

TRANSCRIPT

ROAD SAFETY COMMITTEE

Inquiry into motorcycle safety

Melbourne — 7 March 2012

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

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Witnesses

Commander T. Carter, office of deputy commissioner, regional and road policing, state policing office,

Superintendent N. Taylor, road policing operations and investigation division,

Superintendent N. Paterson, intelligence and covert support division,

Senior Sergeant J. Chester, road policing strategy division,

Inspector B. Harman, state policing office,

Ms J. Rebeiro, acting group manager, operations system support division, and

Ms M. Mulhearn, enhancement lead, operations system support division, Victoria Police.

The CHAIR — Good afternoon and welcome to the public hearings for the Road Safety Committee's inquiry into motorcycle safety. As you may be aware, we have received some 74 written submissions since the release of the terms of reference. The purpose of the hearings is to obtain further evidence from selected witnesses covering the terms of reference. Hansard will be recording today's proceedings and a proof version transcript will be provided to you so that any typographical errors can be corrected.

I would ask observers to respect the rights of witnesses and the responsibilities of the committee by keeping noise and movement to a minimum and if those with mobile phones could switch them to appropriate mode. Thank you for attending the hearings this afternoon. Anything you say will be recorded by Hansard and has the benefit of parliamentary privilege. Should there be anything you would like to say off the record that does not end up on the committee's website, we are happy to take in camera evidence as well, unlikely as it may be in the current context. To open the bowling I might get Mr Tilley to start with the first question.

Mr TILLEY — Good afternoon, ladies and gentlemen. This question is specifically in relation to data as it relates directly to road trauma, crash statistics and those matters.

Cmdr CARTER — Before we start, Mr Tilley, can I just introduce the people that I have here because it will then assist in shaping the sorts of questions you might have if you understand the areas that they represent. I am representing the deputy commissioner, Kieran Walshe. I am in charge of the deputy commissioner's state policing office, which covers a range of functions and across the board portfolios of each of the deputy commissioners. To my right is Superintendent Neville Taylor. Neville is the commander of the road policing operations and investigations division. To his right is Superintendent Neil Paterson. He is the commander of our state intelligence division and responsible for the management of intelligence across Victoria Police in that division. To his right is Ms Jen Rebeiro, one of our acting managers in terms of data. To her right is Inspector Brett Harman. Brett is one of my inspectors at the state policing office. He is responsible for the planning, organising and delivering statewide operations, and included in those are road policing operations.

As members of the audience we have Inspector Ryan Irwin, manager of our road policing intelligence unit, and Acting Superintendent Stuart McGregor, who is the acting manager of the road policing strategy division. So we have a range of managers. We also have Senior Sergeant Jamie Chester sitting at the back there; I am sure Jamie is known to you. That provides a range of people with various responsibilities. The reason we brought those people along is that we understand you have a range of questions that you would like to ask us, and rather than one person, being me, trying to answer all those questions, we thought it would be appropriate that we have the subject matter experts here to answer your questions as fully as possible. I am hopeful that we can meet your requirements.

The CHAIR — Thank you for that background.

Mr TILLEY — Thank you; no doubt that is a good move and will be very helpful for this committee. I want to ask a fairly lengthy question about the data and specifically as it relates to crashes, road trauma and those things. This is one we previously prepared and I have been given the opportunity to ask it, so if at any stage you need to stop and discuss a part of it, we can do that and then move on.

This inquiry has been going on for some time and we have heard from many witnesses, including a number of riders and people from departments and other sectors that are specifically involved in using road trauma records and data for reasons specific to their function. That can mean data collected by one agency might not be much use to another because of the way the agency has recorded or used the data or because they did not collect additional data at the time.

Before I go any further, there has been a lot of discussion in relation to TIS and the first instance capture there. My specific question is how interoperable are the datasets of different road regulators? What we really wanted to drill down to is how can we optimise the data collection so that we can collect information that is useful to all the regulators specifically involved in motorcycle safety? Are you able to suggest any alternative to the current approach of having multiple datasets where data cannot really be used across agencies because of the way that it has been collected or because the first agency did not collect information that would have been of use to another agency?

You understand we are speaking specifically about Victoria Police and VicRoads. When they come up with a specific example, they come along 24 hours after the incidence of a fatality and they speak to the investigating

official and those sorts of things, but it is how they capture the hospital information. Could we have some commentary and discussion in relation to that?

Cmdr CARTER — I think the two people who are best placed to answer those two questions, or those two elements of a question, are Ms Jen Rebeiro and Superintendent Neil Paterson. I think we might start off with Jen perhaps addressing those issues.

Ms REBEIRO — In respect of the data that is provided to our partner agencies, TAC and VicRoads, we provide a standard provision set of data — so it is one dataset — and then they will consume it. They will consume it into their application depending on the requirements they have and also depending on the capability of their system. For example, VicRoads may not be able to receive some of the data because of the age of their application. But in short we provision one set of data and they consume it based on their requirements.

Supt PATERSON — Mr Tilley, if I might just continue. I think we have already provided you with a list of all of the data that the traffic incident system collects; it is quite a complex dataset that is already collected there. We know that the traffic incident system which captures information around vehicle accidents does not contain all of our information sets. For instance, if we deal with drink drivers who come out of an accident, the traffic incident system may capture the whole accident scenario but it will not record the result of an evidentiary breath test out of a result of that accident; that is stored somewhere else in Victoria Police.

I am going to throw back to Jen in a moment. We have some other systems within Victoria Police, but we also have a project being managed by Jen at the moment called PIPP, which is looking at how best we can integrate some of the other databases that we manage in Victoria Police into one framework so that we can run queries across a simple dataset rather than having disparate datasets across the organisation. Just to make it clear, there is only one dataset, TIS, that captures all accident information.

Mr TILLEY — As a supplementary to my question, we were advised this morning that there were some changes to TIS yesterday. Are you able to expand on that and give us some detail?

Ms REBEIRO — There are a number of changes that are occurring at the moment through TIS. We are doing some work around data quality and around members opinion data. We are currently expanding that set of information. Currently the set is ‘driver error’. We are expanding that to provide a little bit more detail. Did you want the detail around what we are expanding?

Mr TILLEY — Just some commentary. It is possibly subjective.

Ms REBEIRO — It is subjective as it is the members opinions as to the cause of the accident. That includes things like ‘failure to give way’, et cetera, as additional data elements that we are including. Some of the other activity that we are undertaking is around data quality, so that is ensuring that the data is validated against our partners and making sure that, for example, this accident and this individual is exactly the same detail that is coming through from TAC or VicRoads.

There is some other work going on around the quality and the logic of information. For example, if a member puts in a vehicle and enters ‘motor vehicle’, they are asked to give further information like, ‘Were seatbelts utilised?’. The prompts currently are, ‘Yes, seatbelts were utilised’. If they go back and change that to ‘motorbike’, currently the information stands that seatbelts were used. We are improving the logic of the system so that now if you change it to ‘motorbike’ it gets rid of all preceding data and goes through that process again: ‘Were there passengers or pillions?’, et cetera. That is the sort of improvement that we are making to enhance or enrich the data that we currently have.

Mr TILLEY — Some of the commentary this morning — and this is probably a separate issue — was that specifically VicRoads, with some of its mapping and its demands, is not able to record longitude, latitude, altitude and those sorts of things, which you would not ordinarily expect — —

Ms REBEIRO — We capture that data.

Mr TILLEY — You are capturing that data?

Ms REBEIRO — Yes, we capture it now. The MARS 2 project will enable us to go through and get the geo-coordinates; it is just a matter of whether our partner agencies can receive it or whether we provision it.

Supt PATERSON — Jen, you mentioned the qualifiers that go around members opinion. Are you able to just break them down?

Mr LANGUILLER — Through the Chair if I may, I am particularly interested in the issue of speed. Can you elaborate on what your data would be on speed?

Ms REBEIRO — We have the field ‘speed’, but we do not provide too much qualifying data around it. So it is just a tick list, speed, and there is no further qualifying data on that.

Mr LANGUILLER — What would be the question there for the tick?

Ms REBEIRO — In the members opinion, ‘What was the cause of the accident?’, they are able to select the field ‘speed’.

Mr LANGUILLER — So, for example, would that translate into a illegal speed or inappropriate speed?

Ms REBEIRO — Currently it does not allow us to provide any additional information.

Mr LANGUILLER — Are you looking at that?

Ms REBEIRO — Not at the moment.

Supt PATERSON — I can talk to some of the intelligence around the words ‘speed’, ‘speeding’, and ‘excessive speed’. Did you have those other categories?

