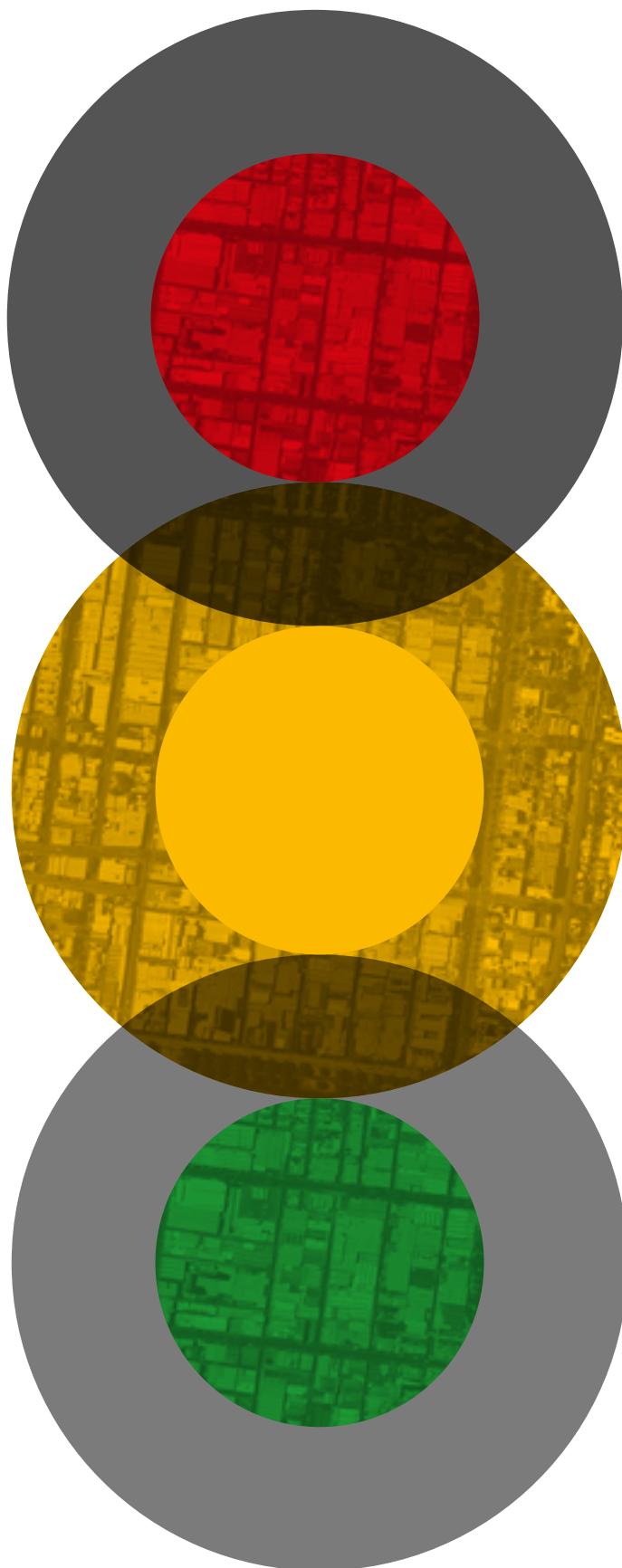


Annual Report  
2015—16







To

**The Honourable the President  
of the Legislative Council**

and

**The Honourable the Speaker  
of the Legislative Assembly**

I am pleased to present to you the Annual Report of the Road Safety Camera Commissioner for the financial year 2015-2016 for presentation to Parliament, in accordance with section 21 of the *Road Safety Camera Commissioner Act 2011*.

Yours sincerely

A handwritten signature in black ink, appearing to read "John Voyage".

**JOHN VOYAGE**  
Road Safety Camera Commissioner



# Contents

<b>COMMISSIONER'S MESSAGE</b>	<b>4</b>
<b>RECOMMENDATIONS</b>	<b>8</b>
<b>THE ROAD SAFETY CAMERA COMMISSIONER</b>	<b>9</b>
The Commissioner	9
The Act	9
The office's main functions	10
Vision, Mission and Values	11
<b>THE YEAR IN REVIEW</b>	<b>12</b>
Enquiries and complaints	12
Use of the Commissioner's website	14
The Reference Group	14
<b>COMPLIANCE AND OBLIGATIONS</b>	<b>18</b>
Governance and organisational structure	18
Financial reporting obligations	18
Freedom of Information	19
Compliance with the <i>Protected Disclosure Act 2012</i>	19
<b>ANNUAL REVIEWS AND ASSESSMENTS</b>	<b>20</b>
Road safety camera system	20
Publicly available information about the road safety camera system	21

# Commissioner's Message



I submit this report four and a half years after the initial appointment of my predecessor His Honour Gordon Lewis AM, and shortly after my appointment. Like His Honour, I am satisfied that the existence of this office provides motorists, and all Victorians, with an independent and impartial avenue to raise their concerns.

I was appointed Road Safety Camera Commissioner on 6 April 2016. I am most impressed with the encouragement from stakeholders, who show a desire to work with the office, to accommodate requests for information, and to assist in increasing the transparency of the road safety camera system. The integrity of the system is non-negotiable.

I am satisfied with the integrity of the road safety camera system.

## Transitional Year

First and foremost, I thank my predecessor His Honour Gordon Lewis AM for the good work he has done as the inaugural Road Safety Camera Commissioner (the Commissioner) in establishing the Office of the Road Safety Camera Commissioner (the office). His Honour's tenure ceased in February 2016. His achievements have included carrying out a number of investigations, advocacy on behalf of drivers, giving the public a focus for any uncertainties in relation to the road safety camera system, and keeping discussion about the integrity of the road safety cameras in the public domain. His desires to promote increased transparency in the road safety camera system, and enhanced accountability for that system, have been instrumental in shaping the office, and will continue to mark the direction of the office.

