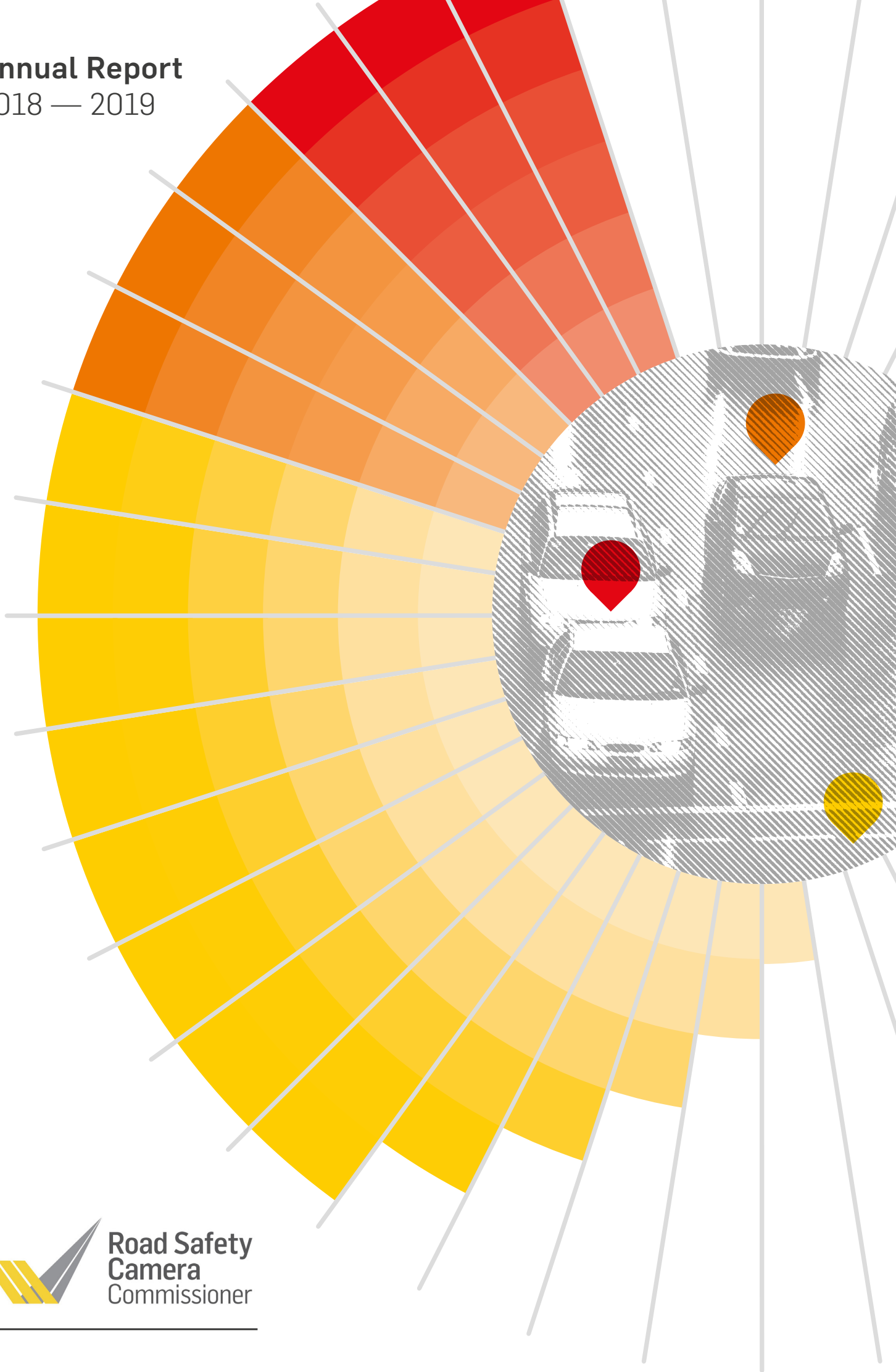


Annual Report 2018 — 2019



**Road Safety
Camera
Commissioner**

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issued by the Victorian Government in 2012,
relevant information included in this Annual
Report will be available at [www.data.vic.gov.
au](http://www.data.vic.gov.au) in electronic readable format.

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Published September 2019

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The Office of the Road Safety Camera
Commissioner pays respect to the traditional
owners of the land on which we live and
work. We pay our respects to Elders and all
Aboriginal and Torres Strait Islander peoples
who continue to care for their country,
culture and people.

To

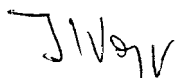
**The Honourable the President
of the Legislative Council**

and

**The Honourable the Speaker
of Legislative Assembly**

I am pleased to present to you the Annual Report of the Road Safety Camera Commissioner for the financial year 2018-2019 for presentation to Parliament, in accordance with section 21 of the *Road Safety Camera Commissioner Act 2011*.

Yours sincerely



JOHN VOYAGE
Road Safety Camera Commissioner

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Commissioner's Message



JOHN VOYAGE
Road Safety Camera
Commissioner

This is the eighth annual report of the Office of the Road Safety Camera Commissioner, and the fourth since my appointment.

The public rightly expects accuracy integrity and efficiency in Victoria's road safety camera system.

The road safety camera system represents a key component of the Victorian Government's Towards Zero strategy to save lives and reduce trauma on Victorian roads.

This has been a year in which the integrity of institutions, including the Banks, the clergy, the Victoria Police and

others, has been the focus of substantial scrutiny, and often been found wanting. Against this backdrop the integrity of the road safety camera systems has been largely untouched.