Ms REBEIRO — Yes. If it is a driver-related error, currently we capture it as ‘driver-related error’. We are looking to expand that dataset to ‘careless driving across double lines’, ‘distraction external’, ‘distraction in the car’, ‘failed to obey traffic light’, ‘failed to obey traffic sign’, ‘failed to give way’, ‘intersection lane change not at an intersection or roundabout’, ‘failed to keep left of centre’, ‘following too close’, ‘reversed unsafe’, in addition to ‘alcohol’, ‘driver inexperience’, ‘drugs’, ‘fatigue’, ‘medical condition’, ‘mobile phone’ and ‘speed’.

The CHAIR — How would they assess something like fatigue?

Ms REBEIRO — You can choose multiple categories, so you could say there is a ‘driver-related error’ and then select ‘fatigue’, and then you could say ‘distraction internal’ or ‘failed to give way’. I will let you talk about how you would apply the analysis.

Mr PERERA — Fatigue is not an offence, is it?

Supt PATERSON — Fatigue is not an offence. We are talking about it as in the member’s subjective opinion as to what the possible cause of an accident is, so it is not an offence per se. It is important to keep in mind that this is preliminary; this is information that is entered into TIS at the time of or shortly after an accident and it is only the member’s opinion. After this, if it is a particularly serious accident, we may have other areas of Victoria Police coming in to do some other work: a full assessment — and Superintendent Taylor can talk about this — of whether a vehicle was speeding at the time. It is only subjective information, to give us an opinion by the police member at the time of the causal factors of the accident.

With regard to the terms ‘speed’ and ‘speeding’, I think we were given some notice that there was also some talk about ‘excessive speed’ and ‘inappropriate speed’. I can say that from an analytical perspective or from an intelligence perspective when we talk about those elements we generally talk about speed and speeding. ‘Speeding’ clearly means that a vehicle is travelling in excess of the posted speed limit. ‘Speed’ can be used to describe where speed was a contributing factor to the outcome, but it may not necessarily include a speed that was in excess of the speed limit. It may be that a road had a 100-kilometre-per-hour limit but at a particular bend in the road, where there was no change in the speed limit, the speed that they were travelling at — let us say 90 — could have still been excessive for that particular bend in the road. So speed being a factor may well not be over the speed limit.

We generally try to steer clear a little bit now of the terms ‘excessive speed’ and ‘inappropriate speed’. However, ‘excessive speed’ is generally used to describe speed in excess of the speed limit, although some police members use it to describe speed that is grossly in excess of the speed limit. ‘Inappropriate speed’ again

is sometimes used to describe speed in excess of the legal speed limit, but generally it is used to describe any speed including a speed under the speed limit where the circumstances dictate that the speed was not suited to the prevailing conditions.

In the dataset that Jen has just spoken about as member's cause, speed is simply a contributing factor; it does not then delineate between speed over the speed limit or speed under speed limit being a causal factor.

The CHAIR — If you have only one description of 'speed', how would you determine whether it is inappropriate speed or excessive speed?

Supt PATERSON — You would need to look at further information into the dataset. One of the other fields that is captured in relation to motor vehicle accidents is the speed limit for the road that they were travelling on. There will be different information around. We have what we call DCA codes, which might talk about how the accident occurred, where in the road it occurred, so there are a number of factors —

The CHAIR — The acronym DCA — would you mind, just for Hansard's benefit, defining it?

Insp. HARMAN — I can answer that. It is definition for classification of accident.

Supt PATERSON — That describes a whole number of codes to describe if a vehicle went off the road to the left or off the road to the right or collided at a T-intersection — those sorts of classifications. Between the classification, the road location and the speed limit for that road and the member's opinion of cause, generally you can get a picture out of that as to whether it is speed in excess of the speed limit or speed was a causal factor but it may not have been in excess of the speed limit. Keep in mind that this is all after the picture, after an accident has occurred. There may well be some witnesses to an accident who may have informed the police member's position that he or she was coming to determine to put in the accident report.

Mr LANGUILLER — How confident are you that officers on the ground actually understand the significant subtleties? We are cognisant of how much work there is for police officers, and so on, and certainly they turn up after the event, but is there uniformity of training?

Cmdr CARTER — Superintendent Taylor could address that from a training and education perspective, because it is a really pertinent point.

Supt TAYLOR — It is an area we have really focused on in the last two years to start up what we have called our road police and capability project. The end result, in simple terms, has been the establishment of a school of road policing in our whole education program. In regard to addressing that, as you have quite correctly looked at, you have a general duties police officer who is first in attendance. A lot of the data that we are talking about here is about that first impression of or first take on a crash scene and perhaps some input of witnesses. Their experience could be quite varied and that leads to the questions around 'Is fatigue an offence?', because in the ongoing investigation it depends on the severity of the accident. We could end up with our highest qualified major crash investigators and crash scene reconstructionists then come and spend considerable time rebuilding that scenario and actually putting together a very reliable picture of exactly what were the factors.

This is the information that then gets captured from an intelligence perspective in a final report for the coroner or a brief of evidence that might go before the courts where some of those factors could then be significantly different around perhaps a reconstructed speed. They can get it within certain kilometres an hour — that immediately prior to and at the point of impact a vehicle was travelling at X kilometres an hour. So there is a significant difference in that.

In answer to your question about fatigue, whilst fatigue is not an offence per se, resulting from that very high level of investigation we could at times see offences such as careless driving, dangerous driving or reckless driving come out of that situation being the fatigue matter. We have seen that at times.

In relation to the standard of that first attending officer, where we are at the moment across the whole of the general duties policing is through the training that has been developed. If we look at the high-level training, we have 39 members in our major crash investigation who are trained in primary collision scene analysis, then major crash scene analysis, and then they go through our full detective training school, and as of 2010 they are

qualified detectives and investigators. Seven of those are dedicated crash scene reconstructionists and mechanical investigation specialists. They have various degrees around engineering and science that support them in doing that role. That is our high-end capability.

To go back to the starting end now, in our recruit training operational members now undergo 33 weeks of foundation training, which is interspersed with periods of consolidated training at designated training workplaces across the state. Two weeks of that foundation training now is dedicated to just road policing. That is around week 20 of that training. So they go into that now with already some consolidated training around police craft and investigation skills, and some exposure to and experience around attending crash scenes. We can guarantee that in 20 weeks police have certainly had the need to attend several crash scenes — vehicles, motorcycles and pedestrians.

That component is very much legislation focused. There is a review under way at the moment, even though that has been in place now for a little under 12 months. The review is about incorporating a bigger focus on hoon driving and collision investigation. This is styled very much at that element of the first police officer at a crash scene is making those opinions and subjective views around the elements that Neil and Jen have just been talking about. That is embedded into the recruit level training now.

Recruits come back to the academy after two years, into what is now called a take-charge retention training. That is their final bit of consolidation. That two-week program has one full day that is now dedicated to collision investigation. Again it is about investigation responsibility of the first attending officer at a crash scene. The aim is to maintain those skills that they have been picking up in that two years on those decisions and interpretations around the DCA codes and speed and the other things you have been talking about here. Then we go into what we call the school of road policing advanced training, or the road policing investigators course, and this is a new element now that has come out of our capability project. This is based on whole-of-road trauma, but it has certain elements that are dedicated to motorcycle crash scene attendance. This is three weeks of advanced training, completely around investigations of crash scenes. It is open to all general duties officers, all our state highway patrol officers, of which there are 180, and all our regional highway patrol officers who work at the highway patrol units in the regions throughout Victoria. It is mandatory that as part of their positions they complete this program within 12 months, either at the time of appointment or within 12 months of being appointed.

There are 11 courses a year. Generally about 15 highway patrol officers participate in these courses, with the rest being general duties officers. The first week is legislation and reading and interpreting intelligence. The second week is the actual collision scene investigation. It focuses on crime scene inspection, styled around motor vehicle, motorbike and pedestrian crash scenes and around gathering evidence. How it works in the field is that in the first-on-the-scene initial action stuff, what they are aiming to do is scene assessment interpretations and gathering evidence that is later processed forensically by the major collision investigation group reconstructionists and mechanical investigators. The third week is then focused around heavy vehicles and roadworthiness.

That is where the organisation is at the moment. That has developed in the last two years as part of the road policing capability project to enhance skills. Primarily it is around the first-on-the-scene general duties officer, or highway patrol officer, to try and get some better consistency and expertise around what is not only going into an investigation that might result in a coronial or court matter but also what feeds into the datasets.

Mr TILLEY — You have certainly come a long way from years gone by.

Supt TAYLOR — It really has come a long way.

Mr TILLEY — I suppose in that sense we know the circumstances that every licensed driver in Victoria must report a crash which involves injury, offence or damage. There are probably about 30 per cent of crashes that go unreported. I suppose part of the training side of it is about those that are taken over the counter rather than specifically picking up on the data and getting that balanced, because a significant amount of crashes either go unreported or police do not have that ability or capacity to investigate them as well as we are trying to achieve now.

Supt TAYLOR — I think you have already been getting some information that that is a particular issue we recognise with motorcycle trauma and off-road motorcycle trauma — —

Mr TILLEY — That is where we are going.