I also thank His Honour for his efforts in preparing the first four annual reports of the Victorian Road Safety Camera Commissioner.

His Honour Gordon Lewis AM has identified many successes of this office under his leadership, including:

- Increased transparency of the road safety camera system,
- Increasing the motoring public's awareness of the availability of the official warning system,
- Diminished numbers of allegations of camera malfunction,

- Investigating the placement of mobile cameras as a result of public complaints,
- Influencing a change of operating guidelines for mobile cameras,
- Informing the public why mobile camera vehicle sites have been chosen, resulting in that information being published on the Camera Saves Lives website,
- Successfully addressing the concerns about the accuracy and reliability of the road safety camera at the Wellington Road Bridge on EastLink,
- Investigating an incident at the Keilor Park Road bridge, resulting in nearly a thousand warning notices being issued in lieu of fines,
- Campaigning for electronic access to infringement images and subsequent removal of the \$7.50 fee to view an image of an offence,
- Investigating the 'phantom' flashing road safety camera in Main Street, Lilydale,
- Investigating the cameras operating in four 40 km/h speed zones and the lessons that should be learnt.

# Speed is the most significant road safety issue

There remains some element of uncertainty, indeed scepticism, in relation to road safety cameras. Scepticism may be healthy, but cynicism, especially in relation to road safety, needs to be addressed. All too readily there is acceptance of baseless assertions which suggest improper purposes for the cameras. There should be **no doubt** that cameras have calmed traffic speeds and that **speed is the major factor** in road trauma.

Ill-informed members of the public refer to 'revenue raising'. I would like to see greater community understanding of the role the road safety cameras play in **revenue saving**.

Without question, the cameras calm traffic speed, ensuring greater compliance with the speed limit. Speed is the major contributing factor on which our community can reasonably act. It is something we can all do something about.

The World Health Organisation (WHO) research, contained in the *World Report on Road Traffic Injury Prevention* (2014) determined that the biggest risk factors influencing crash involvement are:

- Inappropriate or excessive speed,
- Alcohol, medicinal or recreational drugs,
- Fatigue,
- Being a young male.

Further, the risk factors influencing crash severity are:

- Human tolerance factors,
- Inappropriate or excessive speed,
- Seat-belts or child restraints not used,
- Crash helmets not worn by riders of two wheeled vehicles.

**Speed** is the **major factor** both in **involvement** and in **severity** of collisions. The human tolerance factors are the capacity of a person to withstand a collision. The maths involved says that the energy of the collision is proportional to the square of the speed. In other words, the energy of the impact is exponentially proportional to speed, and so as speed of impact increases, the amount of energy increases sharply with increased speed. Not only is control reduced, and reaction time shortened, but speed results in more severe outcomes.

The report can be found on the WHO website: [www.who.int/violence\\_injury\\_prevention/publications/road\\_traffic/world\\_report/en/](http://www.who.int/violence_injury_prevention/publications/road_traffic/world_report/en/)

In my view there can be no debate about the significance of speed as the key road safety issue, and with it the need to eliminate inappropriate or excessive speed.

The *Parliamentary Road Safety Committee Inquiry into Serious Injury* (28 May 2014) contained these words in the Chairman's forward:

*"Our success in reducing the road toll has been achieved through a collaborative approach. The community, the Parliament, dedicated road safety experts, academics from diverse policy areas, the media and industry, have collectively been crucial in achieving that success. At the start of this century, however, it has become clear that our focus on fatalities alone has masked the hidden road toll of serious injury."*

The WHO's *World Report on Road Traffic Injury Prevention* is consistent with learning from Victorian experience.

The Transport Accident Commission's (TAC) website shows that over 70% of road deaths are male, under 30% are female. Males need to be influenced through better education in relation to these issues.

One person is injured on Victorian roads every 30 minutes. The cost of road trauma is huge and estimated to cost more than \$3 billion each year. Speed-related trauma costs the state around \$1 billion per year.

The TAC reports the average lifetime cost to care for someone with a severe brain injury is \$2.7 million, for paraplegia it is \$2 million and for quadriplegia it is around \$7.4 million. Each year in Victoria approximately 90 people suffer severe brain injury in road crashes, a further 1000 suffer less severe brain injuries, many of which result in long-term disabilities. Brain damage affects memory, balance, walking, hand function and speech and many survivors are never able to return to work. Half of all spinal injuries in Australia are caused by road crashes. Half of these people end up with quadriplegia and one quarter end up with paraplegia.

This information is available on the Cameras Save Lives website: [www.camerassavelives.vic.gov.au/home/road+trauma/cost+of+road+trauma/](http://www.camerassavelives.vic.gov.au/home/road+trauma/cost+of+road+trauma/)

The Victorian Auditor-General who delivered *Report into Road Safety Cameras* tabled 31 August 2011 concluded, in part:

*"The road safety camera program is effective. It is well-supported by evidence that clearly demonstrates that cameras improve road safety and reduce road trauma. The siting of cameras is based on road safety outcomes, not to raise revenue."*

The Auditor-General also says:

*"Despite the strong rationale for the program and the high level of integrity of its systems, public concern about the program persists. This has placed its ongoing legitimacy at risk. During the audit, the Department of Justice developed a communication strategy to address these concerns. The Department of Justice will evaluate this to determine whether it has been effective in aligning public understanding with the evidence supporting the program and its road safety benefits."*

This report can be found on the Victorian Auditor-General's website: [www.audit.vic.gov.au/reports\\_and\\_publications/latest\\_reports/2011-12/20110831\\_road\\_safety\\_cameras.aspx](http://www.audit.vic.gov.au/reports_and_publications/latest_reports/2011-12/20110831_road_safety_cameras.aspx)

# How the public perceives the road safety camera system

There is inconsistency between the public's demand for cameras to be installed in particular locations, and public comments about the revenue generated. I believe the public accepts the accuracy and integrity of the cameras, especially where it is other people being caught. This may

be an area which will occupy some of our efforts, to get a better understanding of the public acceptance of the Road Safety Camera System with a view to a more favourable public perception; and an end to the 'flat-earthers'.

