would expect to see it graduated up in whatever fashion. I am not up to speed with what is required to get the entry-level licence now, to be perfectly honest, but — —

**Mr ELSBURY** — Not much, trust me, I have got it.

**Sgt ROBERTS** — Yes, I do not think there is enough involved in terms of motorcyclists really understanding, from an educational perspective, about their personal safety. They might get taught how to physically manipulate the bike, in theory, and they say, ‘Congratulations, here is your licence. Now go away and learn the other 99 per cent of what you need to know by doing time on the road’. I think there certainly needs to be a lot more education on personal safety and why things are the way they are.

At the moment nothing stops somebody getting their licence on some tiny little motor scooter, and then deciding, ‘I do not want to ride that any more because I have now got married, I have got a mortgage and I have got kids’. Yet in 20 years time the same person wants to come back to riding, and because he has kept his licence — a motorcycle endorsement is automatically linked to your car licence so it is always kept current — even though he may not have put his backside on a motorcycle for 20 years, and the last time he did it could theoretically have been on one of these tiny little motor scooters, if he decides he likes the look of a 1200cc Harley-Davidson in the shop window, he can legally go and buy it, and he can legally go and ride it. Should he be on it? Absolutely not! How you graduate up remains to be seen.

**Mr ELSBURY** — Would you be suggesting a separation of scooter licences from motorcycle licences, or would you be suggesting an extension time for your motorcycle licence so that it is not connected to your normal motor vehicle licence?

**Sgt ROBERTS** — I guess if the extension by virtue of just paying the money each time could be prevented — in other words, if they were viewed as two separate licences — obviously what the person is going to do is that he is going to pay both fees so that he will keep them current if it is just simply a renewal process.

I am aware that Senior Sergeant Gore yesterday made the comment in relation to the fact that it may be easier if that person has not had a bike leased to them in the last five years — it would be pretty evident that their riding time may be somewhat minimal. Would it then be prudent to say, ‘Okay, we want you to come back for a re-test in five years or we will just remove the motorcycle endorsement’? I think there should be something there that does not allow this progression from, say, something that is no more than a motor scooter that somebody usually just puts around town on and might commute to work on to using the same licence as a rider on a 1200cc Harley-Davidson. They should, in my view, be separated.

**Mr LANGUILLER** — There are important points in the inquiry, but I want to refer to two in particular, and I invite you to comment. On data collection, our committee and governments and indeed agencies — yourselves, TAC, VicRoads and others — rely upon data collection for the purpose of making recommendations that may in the future improve the safety of riders. I quote from this to refresh your mind in terms of our inquiry into motorcycle safety:

(c) the attitudes of riders to safety and risk taking including drugs, alcohol, travelling at inappropriate speeds ...

I refer to those issues of drugs and alcohol because you and the paramedics are likely to be the first ones at the scene of an accident or incident. I invite you to think about the process by which you identify potential issues of drugs and alcohol. Also:

(g) countermeasures used in Victoria, Australia and other comparable overseas jurisdictions to reduce the number and severity of motorcycle accidents with reference to road environment treatments, behavioural change ...

In other words, the analysis of what actually happened on the ground once there was an incident and the reporting by your officers who are on the front line would be very critical for us to be able to make

evidence-based recommendations. Was it the rider? Was it the other driver or rider? Was it the road — the quality of it, the materials that were used to build it, the bend, the corner? It is all those issues.

The question I ask you — in terms of on the ground, on the front line — is: how do you collect this data? What does an officer do when he or she turns up and once they have got the paramedics involved and so on? Do you have to sign the forms? Are you confident with them? Do think there is a standard procedure? Are your officers trained enough? I am cognisant of time constraints, but I think it would be very useful for our committee to hear from you on that.

**Sgt ROBERTS** — The recording of it is on our TIS system, or traffic incident system. It is a statewide generic system. Our approach is to look at the environment and see whether we are of the view that that in any way, shape or form contributed to it and also to look at the motorcycle and try to work out whether there was any sort of defect. Then we look at the rider and consider the rider's behaviour — is he licensed for what he was riding? All these types of considerations are looked at.