Supt TAYLOR — And the reasons for the non-reporting of that.

Cmdr CARTER — It is fair to say we recognise that as a significant issue in terms of the ability to understand the road trauma in off-road motorcycles. We understand there are some gaps there in reporting, primarily around the road users.

Mr TILLEY — In other jurisdictions and with the problems that we have with this underreporting and things like that, is there a part to play in this jurisdiction that some self-reporting on some of the lower-level stuff might pick up on some of this data or loss of data?

Cmdr CARTER — I think our experience around off-road motorcycles is — and correct me if I am wrong, any member of the panel here — if there is a collision off-road in perhaps a recreational area, an alpine area, it might be that the person is not injured and they do not report it. It could be that a few days later they discover they have got themselves an injury and then they either still do not report it or they go to hospital. They may choose to report it to the police. So if my understanding is correct, we do not have a foolproof system to capture all of those collisions that occur off-road.

Mr TILLEY — It is certainly not the blame game. We are not sort of — —

Cmdr CARTER — No, I am not suggesting you do, but I am trying to put it in the context that we very much rely on reporting from people who have been involved in those collisions. Unless for some reason we come across it, we very much rely on self-reporting. That is part of the work that Jen mentioned before is trying to make sure that our data is as good as can be. A particular project they are undertaking at the moment is to look at the TAC data, to validate the TAC data against our data to see if there are any gaps. If there are any gaps, then how can we fix that?

Supt PATERSON — That is important, and Jen can speak to that because we do go back.

Ms REBEIRO — We are currently looking at a project with TAC around getting information on hospital admissions through TAC. We are still exploring how that would work and what information we would receive. It would be a trial. We have not defined the rules around how we would use information and exactly what information is received, but that is the next step. This is in order to ensure that whatever incidents are raised within TIS match the incidents that are raised and provisioned through TAC, and to enhance the quality of information received.

Mr TILLEY — How long is a piece of string? Is there any sort of time line or indication with this sort of thing — closing that gap?

Ms REBEIRO — Within the next six months is when we are looking to get that trial up and running. I would say in the first part of next calendar year, that sort of time frame.

Supt PATERSON — You can correct me if I am wrong, Jen, but if the injury accident is not reported to us and they report it to TAC, TAC then come to us and we say, 'We do not have a report'. Then we go back to the person involved in the accident at the moment and get information from them.

Ms REBEIRO — The process, as I understand it, is that if somebody reports the accident to TAC, if they have the member's detail, then that will come through to us and we will chase them for further information. If they have not reported it to the police, the TAC will direct the individual to report the matter to the police, and then that will be chased the other way.

Mr TILLEY — Adding more pressure and weight on Victoria Police.

Supt PATERSON — They are injury accidents and they do paint the picture, particularly from my perspective, of intelligence, which drives the way we enforce and respond to these particular issues. So it is important for us to capture that information.

The CHAIR — Data collection of itself entails some level of subjective judgement. That is the first proposition. The second proposition is that as a result of training and experience there might be a variable skill

set within the police force, for obvious reasons. What quality assurance process operates to ensure that there is some cohesive consistency in the data that is collected?

Ms REBEIRO — We provide training to all new recruits when they start on how to use the system and what the information means. There is also some work that we are doing around the application itself to make it more intuitive or user friendly. Currently we have talked about DCA codes, and there is a label currently within TIS that says ‘What are the DCA codes?’. We are looking to change that language to make it ‘First impact point of collision’. I have to get my words right, but it is around making it more applicable to the member who is trying to understand exactly what we mean, rather than a DCA code.

So there is bit of work around the usability, the interface of TIS. There is also work that happens post-incident. There is a data quality team who work through and try to enhance the quality of the data, to make sure that things are logical and that the information is validated against other systems. The process for submitting a TIS report is that the member will submit it to their supervisor and their supervisor will check it. If there is information that is missing, that will go back to the member with notation: ‘Please supplement this information’. It will go back again for review before it is ultimately approved. They have 28 days to do that activity, as per policy.

The CHAIR — The committee was told that the police in Western Australia have instituted an online form for reporting accidents that are minor in nature. What are your views on having such a system in place in Victoria?

Cmdr CARTER — I will attempt to address the question. Online reporting of police incidents is not something that Victoria Police is currently doing. Our process for reporting any matters to the police is exactly that — it is a phone call and we will take a report. Our long-term view is we would want to see online reporting — and we are moving towards online reporting for a range of activities — but that is still some way off. I think we would be interested in looking at that concept, but at the moment we are not doing it. It is certainly something we could look at.

Mr LANGUILLER — I will move on. I will put a question to you although I think you have partly answered it, and it relates to the issue of data. If one agency refines the raw data and others can use it, can assumptions be made on that data? Do you think it possible that these assumptions may be questioned, if the original data was incorrect, and be analysed to record it in a way that did not take into account all of the factors?

Cmdr CARTER — I think the best person to answer that from an intelligence perspective is Neil Paterson, because you are actually alluding to an element that we are very focused on in understanding that there is more to intelligence than just looking at the data that presents itself. Neil, could you address that?

Supt PATERSON — I will start by saying that I think you are right. If our data is wrong and someone else is relying upon wrong data, then that can cause misinterpretation from them looking our datasets. I do not want to go back into the quality assurance or training issues around our members completing that data. Victoria Police is now — what? — 150 years old. Intelligence in Victoria Police is about 15 years old. Intelligence specifically focusing on the road policing environment is about 2 to 3 years old. Just over 12 months ago we established in my division the road policing intelligence unit. Road policing intelligence is a new phenomenon within Victoria Police; however we have seen some significant products and improvements come out of it because of that.

We know there are different datasets. One of the reasons we have intelligence practitioners who are specific to the road policing area is so that they can analyse all of the datasets, provide advice to senior executives and brief other executives in our partner agencies in the road safety arena on what we understand the true picture to be about a whole range of aspects of road trauma.

I can speak to a specific example. In August of last year we did our first statewide assessment of motorcycle trauma for the state of Victoria. We looked at all of the data from 2010 and compared that with the data from 2008–09. Out of that came some interesting trends. We were able to produce quite a comprehensive report that went up to our executive and regional assistant commissioners and floated down to all of our police across the state who have a particular interest in road policing. That piece of work that we undertook identified some peak times of the year when we know that there is significant road trauma with motorcycles and, indeed, significant

off-road trauma with motorcycles, particularly the one weekend that was the highlight — for want of a better term — which was the Easter weekend.

Then just recently, last month, we completed a newer intelligence assessment on the Easter weekend keeping in mind that the process of intelligence is not just about collecting data and saying, 'This is the data'; it is about collecting, analysing and value adding to that data and then being able to put it in a format that can be consumed by the reader and disseminated out. But that Easter assessment focused on 16 police service areas across the state of Victoria, and 7 of those police service areas in relation to motorcycle trauma over the Easter weekend said it was the highest trauma rate they had over the Easter weekend. I cannot go into the operation that comes from that because that is Neville's area of expertise, but the picture of analysis then drives the subsequent police response to the way we start to deal with road trauma over the Easter weekend, in particular road trauma that relates to motorcycles.

Mr LANGUILLER — Have you had any discussions with the Monash University research centre in relation to a linked data collection system?

Supt PATERSON — We deal with Monash regularly and routinely. As you may be aware, it has a number of research projects currently on foot which specifically deal with motorcycle road trauma. We work with them with our datasets, et cetera. We are not in a position where we share the same datasets with MUARC across all of our datasets, but we certainly work very closely with it in a strong partnership. That is going to continue. In fact yesterday we spent several hours working with MUARC, TAC and VicRoads looking at some of our bigger trends across road trauma more generally and nutting out how we can provide them better intelligence in the road policing arena. To that end we have agreed to start pursuing some very simple MOUs. Everyone hates the term 'MOUs', because MOUs can get bogged down. These are simple MOUs that enable us to provide them with our intelligence products so they are getting the same intelligence products that we produce — they are police-in-confidence documents. They come with a requirement under the commissioner for law enforcement data security. However, we are looking to get some assurances from their end about the way they store and treat those documents. Once we have that in place, we will be able to provide them with all the intelligence in this arena as well.

Mr LANGUILLER — Can you provide one example where you have used your data collection for the purpose of policy development?

Cmdr CARTER — I can give you a very good example on that. This year the road policing strategy division launched a rural road trauma reduction strategy. That strategy was based on intelligence provided by the state intelligence division and its broad assessment of road deaths and road trauma in Victoria. What we noticed from the analysis is that road deaths and road trauma in regional Victoria increased last year. As a result of that analysis and the data, the strategy division produced a particular strategy and policy focusing on reducing road trauma and road deaths in regional Victoria. That strategy has been enforced by executives. I chair the steering committee that oversees the development and progression of the strategy. It is mainly focused on the regional areas to the east and west of the state, but it has a high focus on reducing road trauma and road deaths by using a number of specific strategies.