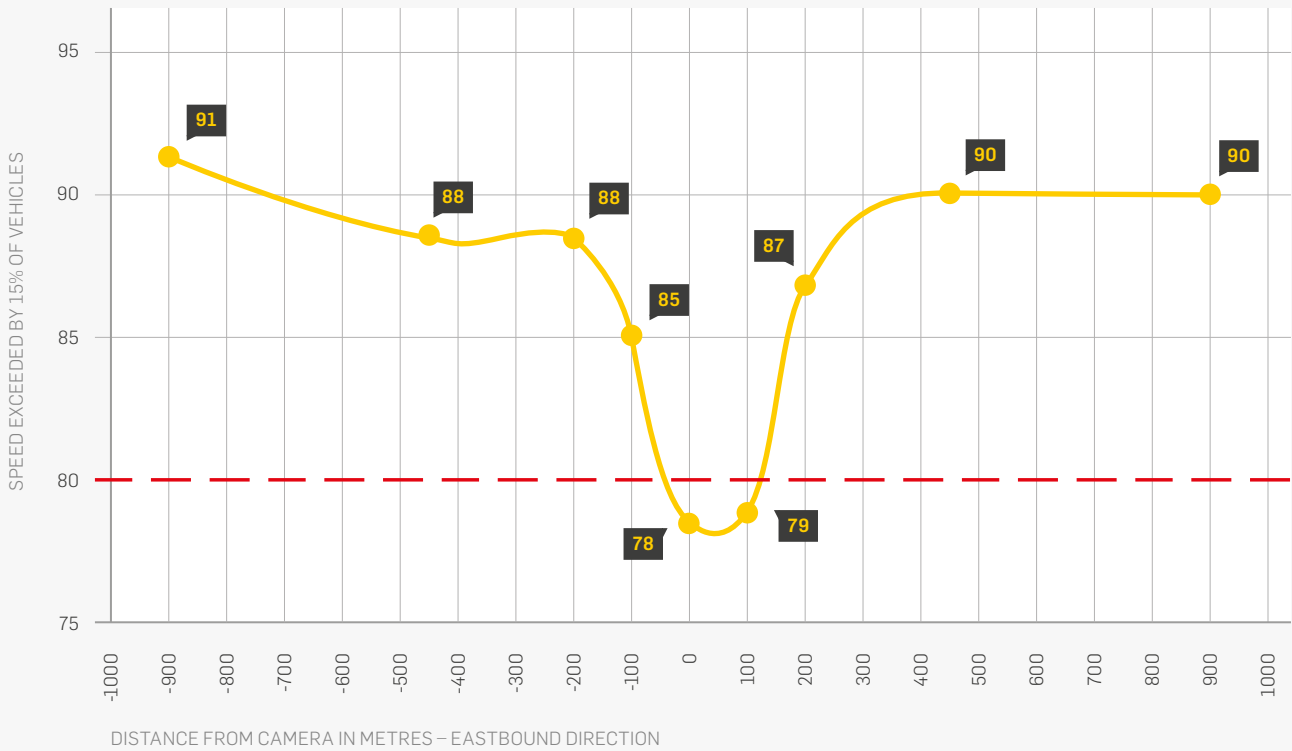
Speed remains the biggest road safety issue. Not only is **control reduced**, and **reaction time shortened**, but speed also results in **more severe** outcomes for road users. Road safety cameras play a part in calming traffic speed and ensuring greater compliance with the speed limit and red traffic lights. It is undeniable that the camera system has a real deterrent effect on red light and speeding behaviour.

Driving at speed is **high risk behaviour**. Driving through a red traffic light is also **high risk behaviour**. Whilst these offences are more readily captured with road safety cameras it should also be recognised that there is a likelihood that the risky behaviour of these drivers is not limited to the behaviour captured by cameras. People who risk their own, and other people's safety are candidates for other risky behaviour.

I repeat my last year's plea for **a more collaborative driving ethic**. The fact is that when two aggressive drivers tangle, the consequences can be long term, and yet it is avoidable and unnecessary.

The road safety camera system represents a determination by the authorities, with broad public support, to curb the breaking of road rules, with the effect of making the roads safer. This must be done out of respect for the people who have lost their lives and those injured.

Example of speed profile around a fixed speed camera in an 80 KM/H zone



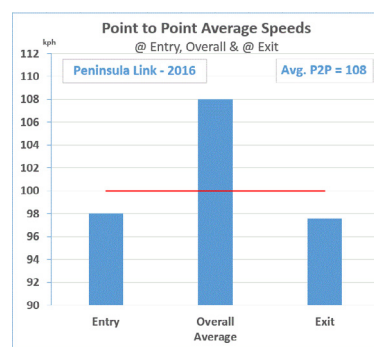
UNSW Transport and Road Safety Research Evaluation of the ACT Road Safety Camera Program, July 2014.

85th percentile speeds recorded on approach and departure around a sign-posted speed camera in an 80km/h speed limit in New South Wales.

Research shows drivers slow their vehicles in the vicinity of cameras and this is confirmed in my findings in relation to drivers on Peninsula Link (May 2017 and December 2018) and Hume Freeway (December 2017). My 2017/18 Annual Report contained an animation. It showed that for each of the different average point-to-point speeds there was a corresponding instantaneous entry and exit speed. Data of large numbers of vehicles travelling in the point-to-point zones on a major highway was aggregated and averaged in the analysis. For readers of digital versions of this report the animation can be viewed by clicking on the graph to the right.

Similar analysis of other point-to-point systems showed the same pattern: slowing at the cameras, speeding in between, then slowing at the next camera.

There has been public discussion about the increase in lives lost on Victoria's roads in the first six months of 2019. Many possible factors are involved. The role of road safety cameras is significant in reducing road trauma.



“It is undeniable that the camera system has a real deterrent effect on red light and speeding behaviour.”

The Office of the Road Safety Camera Commissioner

The Office of the Road Safety Camera Commissioner (ORSCC) was established with the intention of promoting increased transparency in the road safety camera system and enhancing accountability for that system.

Section 10 of the *Road Safety Camera Commissioner Act 2011* 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 Community Safety (DJCS)
- to undertake investigations requested or agreed to by the Victorian Minister for Police and Emergency Services 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 Road Safety Camera Commissioner 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 the Minister or under this or any other Act.

On 5 February 2019 the ORSCC was advised that proposed draft instructions had been delivered to the Parliamentary Draftsman for amendments to the *Road Safety Camera Commissioner Act 2011*. As at 30 June 2019, the ORSCC has not been advised of the progress of these proposed amendments.



THE OFFICE'S MAIN ROLES

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 Office must regularly review the information made available to the public by the Department of Justice and Community Safety (DJCS).

MANAGE FEEDBACK

Any person who has a complaint concerning an aspect of the road safety camera system itself, can lodge it with the Office. The feedback may be investigated where any complaint points to a systemic problem with the road safety camera system.

CONDUCTS INVESTIGATIONS

The *Road Safety Camera Commissioner Act 2011* (the Act) empowers the Commissioner to undertake investigations requested or agreed to by the Minister for Police and Emergency Services 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 ADVICE AND INFORMATION

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

Vision

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

Mission

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

The Office is committed to:

- **Independence and Integrity**
be impartial and act without fear or favour, carry out functions with honesty, accuracy, consistency and respect.
- **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.
- **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.
- **Advancing Knowledge**
support advancement of knowledge, factors, and technological understanding to ensure the accuracy, reliability, and integrity of the Victorian road safety camera system.

GOVERNANCE AND ORGANISATIONAL STRUCTURE

The Road Safety Camera Commissioner is a statutory Office holder appointed by the Governor in Council and reports to the Parliament of Victoria.