If anybody is injured and taken to a Victorian hospital, they are routinely screened for alcohol and drugs. A lot of road trauma here goes to Albury, and they have got slightly different drug and alcohol testing processes. Because we are aware of some of the differences, we can simply make a phone call and make sure blood is taken and that it is screened for alcohol and drugs. We are fairly strict with enforcement on alcohol. Also, when I say 'drugs', I do not mean just the illicit stuff. We get certificates coming back to us after crashes that show us the analysis of that person's blood test. Wherever possible, they are prosecuted if they come up wanting. It is not beyond the realms of possibility that somebody may have a crash — and this is anybody having a crash, not just motorcycles — through mismanaged medication. Our mechanism for checking that it is they go to hospital, we get blood certificates back and we look at what is in them. We may say, 'That is okay, it is not out of whack'.

We look at a whole range of things. In relation to the environment, we have mechanisms for reporting what we perceive to be unsafe environments for motorcyclists. We have traffic liaison committees with the local councils, although Towong are a bit slow. In relation to identifying road faults, safety issues and that sort of stuff, we meet generally quarterly, but any issues we pick up we just communicate straightaway by email or phone and we get things fixed. An example of those are some of the roundabouts in Wodonga, where the roads are starting to get compressed, pushed and worn by heavy vehicles. We identified that there are risks to motorcyclists with that type of road environment or road surface, so we got onto the council, which has it on its list of things to do.

**Mr LANGUILLER** — Do you have a system in place?

**Sgt ROBERTS** — There are systems in place in terms of reporting environmental issues that need resolving. The statewide standard system for recording a crash is our TIS system. The systems in relation to blood tests, I think, are well known. Anybody taken to hospital as result of a crash will get blood taken, and that blood is analysed. There is enforcement for anyone who comes up wanting. That is generally pretty good.

**Mr LANGUILLER** — Are these handwritten reports which somebody else other than the officer returns and then you type them up?

**Sgt ROBERTS** — No, you come back and find the computer and start.

**Mr LANGUILLER** — You cannot do it directly onto the journal, for example, taking notes directly onto a system?

**Sgt ROBERTS** — No, you cannot do it in this day and age.

**Mr LANGUILLER** — It honestly appears to me that you do a lot of work, altogether.

**Sgt ROBERTS** — There is a bit of typing and a fair bit of report writing, I guess, to use the broad expression. Some of the data we keep in our TIS system could be a bit better, but generally it is not too far off the mark. Things like quantifying speed, for example, when we have opinions in relation to crashes and somebody checks the speed box and you can read that two ways — was it over the speed limit or was it an inappropriate speed within the speed limit?

**Mr LANGUILLER** — Which one do you register? Do you have a box for that?

**Sgt ROBERTS** — We only have one box.

**Mr LANGUILLER** — You do not have two boxes, so technically speaking riders would then be exceeding the speed — they would be speeding? Because if you cannot distinguish between an appropriate speed and speed per se, as in excessive speed, then it all becomes one, doesn't it? I am doing 60 kilometres per hour and it is raining. Maybe I should have been doing 50 or 40, but I am doing 60. That is inappropriate speed.

**Sgt ROBERTS** — That is my contention — that a lot of this stuff has to be accurately quantified. To have a single box for speed is erroneous; to have a box for illegal speed and inappropriate speed would be putting things in true context. It may be accurate to say, 'Okay, you were going too fast', but if somebody were to turn around to me and say, 'What would you do about that?', I would have to ask the question, 'Was it illegal? Was the speed illegal?', in which case enforcement may be a remedy if there is an endemic problem in the area. But if it was an inappropriate speed, I could probably solve the same issue by putting a sign up and ringing the local council. So in terms of the capturing of information, there have been little bits of improvement but — —

**Mr LANGUILLER** — Thank you for that. That is a very practical recommendation of an issue that would help you and us and the agencies deal with this issue if we were to multiply that around the state, so I think that is a very good point. Thank you.

**The CHAIR** — How many years have you worked in the highway patrol for, roughly?

**Sgt ROBERTS** — Over 20.

**The CHAIR** — Over 20 years, yes. Thank you for the contribution of your insights based upon that level of experience in the region. I know in metropolitan Melbourne if there was a proposal to move a police station 3 kilometres in a different direction, there would be community concern expressed if people did not have the same access to a police station. I contrast that with a police car that has to travel two hours, possibly at high speed, to get from one area of your patrol area to another. There are contrasts between rural and regional Victoria and what takes place in metropolitan Melbourne and how those areas are wisely balanced in their resourcing.