Supt PATERSON — Specific to motorcycles, there are also other areas — not so much policy, but looking at the way in which we change our business to better enforce against motorcyclists. I used to be the commander, the officer in charge, of the road policing enforcement division, which incorporates the traffic camera office. We know from our intelligence that less than 50 per cent of motorcycles that trigger speed cameras in the state of Victoria are captured, because they only have a rear plate, if it is observable. We have looked at technology in that area, and we have also tried to influence some of the changes with regard to legislation in that area as well to ensure that our road safety systems — that is, our automated systems in the state of Victoria — do not just have a good effect on drivers of motor vehicles, including cars and trucks, but also affect the driving behaviour of the motorcycle-riding population of Victoria.

Mr LANGUILLER — Can I just make the comment that I was particularly impressed with the work you did in some regions — we have, as you know, had public hearings in a range of regions — in terms of the work the officers do on the ground not only in terms of enforcement, which I think is terrific, but also education. They may intercept a rider but actually go through some of the potential benefits of doing X, Y and Z in terms of safety, which includes the work they do — which I am quite impressed by, I must say — in terms of the

off-road, given the extraordinary limitations you have with monitoring and working on off-roads. I have been at the entry point but it is at the exit point, and working through some of their potential safety things that the rider may have to do. Given the limits of resources, I think that could be commended.

Cmdr CARTER — Can I just say that most people have a view that policing is about enforcement. It is actually about changing behaviour. Part of the tools we use are enforcement and education as well. A very good example of that is a program called the Yellow Flag/Black Flag program, which you might have heard about. There are other examples which the superintendent can talk about. We actually try to use range of tools at our disposal to change driver behaviour, because our goal and aim is to stop people dying on the roads and stop them suffering road trauma. If we can do that by changing their behaviour, we will use a range of tools to do that.

Supt TAYLOR — That is exactly what you are talking about. Colloquially the aims of Operation Yellow Flag/Black Flag or the motorcycle community policing and education project, as it was set out, were always around the linkages between enforcement and education as a way of behavioural change to try and get the road safety outcomes. That program that was embarked on in 2009 and 2010 gave us a much greater capacity to deliver police shifts or police patrols across a whole range of motorcycle activity, but, as you seem to have observed yourself, in the off-road stuff it is not just about getting out into the dirt tracks themselves but it is also about looking at where we can get the interventions in the commuting of the off-road motorcyclists and the drop-off and pick-up locations.

The program that went through 2009 and 2010 that I understand has already been spoken about, and I know that this committee met with some of our operational people who drove that program from the solo unit of the state highway patrol, with the level of activity that was delivered, save one operation that was cancelled due to a redeployment to an emergency situation, they were able to deliver 100 per cent of those operations. In the review of that program done by the University of Adelaide there was a really strong finding around the benefits of the linkages between enforcement and the education intervention by the enforcement officers. It was more than just the opportunity to provide educational material and paraphernalia; it provided a much better environment in the engagement between the enforcement officer and the person, the rider in this case, where there was a reciprocal receipt of the advice around safety issues.

The two issues that came out strongly were around protective clothing, an issue that is under great debate by Victoria Police, the other road safety partners and the riding fraternity, and also around speed. You talked a lot before about the differences in excessive or inappropriate speed, and that is very relevant with the off-road stuff. There was a recognition there that enforcement should always be the highest priority for Victoria Police in its role in the whole aim around behavioural change and the benefits around education intervention. The recommendations were to continue that program, which we are now doing throughout 2012. That is now being done under the sponsorship of the new Motorcycle Advisory Group coordinated by VicRoads, and funding is being provided to run another series of operations on that. I have just now signed off on the concept of those operations to deliver pretty much the same program you have already been advised of that was delivered in the last two years. The survey feedback was very positive from the riding fraternity.

The only interesting bit out of that was the initiative that was put into it around offering vouchers for rider training. There was very little take-up on the vouchers issue compared to what was taken up by drivers. The demographic was mainly around young female riders, which was not consistent with the demographic of those involved in the motorcycle trauma. There were some learnings out of that about its effectiveness.

Mr ELSBURY — Certainly we have heard of examples of where a motorcyclist is intercepted and commended for wearing their safety thongs on their motorbike, so we have seen where using just a little bit of good humour whilst giving a very serious message across to motorcyclists has come through. Going back to what Commander Carter was saying with regard to the Yellow Flag/Black Flag project, can you outline to the committee the Yellow Flag/Black Flag project, what were the aims of Victoria Police when you agreed to participate and what did you get out of it?

Supt TAYLOR — I guess just carrying on, the aims was always around the initiative of connecting enforcement with education intervention by the enforcement officers in the same environment. Victoria Police signed up to that, committed to that. There was a recognition in the project documents that enforcement was

always the priority for Victoria Police officers, but the initiative with this project was around interacting and education intervention.

What did Victoria Police get out of it? A number of benefits and legacies have come out of the first two years of the operation. Clearly a benefit was the capacity for us to deliver far more police operations than would have been delivered if it had been business as usual in this area. We can provide the information rather than go through the statistics, but we have got the actual records, right down to the number of police shifts and so on. That was clearly one of the benefits. We were able to, on the funding for overtime, deliver far greater and higher-visibility enforcement operations with education than we would have done with business as usual.

Another benefit was that it gave us the capacity to interact with the riding fraternity in an environment different to the normal enforcement environment. Normally with road policing enforcement, whether it be motorcycles, heavy vehicles or vehicles, at the point of intercept there is already a starting point for the relationship between driver or rider and the police officer that is generally in a negative position. The awareness and the marketing campaign associated with the Yellow Flag/Black Flag operation around the riding fraternity through our media strategy made what this program is about well known, particularly when we delivered it around major events like the MotoGP and other events. We found it was a very positive environment and that really enhanced the relations between enforcement officers and the riding fraternity. The debate and discussions that could follow around sensitive issues like front-identifying plates or protective clothing we found was held in a much more positive environment and there was a greater outcome from that.

One of the legacies for Victoria Police out of this was that to fulfil the operation police purchased motorbikes dedicated solely to this operation, again over and above the business-as-usual fleet capacity. They are not contracted or burdened with lease obligations and are now assets for Victoria Police, and that is a legacy for us to continue. We are continuing the program throughout 2012 and those motorbikes are still being held and used solely for that operation. Those assets will then be picked up into general solo policing duties thereafter.

One of the other legacies out of that program was that it also enabled us to qualify and train regional police officers to get involved in highway patrol policing dedicated around motorcycle trauma. You have been aware of and have met the people from our solo unit under which we have a small centralised statewide specialist capacity. This has enabled us to continue to grow that skill and capacity of highway patrol policing in the regional areas that have a high risk around motorcycle trauma. We are not talking solely about rural stuff in the overall motorcycle trauma. One of the findings in the evaluation of this project was the rapidly growing commuter scooter population, particularly in relation to the protective clothing issue around that. That was one of the benefits that came out of that and one of the recommendations from the report was that in the ongoing operation we should continue to focus on that.

Mr ELSBURY — Can you tell us why the alternative enforcement actions in the Yellow Flag/Black Flag operation did not follow the British program on which the project was based, specifically enforcement alternatives such as training courses and diversionary programs?

Supt TAYLOR — I cannot say a lot in relation to the development of it; that was prior to my time coming in. But I certainly know that with the development of this program in Victoria the aim of it was very much around the interaction of enforcement with education intervention. The training program initially was something that came through during the program. As I said, it was a partnership with training providers in that as a part of the education intervention it was coupled with a reward scheme about providing vouchers for training. As I said earlier, the interesting part of the evaluation of that was that whilst that was completed from the handout, there was very little take-up on it from the riders themselves.

Mr ELSBURY — From the target group of riders. The Victorian Auditor-General's report into motorcycle and scooter safety programs recommended that the Victoria Police-TAC-VicRoads interagency data committee could be strengthened and supplemented by the involvement of the Department of Health, Ambulance Victoria and the Department of Justice. What are your thoughts on this recommendation, and what steps, if any, have been taken to act upon this recommendation?

Cmdr CARTER — I will ask Jen to address that question.

Ms REBEIRO — The data quality committee currently consists of us, VicRoads and TAC. I am unaware of any extension out to the additional parties. I believe we have requested some in-hospital data but have not been able to get that. I am unaware of any extension beyond that. As to my opinion — —

Mr ELSBURY — Absolutely.

Ms REBEIRO — Additional people are always welcome, because it can enhance the quality of the data.

Mr ELSBURY — How have you dealt with the data gaps and their cause identified by the VAGO report *Motorcycle and Scooter Safety Programs* of February 2011?