As at 30 June 2019, the Office had three full-time positions of which two are currently permanently occupied, to enable the Road Safety Camera Commissioner to perform his functions and exercise powers under the *Road Safety Camera Commissioner Act 2011*. The two permanent staff include an Office Manager and a Senior Technical Officer.

The staff of the ORSCC are appointed by the Commissioner, but are employed under Part 3 of the *Public Administration Act 2004*, as DJCS employees. For the purposes of their work with the Commissioner, the Commissioner's staff work independently of the DJCS.

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

FINANCIAL REPORTING OBLIGATIONS

The ORSCC annual financial statements and report of operations have been consolidated into the DJCS annual financial statements and report of operations, pursuant to a determination made by the then Minister for Finance under section 53(1)(b) of the *Financial Management Act 1994*.

In addition, the ORSCC was granted a full exemption from the Standing Directions for the 2018/19 compliance year and successive compliance years. As part of the approval of the exemption, an alternate governance process is in place for the ORSCC and it is reporting under the DJCS Portfolio Entity Financial Management Compliance Framework 2019.

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



Year In Review

ACHIEVEMENTS 2018-19

There has been a renewed effort on the part of many road safety authorities to improve the road safety system in line with recommendations from the May 2018 WannaCry report on malicious ransomware infection. The renewal is due to both the change in approach, and in many cases a change in personnel.

This year has also been marked by efforts by DJCS to follow up on some anomalies from the previous year. We have seen numbers of cameras in long term deactivation, in circumstances where, one might have expected a speedier restoration. We also have looked at practices to find opportunities for improved efficiencies. One example of where efficiency can be found is with dual independent assessments of speed, and dual independent manual supervision of the system. The practice is unmatched anywhere in the world. Also, the certification of the systems is undertaken many times more often than legislatively required.

The DJCS asserts that this is to ensure the confidence of the public, but I do not accept this. I am not aware of the public being educated as to the level of accuracy of the systems, and by contrast the perception that cameras exist to raise revenue has not been altered by any such high standards. These high standards come at a cost. Different standards are accepted in many other countries, as well as other Australian states. I have been looking at how to improve the efficiencies and also to improve the public confidence in the road safety camera system.

On 3 May 2018 I delivered my report into the WannaCry ransomware infection of the road safety camera system. It can be found at: <https://cameracommissioner.vic.gov.au/publications/wannacry-malicious-ransomware>

Paragraph 12 of that investigation stated: ***The integrity of the system has come under scrutiny, and I make recommendations for improvement.***

That report contained many recommendations, set out in paragraphs 16 to 30 (including some parts redacted from public viewing), paragraphs 71, 116 to 119, 134 to 136, 151 to 152, 157 and 171 to 172. Recommendations were detailed in my 2017-18 annual report at pages 18 to 20, inclusive.

Last year I noted that amongst the key improvements urgently required were:

- Establishing of a baseline of what constitutes "service as usual",
- Establishing of a disaster plan of action, to identify tasks to be performed and communications to be made,
- Introducing a change of culture within DJCS.

Whilst some recommendations have been acted on, I have not seen the urgency attached to implementing the recommendations, especially the urgent recommendations, which I would have expected. After all, the integrity of the system has come under public scrutiny, the improvements are necessary for the public to have confidence. The public should rightly be able to assume that the recommendations were being prioritised and actioned as part of the investigation process, otherwise the authorities have missed the key point of the investigation. There are many reasons for this, not the least of which is budgetary considerations. However, I am concerned there has been insufficient action taken with some recommendations.

There are also some unanswered questions in relation to some infringements. I was particularly impressed with a drive-through dash-cam video which one driver provided to me regarding a journey through the Burnley tunnel. This video tended to support the driver's assertion about inadequate signage and inadequate warning. As at 30 June 2019 this issue had not been adequately explained, and some urgent scrutiny will be required.

I repeat my comment from previous years that I am satisfied that the existence of the ORSCC provides all Victorians with an independent and impartial avenue to raise their concerns. I acknowledge the work of Professor Maxwell Cameron of the Monash University Accident Research Centre (MUARC), and associates, again confirming the connection between existence of road safety cameras, a system of enforcement, and safety on our roads. This year seems to have a diminution of ill-informed people being given airtime to talk without data about road safety.

The integrity accuracy and efficiency of the road safety camera systems is non-negotiable. All reasonable steps must be taken to remove any reasonable doubt in the minds of Victorians of the integrity, accuracy and efficiency of the systems. The cameras themselves are accurate.

Every year since the commencement of this Office we have reported that there is no evidence of anyone who obeyed the law receiving an inappropriate infringement notice due to malfunction of the road safety cameras. This is again the situation in the year 2018/19.

We have seen some problems with the technology unable to fully support the community in all circumstances. In particular there have been examples where old technology is unable to cope with the volume of infringements at some times. We are investigating these issues.

There is no evidence of any inappropriate infringement notice being issued as a result of any malfunction in the detection or processing of infringement data from the road safety camera system.

Every year since the commencement of this Office we have reported that there is no evidence of anyone who obeyed the law receiving an inappropriate infringement notice due to malfunction of the road safety cameras. This is again the situation in the year 2018/19.

REVIEW OF CAMERA AT LODERS ROAD

The Peninsula Link camera at Loders Road has been the subject of previous investigations and in 2018/19 there were good reasons to continue to closely monitor this site due to the anomalous numbers of infringements detected on Peninsula Link at Loders Road, heading northwards.