I have a couple of further comments. In relation to your experience and where you can contribute to the work of the committee, you have an invaluable breadth of background and skill set that can inform our deliberations. At one level you are concerned about the time spent for mention hearings. Every now and again it is worthwhile looking at an issue like that and saying, 'Can it be done better?'. Now, with modern methods of communication, there could hypothetically be a telephone mention hearing so that an officer does not have to spend five hours at a court waiting for a matter to come forward but could just be available for a telephone conference, for example. Certainly in a regional area that may free up a bit of time. Hypothetically there might be arguments against it as well.

I would be interested, from your vantage point of 20 years experience, in whether there is one idea among the many issues canvassed today that you would like to see implemented by way of legal change that might prevent, in the words of a mother reported in the *Age* newspaper last weekend: 'I joined a club I never sought to join — that of a parent of a person who was killed in a road accident'. Is there one area of change where you think, 'If only they did this'? You do not have to answer now. You are welcome to relay it to us later on. We are looking for practical on-the-ground measures that might lift up outcomes.

**Sgt ROBERTS** — Is this relative to motorcycles or more broadly?

**The CHAIR** — Principally motorcycles — while we have Hansard on deck we should confine our inquiry to that. But if there were other ideas from you to which we could cite your practical background, your 20 years of experience and your coalface insights, then they are matters that can be relayed through Mr Tilley, for example. But it is more in relation to improving safety for motorcyclists.

**Sgt ROBERTS** — Yes: one of the problems — and in terms of what the legislative fix would be, I am not 100 per cent sure — which I touched on before is in relation to simply retaining a licence by virtue of the passage of years and the automatic entitlement to ride a much bigger machine, and I do not know if riders

should demonstrate that they are actually capable of riding much larger machines. Another issue is that I believe the carriage of a pillion passenger should be an endorsement.

**Mr PERERA** — You make an assumption that riding larger machines is difficult. Is it harder than riding the smaller machines?

**Sgt ROBERTS** — Not being a road rider I cannot speak from an experienced point of view, but they are fundamentally different in terms of their mass, weight and, obviously, handling characteristics. If you get a little motor scooter around town here, it is going to be vastly different to a big Harley-Davidson tourer. With those obvious differences in mind, is there something that can happen in between to make sure that people are all right to get on the thing? I am not saying that everybody who makes that transition is going to fall off. Some people may be lucky and not have an incident, but over the years some have not been lucky.

The other thing was the pillion endorsement. If you put a pillion on a motorbike, even not being a road rider, if you put somebody on the back of it, you will change the handling characteristics of that machine. Where is the training there?

**The CHAIR** — Is that based upon any accidents you have attended or is it more a general comment?

**Sgt ROBERTS** — I have attended two pillion-related crashes over a significant period of time, but it is also an observation in relation to some flimsy riding I have seen that has not culminated in a crash.

**The CHAIR** — What was the outcome with the two pillion-related crashes?

**Sgt ROBERTS** — Not terribly much. There was someone who should not have been having a pillion on anyway by virtue of their time of licence. There was nothing major by way of injury or anything, just the loss of control of the bike on two occasions over a long period of time, but also over the years some pretty sloppy riding by people with a pillion on the back. Are the pillions briefed in any competent fashion by the rider? If the rider does not know and has not had training in having somebody on the back, what do they tell them? I guarantee that you could pull over the next 20 motorcyclists you see and they would give you 20 different versions of any briefing they would give a pillion rider as to how to behave on the back of their motorbike. When I say endorsement, that may just mean a level of education. It may not be putting them through hoops. It might just mean a level of education is required.

**The CHAIR** — Sergeant Roberts, thank you very much for the giving of your time today. If you have any other insights or thoughts feel free to relay them to the committee. You will get a copy of the transcript from today, which you are responsible to browse to correct your typos, so to speak. You can get that back to the committee. On behalf of my colleagues, we thank you for your insight, expertise and time.

**Sgt ROBERTS** — Thank you.

**Witness withdrew.**