Ms REBEIRO — There have been a number of activities around the data gaps, and we continually have a data quality meeting every six weeks with those parties — VicRoads and TAC. As part of that they are continuing recommendations to include additional data, and the members opinion is an example of that. In terms of the VAGO report, one of the activities we have done some work around is LAMS, the learner approved motorcycle scheme. We enhanced the VAGO report to include the LAMS status for when the legislation was implemented. That was one of the actions we took as a consequence of that.

Mr PERERA — Throughout the inquiry the committee has heard that motorcyclists were 37 — or 38 or 34, depending on to whom you are speaking — times more likely to be killed than other road users. Can you explain to the committee how this figure was arrived at?

Cmdr CARTER — Perhaps Neil might be able to address that in part. If there is something that we cannot answer fully today, we are happy to take that question on notice and provide it back to the committee. You are asking for specific data, and I am not sure that we are in a position to give you that today.

Mr PERERA — That is fine.

Cmdr CARTER — Neil, could you add any value to that?

Supt PATERSON — I do not think I can at the moment. I think we would have to take that on notice. I am happy to provide a written response.

Cmdr CARTER — We are happy to take that on notice.

Mr PERERA — That is fine. The committee has heard at a number of public hearings in regional areas that the TAC provides funding to Victoria Police for enforcement activities. What would you say to the statement that the TAC's funding of Victoria Police for motorcycle specific enforcement could be seen as creating a disincentive for additional police resources to be invested in enforcing the rules governing motorcycles? Do you see any negative aspects to the TAC's funding of police enforcement?

Cmdr CARTER — We have got two people who can talk to that question. I will ask Inspector Brett Harman to address the first part. By way of introduction, Brett has spent a considerable amount of time working with TAC at its headquarters in Geelong. He is also responsible at the moment for our enhanced enforcement program of which there are three levels, which we can talk to. He has a great deal of knowledge about the program with TAC. From a policy position and an historical position around the TAC, Brett can answer that. From an operational perspective in terms of our enforcement, I will ask Neville to talk about that aspect, so there are two issues that we have to talk about.

Insp. HARMAN — To give you some historical background, the partnership between the TAC and Victoria Police in terms of enhancing enforcement has been in existence since around 2004. In 2009 we conducted a thorough review of the enhanced enforcement program because of a number of disparate funding streams that were occurring across our organisations, and we were able to streamline the process, the guidelines and the operating procedures under one complete model and one complete funding source.

In relation to the question about disincentive, I would disagree that that is the case. I base that comment on the fact that there is ample opportunity across the organisation for local areas under one of the streams or one of the tiers of funding to make application for those operations. Although they are not significant in number, there are some good practice examples. In some of our high-risk locations, such as the Great Ocean Road, the Yarra Ranges and the Dandenongs, there is a regular and ongoing focus around motorcyclist behaviour. Unfortunately

I am not in a position to tell you the exact numbers of those operations, but having sat through numerous funding rounds over the last 14 occasions when applications have been called for, I know that there have been a number of applications specific to motorcycle activities and they have been funded.

The program itself has three tiers of funding. The first one is a local-level application, so a unit manager such as the officer in charge of a traffic management unit or a station officer in charge who has identified a particular problem or a particular set of problems around road safety and road policing can make application through a template business case. That then is submitted to a panel by our chain of command, and it is centrally managed through my office. From there it goes to a committee, and it is then forwarded on to an assessment panel to review the applications, make comment and then make recommendations.

The second level of funding relates to priority police service areas, where throughout the year we analyse datasets to look at our problem police service areas. As background and an example, in 2009 when we conducted the review we looked at the 10 police service areas that were causing us the majority of trauma and found those particular PSAs were contributing approximately 35 per cent of all trauma. Since 2009 that priority list has been reviewed, and we now have a list of six specific police service areas that are funded under a separate funding stream. That requires the local workplace or the police service area to make application through a detailed business case, and throughout the year they are funded for ongoing operations. Some of those are complementary to each other and some are quite isolated in their focus, but there is the potential during those operations to target any behaviour.

The third and final tier relates to central or state-based activities during seasonal or high-risk times, such as Christmas, Easter and Queen's Birthday weekend. Predominantly funding for those activities goes towards additional costs. The potential overtime and extended shifts so we could increase our capacity to deal with those issues that we are targeting during those operations.

Mr TILLEY — I will be frank on that point. That is a hell of a lot of work and red tape and bureaucracy for that \$2 million, is it not?

Insp. HARMAN — To give you some historical background, the partnership between the TAC and Victoria Police in terms of enhancing enforcement has been in existence since around 2004.

Cmdr CARTER — I think it is. We have got an agreement with the TAC, which was signed by the executives of both parties last year. There are some requirements on behalf of both parties to make sure that the money that is provided to us is expended appropriately with appropriate checks and balances and governance arrangements.

Mr TILLEY — Do not get me wrong. I am not suggesting that.

Cmdr CARTER — I understand, but the position is that there is a significant amount of work that goes in it, but the work is there to ensure that, value for money, the TAC receives benefit for its investment in Victoria Police. That is why we have a very strong process to ensure there are clear accountabilities around the application for the processes, and there is a review process that allows us to make some assessment about whether the investment has been worthwhile and for us to be able to report back to TAC. I agree with you, Mr Tilley, that there is significant work involved in this, but on the other hand TAC are investing in us, so it is incumbent upon us to make sure that they get a good return.

Mr TILLEY — Is there any avenue to put in for more? Other jurisdictions have expenditure somewhere in the order of \$12 million or \$13 million annually? With \$2 million annually, 90 per cent of that goes for additional shifts and overtime.

Cmdr CARTER — Can I say that the agreement we signed last year is for approximately \$2 million? That has been the case for a number of years. I think there are always opportunities for Victoria Police and the TAC to have another look at that and renegotiate that position. At the moment we have \$2 million available to us to spend on these enforcement operations.

Mr PERERA — Proportionately how much would you spend on motorcycle-related activities?

Cmdr CARTER — We would not be able to provide an exact dollar figure on that amount, but what we can actually talk about is some examples of specific operations, and the department has already identified the three areas that we are focused on. We might be able to talk a little bit more from an operational perspective about some significant operations — maybe even an example over Easter.

Supt TAYLOR — There are two parts to this to carry on from the background that Brett has provided. The simple fact of the matter is that for us it is about increased capacity — capacity around resources and capacity around delivering operations. The streams Brett highlighted are quite significant and one is very much around incentives and opportunities for regional police to deliver what is need for the issues in their area. The other is the centralised stuff to deliver across the state where it is needed most. That is an area that has operated within my operational division.

Brett talked about the centrally planned activities. Up to \$400 000 of that \$2 million is dedicated just to that. To demonstrate how that can be utilised, Neil highlighted just before about Easter and the intelligence product that comes out of the assessments of data and the intelligence assessment. Easter is a very high-risk weekend as far as motorcycle trauma goes, and in particular off-road motorcycle trauma. As to how we work that from the centrally planned group, as we highlighted before, we have about 180 members working in the state highway patrol and within that we have the special solo unit. There are about 20 members who are specialist solo riders and specialists in motorcycle trauma. We have about another 80 who are specialist state highway patrol officers, and across those there are solos involved, but of course it is not all about riding a police motorbike to enforce motorcycle trauma.

There is a significant number of centralised specialists around road policing, and when the time calls for it, it can be dedicated to motorcycle trauma. An operation that we will be running over Easter, Operation Crossroads, is an Australian-New Zealand endorsed operation. In Victoria the angle for us is dedicated primarily around motorcycle trauma and off-road motorcycle trauma. All of the intelligence assessment that is done that we use for our tasking gives us the opportunity to put those central resources into the areas where they are needed most across Victoria, and consequently that is in rural areas. In Easter, coming up, they will be in the ranges in Benalla, they will be in the Baw Baw Ranges, they will be at Yarra Ranges, they will be down the south coast, and they will be policing the commuting routes to and from those areas. It comes at a cost to put those specialised people in there. There is a cost for travelling allowances, for accommodation, for meals and all the usual things like that.

What we have developed is a matrix where over every day of Easter we have got up to 80 of those specialist highway patrol people, including the solo unit out in those areas where they need to be for up to 10 hours a day. Without the increased opportunity we would get out of this TAC arrangement we would not be able to achieve that at that level. That has been done in support of the regional activity. How we work in that process is that all of that planning that is done centrally is done in liaison with the road policing strategists in the regions. They are provided with all of the intelligence and they are provided with all of the planning of the specialists. It is the reason they have the opportunity now to do their tasking and rostering of resources to complement that and to get it higher and get the most highly visible policing we can get.