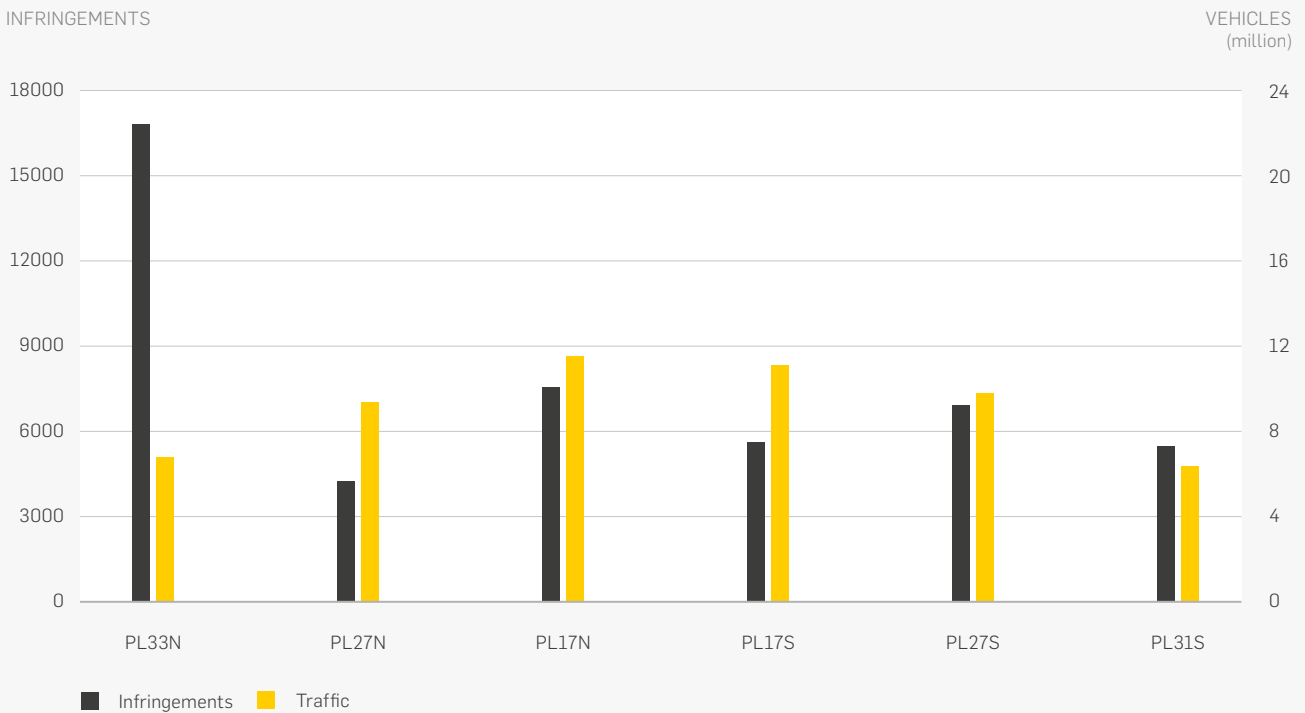
The camera was deactivated for 11 months after the vandalism of December 2016. This raised additional questions of efficiency which are discussed on page 26.

The Peninsula Link report says:

In 2016/17 we noted that the proportion of vehicles travelling northward on Peninsula Link at Loders Road bridge, assessed at an instantaneous speed of over 100 km/h, was much greater than for the other five Peninsula Link instantaneous sites. This is shown in the graph:

Peninsula Link 2016

Instantaneous Infringements Vs Traffic



This shows a set of pairs of data, being the number of infringements (left axis) and number of vehicles comprising the traffic (right axis). The pairs of columns show the numbers of vehicles paired with the number of infringements for each of the six instantaneous camera sites. It identifies what at first blush appears to be the out-of-proportion nature of infringements at "PL33N", Loders Road. This was revisited to ensure the integrity accuracy and efficiency of the road safety camera system at PL33N; on Peninsula Link at Loders Road bridge for inbound traffic.

The follow up [report on Peninsula Link](#) was delivered on 4 December 2018.

Summary findings

- Given the public interest and the number of complaints received about Peninsula Link, the cause of the high infringement ratio at Loders Rd Bridge merited further examination.
- The further investigation into the fixed digital road safety camera at Loders Rd Bridge demonstrated that the camera was working correctly both prior to the vandalism, and after its reinstatement.
- The reinstated camera system shows similar traffic volume and infringement rates in the same date period in 2016 and 2018.
- I am satisfied that there have not been any inappropriate infringements detected at Loders Rd Bridge in Moorooduc and that there are no systemic or technical issues with the operation of the camera system at this location.

During the 2018/19 year this Office has been asked to intervene in, or to investigate, issues relating to instantaneous speed road safety camera systems, point-to-point speed road safety camera systems (including variable speed systems), and red traffic control signal road safety camera systems.

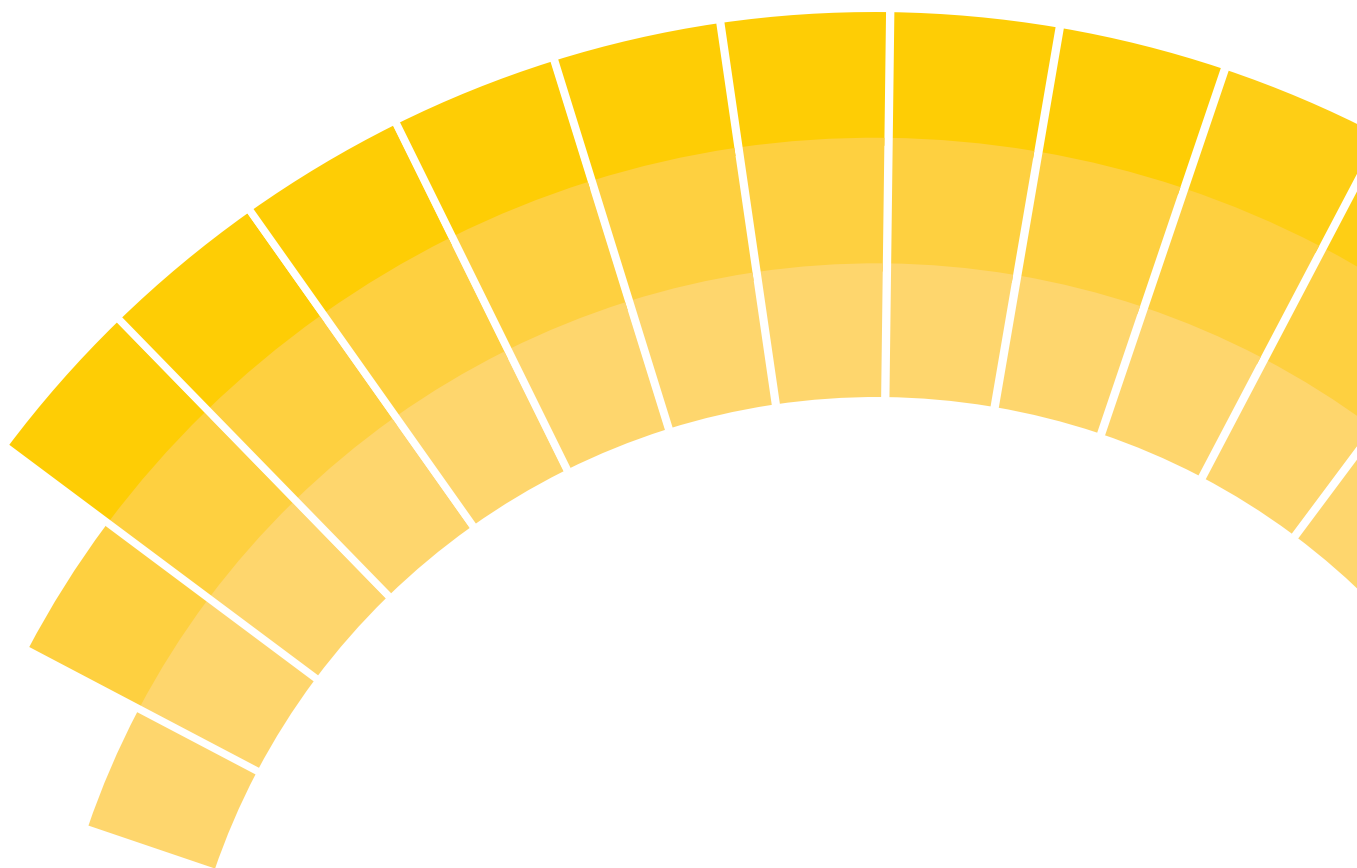
This year has seen the ORSCC following up on the implementation of the **recommendations from the report on the WannaCry** Malware infection, which involves assisting the authorities including DJCS, Victoria