## The road safety message

I see the ever-changing need for the road safety message to be better communicated to a somewhat sceptical public. The office intends to investigate ways of improving the communication of the Road Safety Camera message. Whilst scepticism may be an important component of a vigorous democracy, there should not be any need to entertain 'flat-earthers' who want to distract from the key safety message. Speed is a safety threat, cameras play a key role in reducing speed.

The Road Safety Camera System plays an important role in reducing injury and deaths on Victorian roads, and reducing expense to Victorians. The constant **independent scrutiny** of integrity of the Road Safety Camera System is **our prime purpose**.

Ongoing public education needs to enhance understanding of aspects of the risks of speeding through:

- Highlighting that **speeding increases risk** of collisions and **consequences** of collisions,
- Being aware that these risks are real, and apply to everyone, not just to other people,
- Appreciating the meaning, severity and probability of risky behaviour, and
- Appreciating the role the Road Safety Camera System plays in calming traffic speed and improving compliance with speed limits.

## Transparency

The office has, under His Honour Gordon Lewis AM, had a strong policy of transparency, since inception. I intend to continue that approach. The office had enjoyed regular exposure in the media. In this regard I join His Honour in being indebted to Mr Neil Mitchell of Radio 3AW and Mr Keith Moor of the Herald Sun for their assistance in lifting the veil of ignorance surrounding the operation of road safety cameras. The road safety camera system must be completely transparent to facilitate scrutiny of its fairness. Importantly, in addition to the motoring public, representatives of the media recognise the independence of the office by seeking clarification in respect of the facts when controversy about road safety camera issues arose.

The reporting by the media has resulted in increased communication to my office by the motoring public, and it

has been satisfying to see, that as a result of the efforts of this office, there is now much greater public awareness of just how the road safety camera system operates.

I will endeavour to ensure this liaison with the media continues, in the public interest.

His Honour Gordon Lewis has previously noted in past annual reports:

*"The independence of this statutory office is, of course, paramount, and by monitoring the overriding concept of fairness in the context of the use of road safety cameras, this office will continue to serve the motoring public well."*

I endorse those comments.

## Infringement Notice and Penalty Reminder

In the 2013-14 and 2014-15 annual reports recommendations were made in relation to the form and content of Infringement Notices and Penalty Reminder Notices. During May 2016 the office was invited to comment on the redesigned Infringement Notice and the Penalty Reminder Notice. I consider the new design to be a significant improvement. I said at the time:

*"I thank the Department of Justice and Regulation, Victoria Police, and all involved in the redesigns of the Infringement Notice and the Penalty Reminder Notice. I consider the new designs to be easier to understand. I also consider the designs to be uncluttered, and unintimidating. I congratulate all involved in the redesign."*

# No malfunctions

In the 2014-2015 annual report His Honour noted:

*"In accordance with my statutory obligations, fixed road safety cameras have continued to be tested regularly throughout the year. My office has not yet detected a malfunctioning camera."*

I am pleased to confirm that this continues to be the position both regarding testing and absence of malfunctions in operation.

## More requests for road safety cameras

I have been surprised at the number of requests for road safety cameras at new sites which have been received from the public at this office. Putting aside the fact that placement of cameras is not a statutory function of the office, I see the requests as a public **vote of confidence** in the efficacy of cameras as a road safety tool. I see the requests as confirmation in the eyes of the general public that road safety cameras, (and implicitly the consequent enforcement of transgressions) have resulted in a calming of driver speeds and reduced running of red lights, directly resulting in safer roads.

Members of the public request the cameras because the public know that the cameras do actively participate in reducing speed and its consequences. This reflects on how the public perceives the road safety camera system.

In my view this is a reflection on the good work of many authorities, including (but not limited to) Victoria Police, VicRoads, the Department of Justice and Regulation, the Transport Accident Commission, and many other agencies and community groups.

## How the public utilises the Road Safety Camera Commissioner's Office

In this past financial year 359 people wrote to the office with questions and complaints about various issues regarding Victoria's fixed and mobile road safety cameras. In addition 630 people telephoned the office with more general enquiries.

Further, the number of Victorians who are accessing my office's website has increased by seventy per cent to 9442 visits in this past year. The website includes the facility for online lodgement of complaints and enquiries.

## How the office develops in the future

The office is still a new initiative, and it is crucial to the ongoing success of the office that relationships with road safety partners continue to develop. No one is against road safety, and people may have different views or priorities.

There is much to be learned from experts within Victoria, and also outside the state. The integrity of the Road Safety Camera System is central to the work of this office.

## Acknowledgements

I join His Honour Gordon Lewis in thanking Ms. Marisa De Cicco, the Deputy Secretary of Criminal Justice in the Department of Justice and Regulation, for her unfailing support and assistance throughout the year. I also thank Mr. Brendan Facey, the Director of Infringement Management and Enforcement Services in the Department of Justice and Regulation, Assistant Commissioner Doug Fryer of Victoria Police Road Policing Command, and Mr. John Merritt the Chief Executive of VicRoads, for their cooperation.

The office is small but pleasingly effective. In my time since commencement I have been impressed with the enthusiasm, care, ideas, and spirit of the staff. I sincerely thank Ms. Melanie McShane and Mr. Zhi Peng Ye for their contribution to the quality of the service the office provides.