In the strategic sense, in relation to your question, Mr Tilley, there is around \$2 million. That is what we have got. As Mr Carter explained, the MOU there is primarily around accountability and to demonstrate a proper return on what investment there is for the community. In this case in Victoria Police it is road policing. I think it has been well demonstrated that this provides further opportunities. We talked before about the regional road trauma reduction strategy. That is another piece of work that the TAC is a partner with us in that has given us a capacity increase to be able to deliver other different funding programs. There is always the opportunity in the road safety partnership that we have with TAC to keep looking at what the benefits are in this and where we can get more.

Mr TILLEY — So have you got other funding streams from the TAC?

Supt TAYLOR — Under the general MOU, but outside of the enhanced enforcement stuff. What we are talking about here is an example of what we can dedicate, particularly for motorcycle traumas.

Mr TILLEY — Say, for example, the motorcycle safety levy. Is Victoria Police actually any part of that at all?

Supt TAYLOR — Not that I am aware of.

Cmdr CARTER — I do not think we do. We are happy to take that on notice and give you some advice on that, but not to our knowledge. Yellow Flag/Black Flag was.

Mr TILLEY — It was. Yes, okay.

Mr PERERA — What is the overall strategy or policy position in the longer term in terms of whether you are expecting to expand the TAC funding stream towards the police or trying to take over certain activities funded by the TAC?

Cmdr CARTER — I think our position is that we would welcome any discussions with the TAC to expand any funding agreement, but at this stage we are not in that position. It is something that we could look at in the future.

Mr PERERA — Expanding.

Cmdr CARTER — You have to understand that it is a partnership between the TAC and Victoria Police, and I am indicating to you that we would entertain a discussion with the TAC to see if it would be interested in expanding that.

The CHAIR — Colleagues, I will just interrupt briefly. I understand that one of the witnesses before us has some important responsibilities to attend to and she is welcome to leave.

Ms REBEIRO — Thank you. Mary Mulhearn, who is the enhancement leader for our operational systems, is available for questions.

The CHAIR — Thank you. Would Mary like to take your place at the table?

Mr TILLEY — Where I am going with this conversation, if I may, is we are talking about the TAC, VicRoads and all of these various agencies and funding. If you drill down, at the end of the day the government is responsible for resourcing those various agencies and their policy settings and the development of that policy. Where I am getting to is that there is some money that comes from the TAC and possibly other areas of other agencies. In comparison to the funding you get from those external agencies, what sort of money does Victoria spend itself in relation to motorcycle enforcement?

Supt TAYLOR — I can probably address that. In very basic terms this is not the business-as-usual stuff. We have had a solo unit that is essentially dedicated to motorcycle policing and other aspects of road safety as well, but we spent about \$96 000 on salaries to enforcement officers there and just over \$250 000 in allowances around motor vehicles, costs, travel and other incidental allowances in that. That is in the centralised stuff. In relation to reasons, I cannot give you dollar figures around what might be expended on that, but certainly around motorcycles what I can give you is an indication of that from a regional resource perspective for off-road at the moment across the four regions. There are about 17 members who have now been qualified in off-road motorcycle duties and within that the actual physical resource from Victoria Police is very low, but we have arrangements with the Department of Sustainability and Environment where they utilise motorcycles in collaborative work there in parks and recreational areas. There are about 15 of those assets that are used there. Victoria Police contributes to the cost of that.

Mr TILLEY — So that is fuel and registration?

Supt TAYLOR — Exactly.

Mr TILLEY — In terms of the recruitment of those motorcyclists, as I understand it, we have heard a lot of evidence from various organisations, including part of the work that the DSE does in cooperation with Victoria Police. Can I say that it is bloody terrific stuff. It is really starting to make an impact very slowly, particularly those fellows at Benalla and those areas there. Part of that is relying on local government for procurement for motorcycles — begging, borrowing and stealing from the — —

The CHAIR — We will keep you to the begging and borrowing if we could, gents!

Mr TILLEY — Okay, all right. You make a good point. Thanks, Murray.

Cmdr CARTER — There are local arrangements in place right across the state for different models of either funding or procuring equipment that would provide some additional resources for us to do that. My experience is in north-east and north-west Victoria. There are different arrangements in place depending on the partners you have in those areas. There is not one model that says, ‘This is our standard practice for acquiring assets for road policing’, particularly for motorcycles.

The other part I need to make a point of is that whilst a large part of this conversation has been around our specialist resources — they are road policing professionals and they are dedicated to these activities — we have a very large number of general duties police who also undertake a large amount of road policing activities. Some of that is focused on motorcycles. I would not like us to think that our only ability to do enforcement and education is around road policing professionals, because it is not. Every member of Victoria Police has that responsibility. It is very much dependent on their particular area and their particular skill set as to how they actually do that.

Mr TILLEY — That is where I am trying to lead part of this conversation. Some of the evidence is that some of those partnerships — as I understand it, some of the 17 members of the police force who have qualified and done the solo off-road phase are general duties members.

Supt TAYLOR — They are a mix of general duties and regional highway patrol members. We have put together an accredited off-road solo course now to enable regional members to come and do just that element, because in the professionalised group, the solo component of the accreditation is only the first phase of the whole accreditation for a complete qualified motorcycle police officer.

Mr TILLEY — We completely understand. In the real world motorcycle riding is extraordinarily risky, and to an employer, the wellbeing and the safety of those who have to operate in adverse conditions — off-road conditions — is important because there is a significant risk for the organisation. In just trying to better understand the precedents and the old way of doing business and going back to training and enforcement and education, we are seeing these little solos popping up around the state — and they are doing some terrific work. As I said, they are making an impact. We have a Special Solo Unit which has something in the order of — what, 30 officers there at Dawson Street? Observations have been made that you might see an officer on an off-road motorcycle in Swanston Street, Melbourne, directing traffic. It might be a matter of the officer being diverted from the normal course of his duties — he might have been diverted or something as simple as that — but he is getting that impact from the Special Solo Unit and getting them either out into the regional areas or enhancing the capacity of those members out there in regional Victoria.

Supt TAYLOR — There are 19 members at the solo unit, and across the state highway patrol there are about another dozen who are dedicated on solos. We have a process that has developed. A lot of work has come out of Trevor’s area, the state policing office, with statewide tasking coordination and how we validate the allocation of specialist resources in support of regions. One of the outcomes of that is that when allocating solo unit resources to requests like the one you describe — which we are trying to define between a traffic management, parade-type, look-good operation to an operation that really does have road safety outcomes — generally where we are now is that we recognise that in the community events and the like there is often still a good opportunity for police to be involved, and the police you see there will be regional level police on solos. We do not deploy the specialist solos any more — not in the last 12 months. We really keep them for deploying either proactively or in response to events like the MotoGP and things where we know there are greater opportunities for that messaging.

Cmdr CARTER — I think there is a point there that probably needs to be made. As an organisation we are far more refined in terms of our ability to use intelligence, to understand the scope of our problems and to deploy our resources a lot more effectively than perhaps we were a number of years ago. There has been a significant shift in us to understand the importance of the use of intelligence and then being able to use the resources we have in the most productive manner. That is where we try to get the biggest bang for our buck, for want of a better word, and are actually being very specific and very targeted in terms of where we use our resources, because we know that there are areas in the state that are far more high risk than other areas. In understanding that, that is where we would put a lot of our resources. An example that Neil and Neville spoke

about before is exactly that point. We know where the problems are, we know what is causing them and we would be very specific about where we put our resources over that period.

Mr LANGUILLER — I wish to come back to the Auditor-General's report, and I am mindful that — with respect — I would have preferred to have had Jennifer at the table because she provided that response and it may be a little bit unfair that I put it to you now. I put this question because I want to give you the opportunity, if I may, respectfully, to comment further. The Auditor-General makes a recommendation that in terms of your interagency data committee there would be benefits for that committee to engage with the Department of Health, the Department of Justice, and Ambulance Victoria. It is a recommendation that the Auditor-General made — last year, to my recollection and understanding — and I put to you the question: has it been considered by Victoria Police at a policy level? I am very cognisant of what your colleague indicated, and if I may, I wish to put that to you again.

Cmdr CARTER — Thank you for the question. If I could call upon Senior Sergeant Jamie Chester, he has some information around that which I think can partially answer your question.

Sr Sgt CHESTER — In relation to that, I note that you bring up the VAGO report and those recommendations. One of those reports indicated that we do have liaison with the Department of Health — basically, there was an issue about underreporting of collisions and things like that. The partners have met since and tried to progress that particular recommendation. We are quite happy to be in consultation with the Department of Health and with Ambulance Victoria, but to date we have had no positive replies from the Department of Health to share that information. There are obviously privacy concerns around the information that they have. There are also issues about the underreporting of those collisions with the Department of Health and the validation of information that they receive for patients that present at hospitals. Whilst we have tried to make contact with that particular area, to date we have not had a positive reply from them.

Mr LANGUILLER — I appreciate your response, because I think that response completes the story. I certainly wanted to feel very confident about that, and that gives us an opportunity to pursue that issue with them.