Police, VicRoads and Transurban to improve the efficiency of the road safety camera system. This efficiency project is continuing as at 30 June 2019.

This year also involved a review of the anomalous data found on **the Peninsula Link**, to analyse the high rate of infringing at Loders Road (heading northwards). The report was published on 4th December 2018, and can be found at <http://cameracommissioner.vic.gov.au/peninsula-link-at-loders-rd/>. The report confirmed that a greater rate of infringements occurs at the site approximately 33 km from Melbourne, heading inbound, compared with the other five sites on Peninsula Link. Our analysis could not find any error in the camera systems that would lead to a higher number of infringements.

REPLACEMENT OF OUTDATED TECHNOLOGY

During 2018/19 the Senior Technical Officer of the ORSCC, Mr Zhi Peng Ye, undertook an investigation of the efficiency of wet-film cameras. There are only a small number of cameras using this old technology. The argument has been raised of whether new technology should replace the old, and it has been said that the Fixed Camera Site Selection Committee might not choose the wet-film locations if a new digital camera was to be purchased. The data, we were told, suggested that the locations of wet-film cameras were now no longer urgently needing monitoring. However, we looked at publicly available data to see what had happened at sites where some wet-film cameras had been upgraded to modern digital systems.



Mr Ye's research included the following table, based on information from the Cameras Save Lives website. It shows a substantial increase in infringements detected and in fines issued after the upgrading of the wet-film cameras.

Further, the upgrades in 2015-16 meant the service was down for a period in that year. However, the comparison of pre-and post-upgrade is clear. The improved camera systems have played a role in detecting much larger numbers of infringing drivers than their predecessors. The road safety consequences are that more drivers have received a reminder that speeding is unacceptable.

Comparison of infringements and fines when wet film cameras have been replaced by upgraded cameras.

LOCATION	FY2014-15		FY2015-16		FY2017-18 (upgraded systems)	
	Infringements	Fines	Infringements	Fines	Infringements	Fines
Brighton Rd and Glen Eira Rd, St Kilda East	236	\$88,191	94	\$35,626	13,863	\$3,236,850
North Rd and Clayton Rd, Clayton	70	\$25,830	24	\$9,854	16,872	\$4,104,742
Nepean Hwy and Centre Rd, East Brighton	77	\$28,782	34	\$13,265	2,023	\$499,934
Barkers Rd and Glenferrie Rd, Hawthorn	136	\$50,184	283	\$107,257	4,523	\$1,105,265
Murray Rd and Elizabeth St, North Coburg	103	\$39,114	59	\$22,361	1,170	\$323,306
Pascoe Vale Rd and Peck Ave, Strathmore	180	\$67,896	21	\$8,338	5,573	\$1,361,499
Thompson Rd and Separation St, Geelong North	56	\$21,033	17	\$7,201	1,525	\$448,396
Princes Hwy and Purnell Rd, Corio	62	\$23,616	20	\$7,580	3,152	\$835,942
Settlement Rd and Torquay Rd, Belmont	40	\$14,760	24	\$9,475	1,181	\$301,157
Moorabool St and Fyans St, South Geelong	196	\$73,062	84	\$32,215	1,393	\$432,965
TOTAL	1,156	\$432,468	660	\$253,172	51,275	\$12,650,056

The old wet film cameras could only detect red light infringements; the new systems have improved red light infringement detection capacity together with adding speed enforcement.

ROLE OF MEDIA

In previous years I have expressed alarm at the readiness of members of the public to undermine the integrity of the road safety camera system and the people who are committed to reducing road trauma. This has continued in 2018-19 and all the feedback from members of the public have been investigated and found to be baseless.