### **JOHN VOYAGE**

Road Safety Camera Commissioner

# Recommendations

1. I am pleasantly surprised by the number of people who contact this office to find out how to request a new road safety camera installation. I see this as confirmation that the majority of the public have high regard for the way road safety cameras can reduce red light running, and calm the speed, and consequent danger, of traffic. I recommend that consideration be given in Victoria to provide an **online facility** for members of the public to **easily nominate** for consideration a **location for a new road safety camera** similar to the New South Wales model. The New South Wales model can be found at [www.saferoadsnsw.com.au/haveyoursayspeedcameras.aspx](http://www.saferoadsnsw.com.au/haveyoursayspeedcameras.aspx)
2. Traffic infringement fines attributable to the road safety cameras have resulted in some members of the public being cynical about the way the technology is used in Victoria. Road safety cameras are installed based on many considerations which include road crash history, road type, and site suitability. Everyone involved in a collision that causes injury or death had thought "This happens to other people. This is not going to happen to me." It does happen, and the risk factors need to be understood. The disconnection between some public cynicism and actual road trauma needs to be addressed. I recommend that there be **increased public engagement** in road safety discussions.
3. Further to recommendation 2, early results of investigations suggest that motorists who have received one or more speeding infringements are much more likely to be involved in collisions. I intend to conduct further research to **analyse** the recognition by infringing drivers of the **consequences of speeding**. Such research could explore the balance between monetary penalty and incurring of demerit points.
4. Our investigations and day-to-day work, consistent with recommendations of the *Parliamentary Road Safety Committee Inquiry into Serious Injury* (May 2014), demonstrate a discrepancy in the use of terminology and definitions used by Victorian agencies and bodies involved in road safety in relation to road trauma. This includes injury definitions and data linkage and exchange. I recommend that all parties involved in road safety to agree to **uniform terminology and definitions** in relation to injury severity, for data collection and integrity. This ideally should be agreed nationally. The inquiry's report can be found at [www.parliament.vic.gov.au/57th-parliament/rsc/inquiries/article/2018](http://www.parliament.vic.gov.au/57th-parliament/rsc/inquiries/article/2018)
5. The data of road trauma is one of the statistics for measuring the need for, and success of, the road safety camera system. We need to cease calling the number of lives lost on the road the 'road toll' (which assumes a 'toll' to be an anticipated cost, and also ignores the financial, social and psychological consequences of injuries and death). It is more accurate to describe them as **road tragedies**, also to keep in mind the people whose lives are permanently affected by death and injury. I recommend that we cease using the terminology road toll and road accident, and in their place use **lives lost** and **road tragedies**, and **road traffic crashes**.

# The Road Safety Camera Commissioner

## The Commissioner

During his legal career of more than 36 years, John Voyage has extensive involvement in road safety issues.

Mr Voyage specialised in litigation, acting as advocate for people injured in foreseeable, avoidable circumstances. Mr Voyage was co-author of the leading text book on Victorian law in the area, he led a national practice group at a leading law firm, and was involved through professional associations, including having convened the national Special Interest Group of the Australian Plaintiff Lawyers Association (now Australian Lawyers Alliance). Mr Voyage was part of the Law Institute of Victoria's Road Safety Committee for many years and chaired the Law Institute's Transport Accident Committee for 20 years and has contributed to a number of Victorian Parliamentary Road Safety Committee inquiries, including Inquiries into Improving Safety for Older Road Users,

Motorcycle Safety, and Serious Injury.

Mr Voyage's experience included assisting thousands of people injured on our roads, and their families. His work required understanding of how the incidents occurred, and the consequences for each individual in their particular circumstances.

He holds a Bachelor of Science and Bachelor of Laws from Monash University.

Mr Voyage sees his role as advocate for all Victorians, to provide scrutiny of Victoria's road safety camera system and to ensure it continues to play an important role in road safety.

## The Act

The Office of the Road Safety Camera Commissioner was established to promote increased transparency in the road safety camera system and to enhance accountability for that system.

Section 10 of the *Road Safety Camera Commissioner Act 2011* (the Act) provides for the Road Safety Camera Commissioner to perform various functions. These functions are:

- to undertake, at least annually, reviews and assessments of the accuracy of the road safety camera system in order to monitor compliance of the system with the requirements of the *Road Safety Act 1986* and regulations made under that Act
- to undertake, at least annually, reviews and assessments of the information about the road safety camera system that is made available to the public by the Department of Justice and Regulation

- to undertake investigations requested or agreed to by the Minister into the integrity, accuracy or efficiency of the road safety camera system
- to receive complaints concerning any aspect of the road safety camera system and:
  - if appropriate, to refer a complaint to an appropriate person or body for further action, or
  - to provide information on the available avenues for resolution of a complaint,
- to investigate complaints received by the Commissioner that appear to indicate a problem with the road safety camera system and to make recommendations to the Minister to address any systemic issues identified
- to investigate any matter in relation to the road safety camera system that the Minister refers to the Commissioner
- to provide information about the road safety camera system in response to a request for information from a person or body
- to provide advice to the Minister on any matter in relation to the road safety camera system
- to refer appropriate matters to the Reference Group for research and advice
- to keep records of investigations undertaken and complaints received by the Commissioner and the action taken in response, if any
- to make available to the Minister, on request, the records of investigations undertaken and complaints received, and
- any other function conferred on the Commissioner by or under this or any other Act.

## The office's main functions

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### **REVIEW**

The office independently reviews and assesses the accuracy of the road safety camera system in order to monitor compliance of the road safety camera system with the requirements of the *Road Safety Act 1986*. In addition, the Commissioner must regularly review the information made available to the public by the Department of Justice and Regulation.

### **MANAGE COMPLAINTS**

Any person who has a complaint concerning an aspect of the road safety camera system itself, can lodge it with the Commissioner who may investigate an issue where any complaint points to a systemic problem with the road safety camera system.

### **CONDUCT INVESTIGATIONS**

The *Road Safety Camera Commissioner Act 2011* empowers the Commissioner to undertake investigations requested or agreed to by the Minister for Police into the accuracy and efficiency of the road safety camera system. The Minister may also refer to the Commissioner for investigation, any matter in relation to the road safety camera system.