Mr ELSBURY — In relation to rider training, what would your opinion be in relation to what some people have called in their submissions a junior riding licence that would be connected to a parent's licence? We are not talking about 10-year-olds, but certainly someone around 15 or 16 who wants to ride a motorcycle, so that they can gain that experience before they get set loose on the wide open roads.

Cmdr CARTER — I think we can answer this in a couple of parts. I might give a general observation, and I might ask Neville Taylor to give another observation about that. I think the question you have posed requires us to do a bit more thinking around that, particularly looking at the implications for both the parent and the child rider. There are two things about which I will ask Neville to give a general response, and secondly, we will undertake to have that question on notice and we will be able to provide you with a fuller response to that question.

Supt TAYLOR — In general terms it is worth noting that we have been quite strong in the position we have already put around licensing, particularly in support of a proposal around a graduated licensing system that we believe is paramount in relation to motorcycle skills and skilled riders, but also around segregation of motorcycle licensing and registration with general motor vehicle registrations. What I say is that I think the committee can take a bit from our position on that around our commitment that these are things around licensing that should be worked through by VicRoads.

In relation to the specific one there on the younger rider, as Trevor says, we really have to take it on notice to give it some thought, because it is about what it is actually going to achieve with regard to road safety outcomes — is it going to have an impact on that? The police position in relation to any initiative about debates or discussion and policy is always that we want to be convinced on what its positive impacts are for road safety outcomes. Simply with this one it will be around having a look at what are the trauma factors, what are the causes around road trauma in motorcycles and the demographics of rider, and in actual fact is the initiative around young rider training and parental mentoring and supervision an initiative that is actually going to address the causal factors around road trauma? There is certainly a fair bit more work to be done to say there is actually a position on that, because we believe it will have an impact on road safety.

Supt PATERSON — I was just going to add to that. I do not have the figures in front of me, particularly for really young riders, but from the picture of intelligence from 2010 I can say that riders 40 or older accounted for 46 per cent of motorcycle fatalities in 2010. Indeed the highest growing age group in this space for trauma was actually riders between the ages of 60 and 64, which was an increase in their trauma by 70 per cent. A lot of the road trauma we are seeing in the motorcycle area is from older and what we call returning riders, and not so much at the lower end of the age brackets for motorcycle riders. I am not saying that we do not agree that education and training is absolutely core to learning and understanding safety, but the road trauma picture is telling us that, particularly around motorcycles, the significant area is older and returning motorcycle riders.

Mr ELSBURY — I am going to pick up two points that were made in that answer, first of all, with Superintendent Taylor in relation to the graduated licensing scheme. I have gone off and got my learners permit for a motorcycle, and I am just wondering with regard to the training regime of getting into second gear and doing 30 kilometres per hour whether you would see there would be an advantage to having an on-road component for learner riders or an assessment on on-road skills rather than using the very sterile environment of a training track?

Supt TAYLOR — This has been discussed a bit already, and again the position probably leads towards what you propose there about the environment in which you now do the second phase of your skills development and your training. The position we have inherently is around the graduated licensing system and about developing the skills to actually be a solo rider in the road environment or the off-road environment. The same philosophy applies around young driver training in a general sense and the philosophy of learning to drive as a solo driver, not learning to drive as a driver under instruction, so there is yet a lot of work to be done with the agencies, particularly VicRoads, around that and the position that we would support is that the scheme should be enhanced to enable the rider to learn to solo ride in the environment.

Mr ELSBURY — Superintendent Paterson, with regard to hospital data showing that a significant number of younger people are being admitted to hospital, it may not be on-road issues that they are having or it might be having a little bit of fun that they should not be, so it does not get reported back to the police that this has occurred, but would not a scheme of having the learners out there on the road in an environment where there are laws enforced upon assist them in trying to stay on the straight and narrow rather than going down some floodway out through the outer suburbs?

Supt PATERSON — What you put to me is quite complex. I do not know that that is an easy answer to give.

Cmdr CARTER — We would be happy to take the question on notice that you posed before and reply to that; but in relation to the situation you propose, I think what you should be mindful of is if you actually talk about the training environment for the young riders, what we see is young riders who go off-road who are in a different environment all together and not particularly skilled in these activities off-road, and that is perhaps where we are seeing the injury data for young people being reported at hospitals, not because of on-road accidents but because of off-road accidents. We will provide you with a response and hopefully that will meet your requirements.

Mr ELSBURY — I did have one other thing just before we move on, and that is in relation to the returning riders who are finding themselves getting injured, because, as we have heard earlier today, the motorcycles today are a lot more powerful than they used to be, even though they might have the same engine capacity, and also you forget how powerful they are and the body does not exactly react how it used to, especially with things like arthritis slowing down the body and also making it more possible for injuries to be incurred. Do you think there should be a re-licensing scheme for older riders or experienced riders who are coming back?

Supt PATERSON — What I can say is that of all driver licences or rider licences held in the state of Victoria, 9 per cent of all licence-holders also have a motorcycle licence, and that is quite telling because statistics for the actual fleet show that only 4 per cent of registered vehicles in the state of Victoria are motorcycles. We have done some work around this and what we know is that people get a licence at the start of their riding-driving career and might ride a bike for a period of time, move out into the car driving arena predominantly and then much later in their life, when they have got more leisure time or whatever it is, come back into riding. They have not been riding for many years but they still hold a motorcycle licence. They have not had to undertake any further testing or training because they still hold that licence, so they can come back in

as what we call a returning rider without having had any recent motorcycle riding experience and we are seeing them present in our trauma statistics quite significantly. As to whether there is a place for re-testing, there may well be a place for re-testing because what we are seeing is that returning riders are significantly represented in road trauma. Whether it is just a matter of re-testing or whether there are other ailments, as you have alluded to, with regard to arthritis or something else, that is not something I could comment on because we would not have that data, but those factors certainly could influence their ability to ride safely.

The CHAIR — If we were to project into the future in, say, 10 years time and we saw a world where motorcycles were fitted with ABS, ESC and the riders were wearing protective gear, boots, gloves, leather trousers and jackets, all manufactured to a star-rated system and that were mandatory, what could we as a committee ascertain in terms of trauma reduction?

Cmdr CARTER — That is a bit of crystal ball gazing, but some of the recommendations we have already put to the committee are very much aligned to our thinking in terms of the sorts of measures that can be used to prevent injuries and reduce deaths. I suppose one of the things that we are forever mindful of is that some technical solution in some way addresses the issue around motorcycle road trauma and deaths, but there is this issue about risky behaviour, and that is where the two elements of this come in. It is about education and enforcement. I do not think in 10 years time, unless there is significant change in society and culture, we are going to see a dramatic change in people taking risks. So what I would predict is that with those sorts of enhancements to motor vehicles and to riding equipment we could potentially see a reduction in road trauma and road deaths but still have those issues of risky behaviour, which in some way will end up in road trauma road deaths. Part of our submission that we have made previously is about those exact things you are talking about, but the other part is about education and enforcement.

Supt PATERSON — That comes back to that issue I spoke about before. We know that enforcement does change behaviour in drivers of motor vehicles. However, particularly from the automated and enforcement field, we know that we have very little impact on the riding population because they know that there is very little opportunity that they will be caught.

The CHAIR — The next question would be is there a recidivist offending record on the part of numbers of motorcyclists who may be killed on the roads that is predictive in any way or at a higher rating of offending than average motorcyclists on the roads?

Cmdr CARTER — Neil can answer that.

Supt PATERSON — Yes, it certainly is in my ballpark. We are just about to release a new recidivist offender profiling model for the state of Victoria. There is a focus both in the road policing arena and in the general crime and family violence areas as well. I had a meeting earlier today just to finalise the datasets that we are going to be using to identify who the recidivist road-based offenders are that we wish to target through the state of Victoria. Once we have done that piece of work, which I am hoping the datasets can be run over the next month period, the intention is for my area to be able to push that product up to our statewide tasking and coordination which Trevor manages and is shared by deputy commissioners, and then we task the regional assistance commissioners as part of all of their duties and functions to start looking and paying some attention to our recidivist-based offenders. The motorcycle cohort will be a component of that, but it is not looking particularly at the motorcycle cohort; it is looking generally across all of our road-based offenders.

Mr LANGUILLER — How would you break that down? What would you be looking at?

Supt PATERSON — Some of the data that we are looking at in order to identify who the people are that we need to be concentrating on is automated infringement data, police member infringements, people who appear in our TIS systems — people who are having frequent accidents, people who have a history of drink driving, drug driving, and a lot of those datasets — washing the data, matching it together and seeing what comes out and who is across all sets of data, including vehicle impoundment data as well. What we are hoping — and I cannot say what it is going to look like yet because we have not done the piece of work; we have just today agreed on the datasets — is to be able to identify who are essentially the worst drivers or riders in the state of Victoria who need targeting.