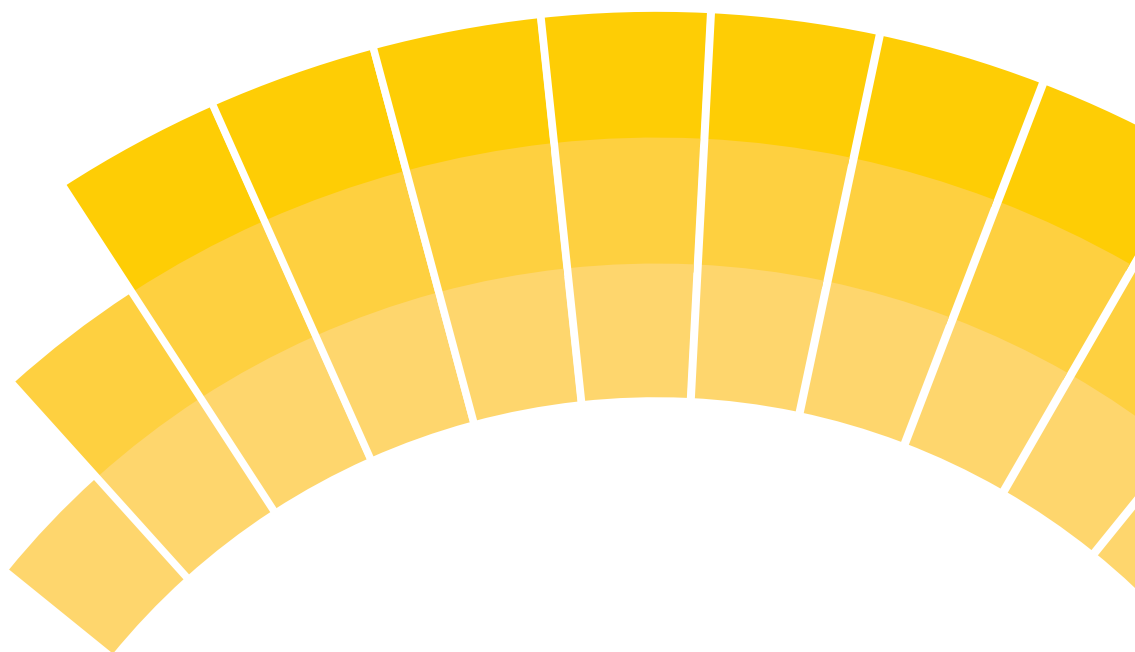
BASELESS ALLEGATIONS CASE STUDY

On 23 October 2018, a man calling himself "Jacob" telephoned 3AW and alleged that a speeding infringement which he received had been withdrawn, based on his evidence. Staff from the ORSCC tried to call Jacob a number of times in subsequent days, but he did not pick up nor did he respond to any of the voicemail messages left for him. There were at least four aspects of Jacob's story which were implausible; plus, a search by DJCS was unable to locate any event fitting Jacob's description.

The public should treat with scepticism any unsubstantiated complaint they hear in the media.

I repeat my comment from previous years that I am satisfied that the existence of this Office provides all Victorians with an independent and impartial avenue to raise their concerns.

3AW did not seek comment from the Office at the time the above allegations were aired.



DATA COLLECTION AND ANALYSIS

During 2018-19 there have been improvements in the quality of integrity of data available to the public from the DJCS, and in particular, from the Cameras Save Lives website <https://www.camerassavelives.vic.gov.au/>

However, the data on which decisions are based starts right at the point of the incident. Improvements should be made, toward a national (or international) set of standards of data. See **Recommendation 1 on page 28.**

Following an incident in 2017 in which I witnessed a fatal collision involving a cyclist and a truck-with-trailer, and subsequently finding that the type of vehicle involved was not accurately reported, I have delved into the way in which data is accumulated and reported in Victoria. I had hoped that road safety agencies would examine the way their data is recorded in the official statistics that road safety bodies use to determine if new measures need to be introduced to save lives.

Initially the ORSCC examined road safety data from three different Victorian Government sources. There are many sources of these statistics, and they do not necessarily purport to be measuring the same thing. I have been concerned that the different organisations measure different things, but that data is used in a fashion as if it is accepted fact. In previous annual reports I have noted that different states seem to have different measures. In Victoria, one agency's data generally will be different to another agency's data because the data is generally collected for reasons particular to that agency.

The list of agencies is long, including Ambulance Victoria, the Coroners' Court, Department of Health, TAC, VicRoads, Victoria Police and so on, each agency has data, but there are different things being measured by each.

We analysed three agencies' data for the production of this graph. The data sets did not match. Rather, they diverged to a surprising extent.

It is noteworthy that there continue to be discrepancies in the road safety statistics, for example where serious injuries are either under-reported or over-reported.

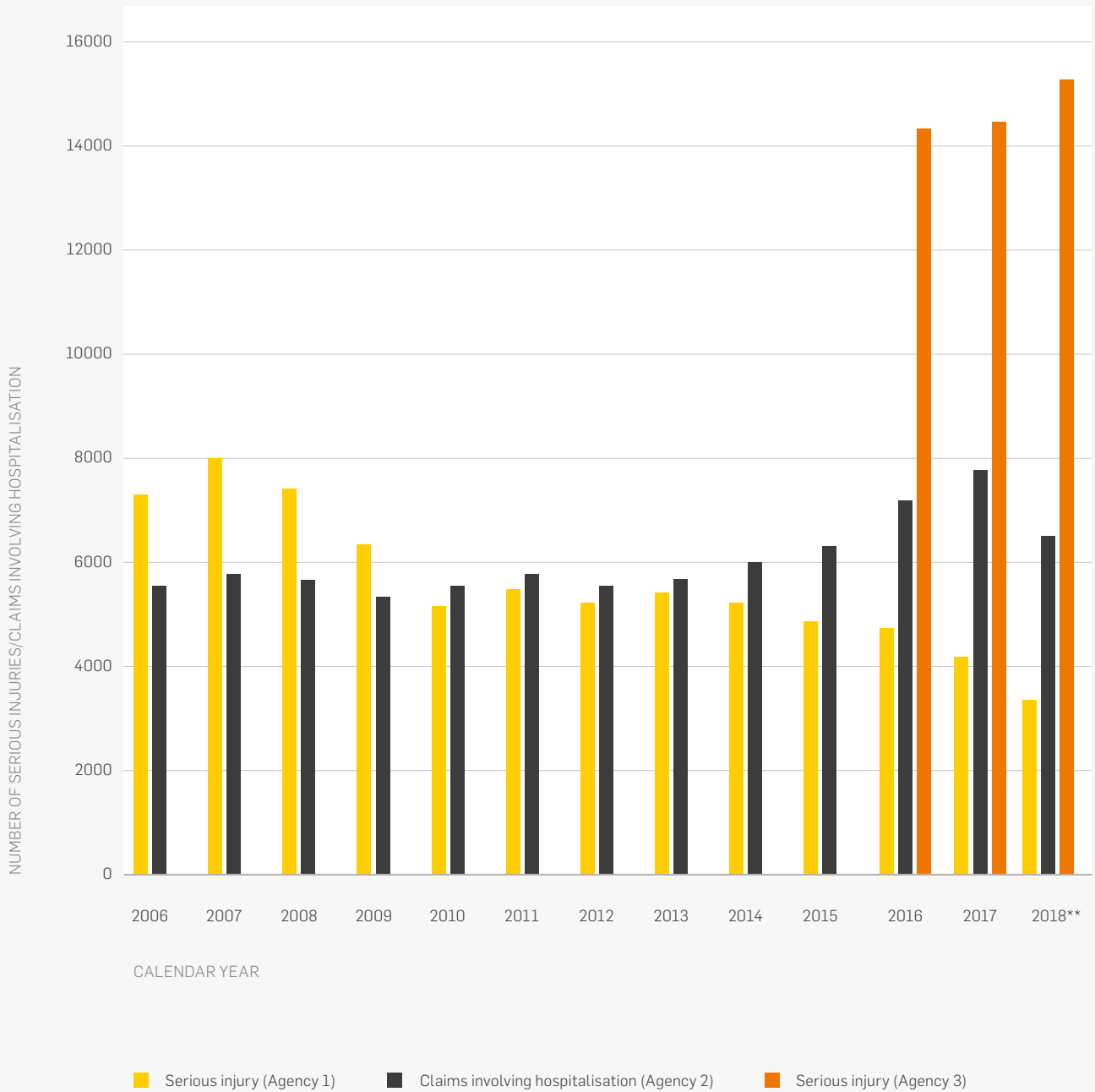
Since reviewing how data is collected, Ms Robyn Seymour, Head of Road Safety Victoria, has notified the ORSCC about an initiative where the Department of Transport, VicRoads, the Department of Health and Human Services, Victoria Police and the TAC have piloted a validation process that links police reports to hospital claims data, providing a much better picture of the burden of serious injury. The outcomes of the work are highlighting that many injuries that appear mild at the site of the crash prove more serious on arrival at hospital.