### **PROVIDE INFORMATION AND ADVICE**

The Act authorises the Commissioner to provide information about the road safety camera system following a request from a person or body. The Commissioner is also authorised to provide advice to the Minister on any matter in relation to the road safety camera system, if requested, or if it is required.

# Vision, Mission and Values

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## Vision

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To provide a safe environment for all Victorian road users and increase the public's confidence in the accuracy, reliability, and integrity of the Victorian road safety camera system.

## Mission

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To collaborate with other agencies and service providers, including state and local government as well as non-government organisations, to provide Victorian motorists

with ongoing support in relation to the state's road safety camera system, providing an alternative avenue for complaints, quality assurance and investigations.

## Values

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### The Commissioner is committed to:

#### INDEPENDENCE AND INTEGRITY

Be impartial and act without fear or favour, carry out functions with honesty, accuracy, consistency and respect.

#### TRANSPARENCY AND ACCOUNTABILITY

Provide expert and objective information about the road safety camera system to Parliament and the community; monitor and review the accuracy, integrity and efficiency of Victoria's road safety camera system.

#### STAKEHOLDER ENGAGEMENT

Develop successful partnerships and create a shared understanding between key stakeholders to complement one another's collective impact on road safety for the people of Victoria.

#### ADVANCING KNOWLEDGE

Support advancement of knowledge, factors, and technological understanding to ensure the accuracy, reliability, and integrity of the Victorian road safety camera system.

# Year in Review

## Enquiries and complaints

This past financial year has seen a smaller amount of written correspondence to my office. I am aware that the office did not have a commissioner for approximately two months, from early February to early April 2016, which may have influenced these numbers.

The office received 359 written enquiries or complaints each of which initiated a sequence of communication. These enquiries or complaints dealt with or were related to various issues regarding Victoria's fixed and mobile road safety cameras. In addition, 630 people telephoned the office with more general enquiries, and I am happy to report the information the office provides to its customers is accurate and ultimately helpful in resolving their enquiries.

Since the 2014-15 financial year, in which the dominant issue was fixed road safety cameras operating in 40km/h speed limit zones, that particular issue has, I believe, been resolved by the investigation conducted by His Honour Gordon Lewis AM. Where 140 written complaints, plus numerous telephone enquiries, were made to the office regarding this issue in the previous financial year, this financial year has only seen three complaints regarding this issue. This small number of enquiries is a testament to the thorough and informative report that was published in August 2015.

Across the year, there continued to be many enquiries regarding motorists who had received, or were anticipating receiving, infringement notices for proceeding through a red light. Associated with that issue, is the way that yellow lights and arrows function in Victoria. The continuing

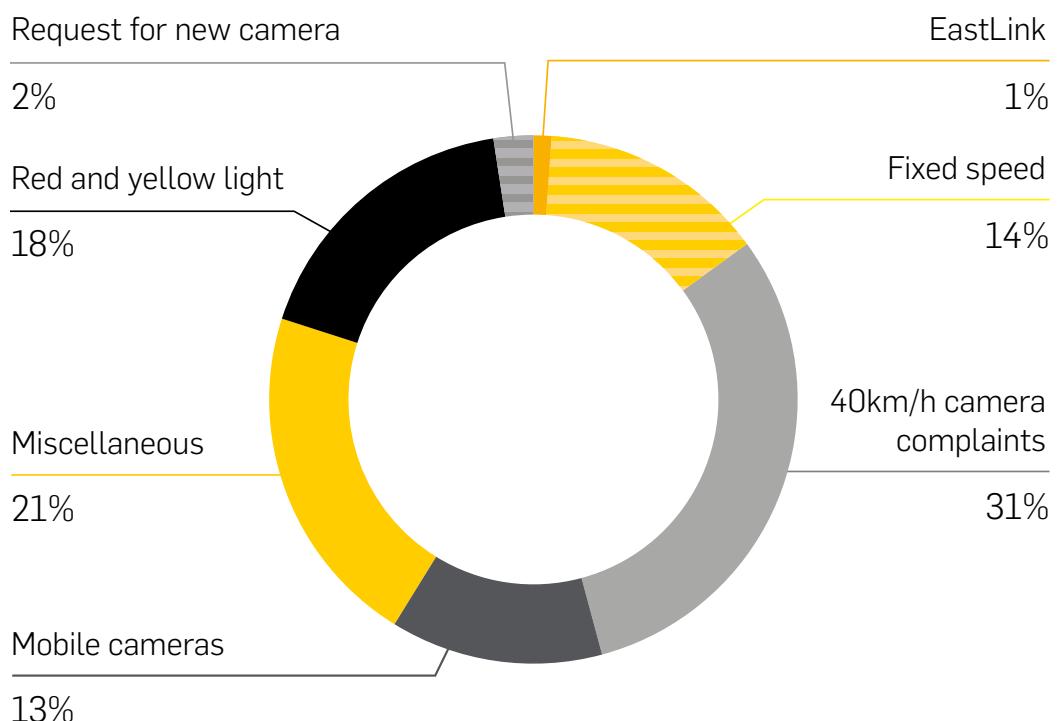
misunderstanding of why red light infringements are issued and the purpose and durations of yellow traffic lights is concerning.

One category of enquiries that has continually increased since the inception of this office is the number of requests for new road safety cameras throughout Victoria. I consider this shows there is a high level of acceptance in the community that fixed and mobile road safety cameras have a role to play in calming traffic speeds and reducing the risk of injury and death on our roads.