In 2010 we started this project, and it was very immature then because we only used demerit points as the basis of who we would look at. But we know we had quite some effect with the 2010 model and data that we pushed

out, even though it was only based on demerits and the infringement system, in that the highway patrols were tasked, and they were not only looking from the enforcement perspective; they were encouraged to have up-front conversations with some of the people who were recidivist-based offenders, based on that information. Indeed one young lady who had amassed 377 demerit points — one might ask how that is possible, but that is what occurred — we found out had a mental health issue. By the local highway patrol engaging with her and her family they were able to put a strategy in place around her driving that essentially limited her whole access to a car, and her parents could play a much greater role in how she was a road user in the state of Victoria. That is just one example.

There were other examples where we were able to get people into road-based training, driver training and education programs to be able to take them out of that system; whereas others were straight enforcement — getting them back in and doing them again for some offence because they were poor road users and fronting them before the court processes.

Mr LANGUILLER — So diversionary programs, for example?

Supt PATERSON — Diversionary programs are one such thing, including the trial that I think is still being undertaken by Victoria Police and VicRoads — it is not in my area of responsibility any more — where once a rider or driver got to eight demerit points they were given the opportunity to participate in a road safety program over a number of hours and then they would have a reduction of, I think it was, three demerit points from their licence by participation in a program. We were seeing people getting too many demerit points with the likelihood of losing their licence and we were not getting in and educating them so that they could actually change some behaviours and not increase their demerit points.

Mr LANGUILLER — That is a program that you are actually running at the moment, or is it a pilot program?

Supt PATERSON — It was certainly a program that I was running when I was in charge of the road policing enforcement division. I am no longer in charge of that area, but I think it is still a pilot that is being run between VicRoads and Victoria Police.

Mr LANGUILLER — I would appreciate it if you could furnish us with more information on that.

Supt PATERSON — Sure.

Cmdr CARTER — Yes, we can do that.

Mr TILLEY — I suppose, by way of comment, certainly you are a supporter of dangling the carrot for correct behaviour and everything. But just going briefly with the Operation Yellow Flag Black Flag stuff and the outcomes from that, is it going to be sufficiently robust to ensure that when the carrot is dangled, the follow-up will be there to ensure that these sorts of programs will return something on the investment?

Supt PATERSON — Yes, this program was actually modelled on a program in the UK, where it was essentially self-funded. The driver participating in the program paid a small fee for their participation in the program to gain education and training, knowing that if they undertook the program they had the chance of losing or having three demerit points taken off. So the program was self-funding; it did not require external funding to get up and running.

Mr TILLEY — But ensuring a difference from either receiving a summons or a penalty notice — —

Supt PATERSON — Correct.

Mr TILLEY — And ensuring that the follow-up is there if the opportunity is provided to them.

Supt TAYLOR — In regard to the take-up of the agreement.

Mr TILLEY — Yes.

Supt PATERSON — This one was about, clearly, the carrot — the opportunity to get back some demerit points, if you want to put it in that context, so that you had not lost as many demerit points and you were not as

close to losing your licence, or the double-or-nothing program with regard to demerit points, which most people would be aware of. It was seen as a good pilot to trial here. I can find out where that pilot is at and provide some information back to you.

The CHAIR — Looking to the future, in addition to the world which will have ABS and ESC and mandatory clothing, already today a number of intersections are monitored through rolling cameras, which can be of assistance in accident reconstruction. Also there are some vehicles which may have a camera attached to the dashboard, which would help reconstruct an accident, and there are some live tests at the moment with cameras fitted to helmets. That is a feature that I think in the medium future will become a feature of motor vehicles on a daily basis as they come off the production line. In addition there are geospatial devices that measure speed as against speed limit. The trucking industry in Europe has a black-box system in which the driver records for the preceding two years are collated and stored for audit purposes. I have had an interest for there to be, hypothetically, a sentencing discretion on the part of a magistrate, if he has a recidivist motorcyclist before him, to mandate a device that would monitor the permanent recording of speeds on a particular bike. Is that something you have had occasion to consider? If not, would you have a view that you would feel free to express?

Cmdr CARTER — I think we have considered it in a range of areas. We do actually see this technology being used in Victoria at present, but it is not really used on motorcycles; it is predominantly used on heavy vehicles and some cars. Perhaps the next iteration of this is on motorcycles. You spoke before about recidivists. I can say that Victoria Police now, with the work that Neil and the intelligence division is doing, has a much stronger focus on recidivist offenders, not just in the road policing environment, but generally. Part of the issue around being a recidivist offender is that we have to be able to identify the offending in the first place. One of the issues for us is identification. This becomes really important when we think about safety cameras. We know, and it is in our submission, that a lot of motorcycles escape detection because they do not have front numberplates or because they deliberately cover up their rear numberplates.

The CHAIR — Yes, Commander, we are across that and I note the point very strongly, gently balanced against the time. A very strong submission was made to us in writing earlier on, and we acknowledge that and will be working our way through that per se.

Cmdr CARTER — I suppose the point I want to make is that we can only identify them, if they are recidivists, if there is some tool for us to do that.

The CHAIR — Thank you.

Mr LANGUILLER — As I understand it, there are more than 100 road rules that we have to work within. In addition there are subsections to those rules, which would translate into some 400 main and sub-main types of items that any driver may have to be across. I pose the question rhetorically, but I also put the question to you: how many of us could confidently say that we could remember 100 rules plus the 2 or 3 subsections associated with each and every one of those? I put this in the context of the importance of training, the importance of diversionary programs, the importance of returning riders post-licence training and more and more education. If I were to go through the test, I am confident that I could not remember 100 let alone 400 of them.

Supt TAYLOR — I guess I would like to suggest that as the head of road policing operations I am probably the one who remembers them all too. I think the point you raise, though, is right to the core about education. We are embarking on some work with not just agencies but with some other interested parties in the whole area of policing education and what it looks like.

The question is around education and the skill in driving a motor car; it is around the knowledge or the rules and all that, but the key element, as Trevor raised before, is around maturity, attitude and behaviour. What we are embarking on at the moment with the other agencies is looking at how education is really addressing those issues, because the significant trauma is not coming out of the breach of section 43(2)(a); it is either the risky behaviour at the time of the road use or in some cases it is the risky behaviour in the hours leading up to that person becoming a road user — that is, behaviour that has affected or impaired their mental awareness at the time, such as impairment through drugs or substances — so it is behaviour prior to them just getting onto a

motorcycle or into a vehicle. That is a very complex area. The question you raise probably is rhetorical in the sense that we need to really look at what we are educating our road users in.

The CHAIR — Just in conclusion, are there any questions that we should have asked but have not at the moment; is there anything else you would like to contribute?

Cmdr CARTER — There is a matter that Mr Perera asked us about before in relation to a motorcyclist being 38 times more likely to be an accident victim. We understand that is part of the TAC program; it is not our data, but that is where we understand it comes from. Superintendent Paterson has some more precise data that we would like to share with you which perhaps paints the picture.

Supt PATERSON — The initial data, which I will just go through, is 2011 data. Of all the vehicle kilometres travelled in the state of Victoria, motorcycles travelled only 0.06 of 1 per cent of those kilometres. So, all the kilometres, by every vehicle — —

Mr PERERA — So all motorcyclists compared to other road users?

Supt PATERSON — Yes. So motorcycles only travelled .06 of 1 per cent of all the kilometres travelled in the state of Victoria. As I quoted earlier, motorcycles only make up 4 per cent of the registered motor vehicle fleet in Victoria. Victorian licence-holders who have a rider licence as well are 9 per cent of all the licence-holders. Yet in 2010 motorcyclists accounted for 17 per cent of all fatalities and 14 per cent of all injuries. We know that if you are riding a motorcycle and you collide with an object at 30 kilometres an hour you will most likely be seriously injured, and that if you are involved in a collision on a motorcycle travelling at 55 kilometres an hour you have an 85 per cent likelihood of death. So we are talking very low-speed accidents — 30 kilometres and 55 kilometres an hour. At 55 kilometres an hour, 85 per cent of the time a motorcyclist is likely to die. I cannot speak to the TAC statistic, but what I can say absolutely from those statistics is that motorcyclists are well and truly overrepresented in road trauma.

The CHAIR — Gentlemen, I take the opportunity to thank you for your attendance here this afternoon, for the preparation that you have undertaken and for those who have given the support to you as well who have also attended.

Mr LANGUILLER — I would like to say just in passing I think it is absolutely fair to put to you that our committee appreciates the high-level deputations and submissions that you have put to our committee. I think it would be fair also to say that your representations and contributions in the regions were second to none. We really appreciate that Victoria Police takes this work of the Road Safety Committee very seriously, and we thank you.

Cmdr CARTER — Thank you, Sir.

The CHAIR — I might add, too, that in one of the road safety groups the person who was driving that work was a former policeman.

Witnesses withdrew.