Better statistics should mean that limited state resources for road safety measures can be better directed on the basis of more precise and specialised data.

The data which could be considered to be different counting of much the same thing, is presented on a graph on page 17.

Comparison of counts of “serious injuries” according to data of three Victorian Government Agencies

Calendar years 2006 to 2018



Note: The Agency 2 data regarding serious injuries was available for the period 1 Jan to 30 Nov 2018

I am grateful to Mr Keith Moor, former Deputy Editor of the Herald-Sun newspaper, for his long-time interest in road safety, and for his article (together with photojournalist David Caird) on 16 October 2018 regarding the tragic death of a cyclist, and the issue of inadequate data collection. In particular, the recording of data in relation to road trauma is currently a secondary function of others who are already working in road safety administration. I have enquired about ways to improve the collection of data and the response confirms that there are many factors involved, including (but not limited to) staff retention and redrafting of pro-forma working/collection documents.

The fundamental requirement of evidence-based decision making is objective, accurate data. Further, different definitions are used and different data collected between our six states and two territories. Whereas Australians, and Victorians in particular, profess to be world leaders in road safety, our analytics are not even at the point of having a national standard. This is an issue raised many times by the Victorian Parliamentary Road Safety Committee (as it was then called) such as in 2012, when making recommendations for improvement. This opportunity for improvement remains an obvious and necessary one.

Foremost of the recommendations of the Parliamentary Road Safety Committee report on Motorcycle Safety, Dec 2012, found at <https://www.parliament.vic.gov.au/57th-parliament/rsc/inquiries/article/1409> was recommendation 1 regarding improved data:

Parliamentary Committee Recommendation 1:

That an independent office of road safety data be created, which will be responsible for collecting, collating, interpreting and publishing all data relevant to road safety, and, for the purposes of this Inquiry, specifically motorcycle safety. Its functions will include:

- Investigating which agencies collect data and where there are data gaps, particularly with respect to off-road riding;
- Setting standards, definitions and data collecting protocols;
- Chairing committees that include all relevant agencies and departments involved in motorcycle safety (including those that collect data);
- Setting benchmarks for the collecting and auditing of data;
- Co-ordinating the collection of data across departments dealing with health, road and environment portfolios; and
- Collecting sales, injury, registration, licensing, fatality and Transport Accident Commission insurance data.

At that time, the Whole of Government response to this recommendation stated:

→ **This recommendation is supported in principle**

The Government recognises the benefits of improved road safety data, but also notes that the functions identified in the recommendation do not require the creation of a new office. The road safety partner agencies will continue to share and gather data and information and will collaborate with the Department of Health and Ambulance Victoria. Agencies will also work to close gaps in current data collection, such as off-road motorcycle crash data. Centralised data management processes will be investigated, and will include health, insurance, injury, road, registration and licensing data. It is expected that there will be substantial costs associated with establishing centralised processes, but these would be minor compared with the costs associated with the establishing and operating a new office.

The Centre for Victorian Data Linkage within the Department of Health and Human Services (DHHS) is currently liaising with WorkSafe, the TAC, the Victorian State Trauma Registry and the various DHHS acute datasets to improve data linkage between the agencies. The Victorian Data Linkages program has been established to develop new data linkage capacity in Victoria. Agencies will make data available to the public in accordance with the requirements of the Whole of Government DataVic Access Policy. Road safety data will be published on the Victorian Government Data Directory www.data.vic.gov.au.

The 2014 Parliamentary Road Safety Committee report of the inquiry into serious injury said in part:

Throughout the Inquiry process, the Committee identified three key themes. These themes were: the criticality of accurate, useable and accessible serious injury data, including the need for an appropriate serious injury definition; improving the use of evaluations in road safety policy to understand whether the interventions and countermeasures implemented to address road trauma are actually working, and the extent to which this is occurring; and refocusing road safety policy to place greater emphasis on serious injuries.

That inquiry can be found at: https://www.parliament.vic.gov.au/images/stories/committees/rsc/serious_injury/RSC_-_INQUIRY_INTO_SERIOUS_INJURY.pdf

The 2014 Inquiry looked at issues including:

- serious injury data, which includes under-reporting and over-reporting, and the insensitivity of the current serious injury definition. According to evidence received by the Committee, there are over 5,000 serious injuries in Victoria. However, this figure is based on the current definition of 'admitted to hospital', which provides minimal detail about the types of injuries occurring on Victorian roads, their severity and their long-term impact in terms of disability and loss of function. This lack of detail, coupled with the issues caused by having police report on the seriousness of an injury, has made it difficult to determine how widespread the issue of serious injury is, and more importantly, whether such injuries have increased or decreased over time.

That Parliamentary Road Safety Committee stated:

- The Committee believes that because the sophistication and robustness of policy responses to serious injury are wholly reliant on good crash and medical data, future improvements in Victorian road safety **cannot be achieved** (my emphasis) unless these data issues are overcome.

The key findings included:

- **Finding 1:** The Victorian State Trauma Registry's major trauma definition sets the standard by which crash related serious injuries can be defined and identified.
- **Finding 2:** The Committee believes that the current health legislative framework makes police confirmation of admission status difficult and haphazard.
- **Finding 3:** The existing serious injury data collection in Victoria is likely to distort the true state of road trauma in Victoria.
- **Finding 4:** The current approach to defining serious injury and having these injuries compiled through police statistics is problematic and does not represent best practice. There is clearly a need for change.

Parliamentary Committee recommendation 6 of that report stated in part:

- Recommendation 6: That the Victorian Government establish a **Road Safety Trauma Definitions Committee** chaired by the responsible Minister...

We need to listen to, and reconsider acting upon, these important and repeated recommendations.

On 29 June 2019, the Victorian Government announced the formation of Road Safety Victoria. As at 30 June the functions of this body were still to be clarified.