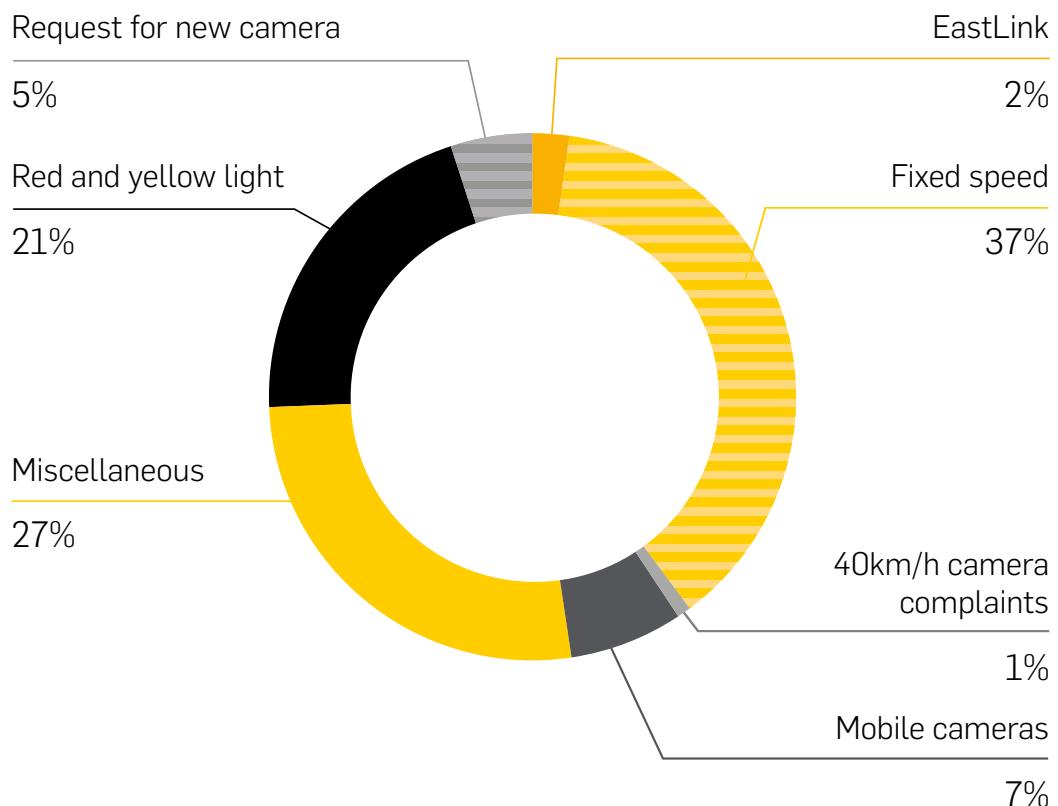
Another aspect of the complaints we receive is regarding EastLink. A detailed report into the operation of those cameras was released in 2013, and addressed all of the issues that were raised by motorists as matters of concern. Since then, this office has only received very small numbers of follow-up complaints regarding this issue. This year was no exception, as only eight people wrote to me about those cameras.

After reviewing the types and numbers of correspondence this office receives, I am pleased with the way this office and its staff continue to assist the public with information that is both helpful and timely.

## FY 2014-15 Correspondence Categories



## FY 2015-16 Correspondence Categories



# Use of the Commissioner's website

The Road Safety Camera Commissioner's website, [www.cameralcommissioner.vic.gov.au](http://www.cameralcommissioner.vic.gov.au), is an integral part of the way this office goes about helping the public. Apart from hosting all of its annual and investigation reports, it is also a resource for people to find assistance, whether it is through simply looking through the "How Can We Help" section, or by writing to us because a motorist has an enquiry and is seeking a written response.

It is noteworthy when looking back on the way the website is used, that it has experienced phenomenal growth in the last two financial years. In financial year 2014-15, 5,609 visits were made to the website by 4,604 unique visitors. In this financial year, the website was viewed 9,442 times by 7,887

users. This shows a growth of approximately seventy per cent in terms of visits and unique visitors.

Also of note is the growth in the proportion of users who have visited our website using mobile devices. This financial year, approximately forty per cent of visits were made using a mobile device. This proportion has grown significantly from the previous financial year, when less than one third of visits were made on mobile platforms.

The way that the public uses the website is changing, and it is pleasing to see that patronage has increased significantly year-on-year. I will continue to monitor the way our customers access the website to ensure that it provides helpful and timely information to Victorians, now and into the future.

## The Reference Group

The Commissioner is authorized under the *Road Safety Camera Commissioner Act 2011* to establish a group of advisers selected for their expertise in their respective fields to provide information and advice to the Commissioner. They are known as the Reference Group. The Reference Group consists of the Commissioner and not less than three and not more than seven other members, appointed by the Minister for Police on the recommendation of the Commissioner.

Since commencing my role as Road Safety Camera commissioner in April 2016, I have chaired one meeting of the Reference Group, and in addition to this meeting I have held talks with members. These discussions were partly relating to their particular expertise, and partly to discuss future agenda of the Reference Group. I sought and received feedback on the benefit of meetings and how each member can contribute towards the office fulfilling its functions under the Act and best serve the Victorian public.

My predecessor met with the Reference Group on six occasions up until his retirement in February 2016.

His Honour Gordon Lewis, during his term also found the reference group a valuable resource and had said:

*"I have found the Reference Group to be a most useful sounding board and the diverse experience each member brings to his/her statutory role, has proved invaluable in achieving a balanced consideration of many contentious issues."*

During 2015-16 the members were:

### **PROFESSOR TOM DRUMMOND**

*Department of Electrical and Computer Systems Engineering,  
Monash University*

Tom is a professor of Electrical and Computer Systems Engineering at Monash University. His research specialisation is in real-time processing of sensor information, in particular computer vision with application to robotics, augmented reality and assistive devices for the visually impaired. He has a BA in mathematics and an MA from the University of Cambridge, UK and a PhD in computer science from Curtin University, WA.

Professor Drummond attended five meetings throughout the year.

### **JANE FENTON AM**

*Non-executive director and expert in communications*

Jane is the Chair of the Queen Victoria Women's Centre Trust, Deputy Chair of the Queen Victoria Market Pty Ltd and of the Cancer Council Australia Pty Ltd., and a trustee of the Melbourne Cricket Ground. She is a Fellow of the Australian Institute of Company Directors and the Public Relations Institute of Australia, a Life Governor of Very Special Kids and a consultant to the business she founded in 1987, Fenton Communications.

Ms Fenton attended four meetings throughout the year.

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## **DAVID JONES**

*Manager, Roads and Traffic, RACV*

David leads RACV's advocacy on roads and traffic issues, and represents RACV's members on government and industry advisory committees. His background is in managing transport research and in transport planning and traffic engineering.

Mr Jones attended four meetings throughout the year.

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## **MARK KELLY**

*General Manager, Mircotts Driving Excellence Pty Ltd*

Mircotts is Australia's largest driver training organisation and it specialises in safe driving programs and fleet risk management services. Mark manages Mircotts' nationally accredited driver education and training programs including forensic programs. He has been involved in road safety since the mid 1980s and was Principal Researcher to the Parliamentary Road Safety Committee in their Inquiries into Speed Limits in Victoria and Motorcycle Safety. He is also President of the Victorian Association of Drink & Drug Driver Services, the peak body in Victoria representing 43 accredited agencies.

Mr Kelly attended three meetings throughout the year

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## **PROFESSOR BRIAN FILDES**

*Accident Research Centre, Monash University*

Brian is head of the Traffic Engineering and Vehicle Safety Consortium and a foundation member of the Monash University Accident Research Centre (MUARC) since its formation in 1987. He has a PhD in behavioural research and also has qualifications in Science and Engineering. Brian is also a Visiting Professor at the Transport Safety Research Centre at Loughborough University in the UK. His research interests include vehicle safety, speeding, driver perception, and injuries to older people, both on the road and in the home.

Professor Fildes attended five meetings throughout the year

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## **PROFESSOR CAROLYN UNSWORTH**

*Professor of Occupational Therapy, Central Queensland University, Melbourne*

Carolyn is Professor of Occupational Therapy at Central Queensland University and holds Adjunct Professor appointments at La Trobe University, Melbourne, Jönköping University, Sweden, and Curtin University in Perth, Australia. Carolyn's expertise is the occupation of community transport mobility among older adults and people who have disabilities. Her research and publications are on the assessment and rehabilitation of older and/or functionally impaired drivers, and scooter and powered wheelchair mobility use and access on public transport. Carolyn is also a registered Occupational Therapy Driver Assessor.

Professor Unsworth attended five meetings throughout the year.

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## **PAULINE KOSTIUK**

*Volunteer Teacher*

Pauline is currently working as a volunteer, teaching English to Asylum Seekers in Dandenong. She is also a casual lecturer in leadership, management and criminal law at TAFE. Pauline served 35 years with Victoria Police in areas including traffic, investigations, liquor licensing, training and prosecutions. She spent 19 years in senior management positions representing Victoria Police in both national and international forums.

Ms Kostiuk attended five meetings throughout the year.

## EASTLINK CAMERA COMPLAINTS

**DOWN  
83%**

Down from the peak in 2012-13 following the report into the operation of the road safety cameras along EastLink in July 2013.

## WRITTEN COMPLAINTS

**DOWN  
21%**

Shows an increasing level of confidence in the operation, accuracy and reliability of road safety cameras in Victoria from the 2014-15 financial year.

## VISITS TO WEBSITE

**UP  
70%**

Since financial year 2014-15 visits to the Road Safety Camera Commissioner's website have increased.

## REQUESTS FOR NEW ROAD SAFETY CAMERAS

**UP  
64%**

This shows the public is aware that road safety cameras have a crucial role in preventing collisions that lead to injury or death. The increase is since the 2014-15 year.

## INCOMING PHONE CALLS

**UP  
33%**

This financial year, 630 people have telephoned the office seeking assistance, up from the previous financial year, when 472 people telephoned the office.



# Compliance and obligations

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## Governance and organisational structure

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The Road Safety Camera Commissioner is a statutory office holder appointed by the Governor in Council and reports to Parliament through the Minister for Police.

As at 30 June 2016, the office has three full time positions under Part 3 of the *Public Administration Act 2004*, of which two are currently occupied, to enable the Road Safety Camera Commissioner to perform his functions and exercise his powers under the *Road Safety Camera Commissioner Act 2011*. The two permanent staff include a Manager, Operations and a Senior Technical Officer.

The staff of the Office of the Road Safety Camera Commissioner are appointed by the Commissioner, but are employed by the Department of Justice and Regulation. For the purposes of their work with the Commissioner, the Commissioner's staff work independently of the Department of Justice and Regulation.

The Road Safety Camera Commissioner is committed to applying merit and equity principles when appointing staff. The selection processes employed ensure that applicants are assessed and evaluated fairly and equitably, based on the key selection criteria and other accountabilities, without discrimination.

## Financial reporting obligations

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The Office of the Road Safety Camera Commissioner's annual financial statements and report of operations have been consolidated into the Department of Justice and Regulation annual financial statements and report of operations, pursuant to a determination made by the Minister for Finance under section 53(1)(b) of the *Financial Management Act 1994*.

This report contains only the reporting requirements under Part 3 of the *Road Safety Camera Commissioner Act 2011*.

# Freedom of Information

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The *Freedom of Information Act 1982* allows the public a right of access to documents held by the Office of the Road Safety Camera Commissioner. During the financial year 2015–2016, one application under this Act was received.

## MAKING A REQUEST

Access to documents may be obtained by making a written request to the Freedom of Information Officer, as per section 17 of the *Freedom of Information Act 1982*.

The requirements for making a request are that:

- it should be in writing,
- it should identify as clearly as possible, which document is being requested, and
- it should be accompanied by the appropriate application fee (the fee may be waived in certain circumstances).

Requests for information in the possession of the office should be addressed to:

Freedom of Information Officer  
Office of the Road Safety Camera Commissioner

 Locked Bag 14  
Collins Street East  
MELBOURNE VIC 8003

or,

 [commissioner@cameracommissioner.vic.gov.au](mailto:commissioner@cameracommissioner.vic.gov.au)

Access charges may also apply once documents have been processed and a decision on access is made, for example, photocopying and search and retrieval charges.

Further information regarding Freedom of Information may be found at [www.foi.vic.gov.au](http://www.foi.vic.gov.au).

# Compliance with the *Protected Disclosure Act 2012*

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The *Protected Disclosure Act 2012* encourages and assists people in making disclosures of improper conduct by public officers and public bodies. The legislation provides protection to people who make disclosures in accordance with its provisions and establishes a system for the matters disclosed to be investigated and rectifying action to be taken.

## REPORTING PROCEDURES

The office cannot receive disclosures under the *Protected Disclosures Act 2012*. Disclosures of improper conduct or detrimental action by the Commissioner or employees of the office may be made directly to the Independent Broad-based Anti-corruption Commission at:

Independent Broad-based Anti-corruption Commission  
Level 1, 459 Collins Street (North Tower)  
MELBOURNE VIC 3000

 GPO Box 24234  
MELBOURNE VIC 3000

 Toll free: 1300 735 135

 [www.ibac.vic.gov.au](http://www.ibac.vic.gov.au)

# Annual Reviews and Assessments

## Road Safety Camera System

As prescribed in the *Road Safety Camera Commissioner Act 2011*, I am required to conduct, at least annually, a review and assessment of Victoria's road safety camera system, and its accuracy, reliability and effectiveness. This review must also monitor the road safety camera system's compliance with the requirements set out in the Road Safety (General) Regulations 2009 (the Regulations).

The objectives of the technical analysis and monitoring of the road safety camera system are:

- To find any potential systemic issues with the camera network or technologies,
- Performance monitoring of the cameras and the camera system as a whole, and
- Scrutiny of the testing and maintenance activities performed on the camera system.

The annual reviews conducted by my predecessor, His Honour Gordon Lewis AM, had examined each fixed road safety camera installation operating in Victoria at least once by the end of the 2014-15 financial year. This was done using a sample of the road safety camera systems that represented the prevalence of different types of systems. I plan on continuing this method of conducting the annual reviews into the future.

In the year 2015-16, this office gave attention to newly commissioned cameras and revisited approximately a quarter of the entire camera network to ensure their continued accuracy and reliability. For this financial year, I conducted the annual review using a representative sample of 50 fixed road safety camera systems. The sample was drawn from all road

safety camera sites active prior to 1 July 2015, and included road safety cameras from all major freeway systems, including point-to-point or average speed cameras, along with road safety cameras operating at intersections. For the forthcoming year I intend on expanding the review.

To ensure the selected road safety cameras complied with the requirements set out in the Regulations, my technical staff examined the routine and scheduled maintenance and testing activities carried out at regular intervals by third party contractor over a period of twelve months.

By examining the testing and maintenance activities carried out over such a period, the review aims to:

- Identify any potential technical or systemic issues with a specific road safety camera installation that could lead to infringements being issued in error,
- Identify any potential technical or systemic issues with a type of road safety camera system which is used in Victoria that could affect more than one camera installation,
- Establish a trend in data and statistics recorded during this period for quality assurance purposes,
- Monitor the overall performance of the road safety camera network as a whole,
- Oversee and ensure that maintenance and testing are conducted in accordance with the specifications of the relevant manufacturers and the Department of Justice and Regulation, and

- Ensure that road safety cameras operate accurately and reliably during the twelve month period in which their calibration certificates are valid.

Scheduled routine testing is the best indicator of a camera's accuracy and reliability, as the tests are performed by independent metrology organisations. The tests are thorough, and involve:

- Testing a road safety camera's in-road sensors to ensure they comply with the manufacturer's specifications,
- Examining the sensors' physical condition, ensuring that any potential issues can be detected and rectified early,
- Testing the accuracy of a road safety camera's speed measurements against up to three other independent speed measurement devices,

- Testing the repeatability of a road safety camera's speed measurements against up to two other independent speed measurement devices, and
- Testing the road safety camera's accuracy in measuring red light infringements.

After conducting my annual review, I conclude that the road safety cameras are operating accurately and reliably, and in accordance with the requirements set out in the Regulations, the manufacturer's specifications and requirements set out by the Department of Justice and Regulation. I am satisfied that no traffic infringements could have been issued by Victoria Police as a result of a detection made by a faulty road safety camera.

## Publicly available information about the road safety camera system

Section 10(b) of the *Road Safety Camera Commissioner Act 2011* requires me to undertake, at least annually, reviews and assessments of the information about the road safety camera system that is made available to the public by the Department of Justice and Regulation.

In the short period I have been in the role of Road Safety Camera Commissioner I have conducted a review of the information published on the Camera Save Lives website.

This website contains relevant, current, and helpful information about the road safety camera system. It is written in easily understandable language and the user friendly format and layout is welcoming and refreshing.

In reviewing the information that has been available on the website for the past twelve months I advise the following enhancements have been made:

- Publishing the key reasons a fixed camera site is selected, including information regarding :
  - Camera location accident history,
  - Road types, and
  - Demonstrated accident risk,
- Easy access to fixed road safety camera compliance certificates,

- The addition of an informative summary of camera statistics released for each quarter that highlights key messages in the performance of the road safety camera system,
- Key road safety and road safety camera messaging, and
- The provision of information on the 'speeding fine process'

Of this information, I consider the publishing of a detailed summary alongside the quarterly infringement statistics a most useful resource that aids users to understand the way in which the camera system operates. It increases transparency in the road safety camera system, which is a prime objective of not only my office but the Department of Justice and Regulation as well.

I also commend both Victoria Police and VicRoads for enhancements made to their respective websites which have aided users of the Camera Saves Lives website in obtaining information.

At the time of this report I have been in discussion with the Director of Infringement Management and Enforcement Services regarding more initiatives planned to further enhance the provision of information to the Victorian public.

## Notes

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