SIGNAGE ON ROADS

This year has certainly seen a reduced number of complaints of what is alleged to be insufficient signage, both in road works zones and at hazards. This may be a reflection of action by the road work oversight bodies to require strict compliance with Traffic Management Plans. There has also been a reduction in the number of complaints relating to the Western Ring Road. There has however been an increase in the number of complaints about the monitoring (and enforcement) of variable speed limits (known as Lane Use Management System ("LUMS") by VicRoads for variable speed limits on other roads, and in particular

CityLink at both the Burnley Tunnel and Domain Tunnel.

I repeat my recommendations from previous years that driver confidence would improve if compliance by roadworks bodies with the Traffic Management Plan could be corroborated by performing and recording a drive through of the works zone before and after each session, using a dash-cam to capture the driver's experience. Any uncertainty continues to raise a problem for all involved in road safety, and could lead to the position that if the signage is wrong or confusing then it is at risk of teaching drivers to ignore the signage. See recommendation 8. "Roadworks".

COLLABORATIVE ROADCRAFT

As in previous years, the key message in Victoria is that there is a **widespread lack of recognition of the risks** associated with speeding. It is not for individuals to determine what they consider to be an appropriate speed in the circumstances.

I repeat my call from previous years that we need to make collaboration a cornerstone of driving and roadcraft values.

There needs to be improved recognition that speed limits apply to everyone, and in a collaborative sense, **speed limits are shared by everyone**. One clear example is on some highways with variable speed limits, where authorities have determined that a speed limit be reduced to aid traffic flow, to diminish clustering and, perhaps counterintuitively, to result in a **shorter** travel time and in a **safer** journey. In these cases, you get there faster by going slower.



Annual Reviews and Assessments

BACKGROUND

In accordance with section 10(a) of the *Road Safety Camera Commissioner Act 2011*, I am obliged to conduct, at least annually, a review into 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.

As part of this annual review, the ORSCC has examined the accuracy, integrity and efficiency of every fixed camera operating in Victoria in the twelve-month period 1 April 2018 to 31 March 2019, inclusive. This review included any newly installed or rebuilt cameras that were activated following a period of deactivation for various reasons.

Victoria's mobile road safety cameras are to be used in accordance with the Victoria Police *Mobile Digital Road Safety Camera Policy & Operations Manual*. This manual provides guidelines regarding how camera locations are to be selected. This manual is published on the Cameras Save Lives website at: camerassavelives.vic.gov.au/how-cameras-work/camera-types/mobile-cameras

Mobile camera sites are determined by Victoria Police. A location is chosen as a mobile camera site if it meets one or more of the following selection criteria:

- Documented history of serious and major injury collision within the past three years,
- Subject of a validated complaint of excessive speeds. For example, from the general public, local councils, etc.,
- Identified by Victoria Police to be a speed-related problem site, and
- Proposed speed enforcement by non-camera devices within specific site deemed not practicable/unsuitable.

An updated list of Victoria's mobile camera sites is published on a monthly basis on the Cameras Save Lives website at this link: camerassavelives.vic.gov.au/camera-locations/approved-mobile-camera-locations. The list of selection criteria above is denoted as reasons A to D respectively in the published site lists.

METHOD OF REVIEW

The DJCS provides ORSCC with all testing and maintenance reports of the state's fixed road safety cameras. The Office also has access to the department's camera site works database which is named SiteTrak.

Together with SiteTrak, the testing and maintenance documents provide a detailed insight into the operation of every fixed camera operating in Victoria. The objectives of the annual review are:

- To monitor the individual road safety cameras in operation around Victoria for any systemic or technical issues,
- To establish trends in their operations to determine whether there are any indications of impending issues with equipment or the system,
- To monitor the accuracy and reliability of each camera location and the road safety camera network, and
- To scrutinise the regular testing and maintenance activities carried out on the road safety cameras.

The ORSCC also used correspondence from members of the public to determine whether there were any technical or systemic issues related to fixed and mobile cameras or the overall camera system.

The DJCS also provides information about the location of mobile cameras. The Office examined the updating of mobile camera locations and public correspondence received about mobile cameras to determine whether there were any technical or systemic issues with the mobile camera program. There were no issues detected.

NEW OR REBUILT CAMERAS

During this annual review period there were no activations of new fixed road safety camera installations in Victoria. The Cameras Save Lives website lists any upcoming or pre-commissioned cameras in Victoria at this link: camerassavelives.vic.gov.au/camera-locations

Pre-commissioned cameras can be new or rebuilt installations. As at 30 June 2019, the Cameras Save Lives website lists four pre-commissioned cameras which are located at:

- Rosanna Road and Darebin Street, Northbound, Heidelberg
- Rosanna Road and Darebin Street, Southbound, Heidelberg
- Rosanna Road and Banyule Road, Northbound, Rosanna
- Rosanna Road and Banyule Road, Southbound, Rosanna

As these cameras have not yet been activated, the Office did not include them in this year's annual review.

Three rebuilt cameras were brought back on-line this financial year following extensive roadworks and upgrades along Nicholson St in East Melbourne at its intersections with Albert St and Victoria St.

The ORSCC examined the commissioning, testing and maintenance activities undertaken on these cameras, both in the lead-up to, and after their activations. The work to ensure the accuracy, integrity and efficiency of these cameras before their reactivations were of the highest standard and their continued operations are supported by the customary high standard of testing and maintenance work from the DJCS and independent authorities.

MOBILE CAMERA SITES

The Cameras Save Lives website states that there are “approximately 2,000” mobile camera sites in Victoria. However each published list of mobile camera sites only contains approximately 1,600 ‘sites’. I enquired with the DJCS regarding this apparent discrepancy. It has advised that there are indeed approximately 2,000 approved sites per month. The apparent discrepancy is caused by some roads with more than one approved mobile camera site only appearing once on the list; in essence a number of locations can be amalgamated into one. This has the effect of appearing to reduce the number of mobile camera sites in Victoria.

While I accept the way in which the mobile camera list is published on the Cameras Save Lives website, a member of the public might question – rightly so – an apparent discrepancy of 300 to 400 mobile camera sites (or approximately twenty percent). I have communicated to the DJCS that the description of “approximately 2,000” sites that currently appears on the Cameras Save Lives website be amended to more accurately reflect camera numbers.

Each mobile camera site was reviewed at least once during this financial year by Victoria Police. I commend Victoria Police for ensuring that the site lists are being consistently reviewed and updated. The number of mobile camera sites in existence implies that this is a laborious and time intensive task.

The ORSCC receives complaints and enquiries regarding mobile road safety cameras. Most relate to the siting of the cameras, rather than the accuracy of their speed measurements. Concerns about the siting of mobile cameras relate mainly to camera vehicles operating on gradients or being situated too close to an intersection and thus blocking oncoming vehicles from the view of drivers exiting side streets. However upon further investigation of these complaints, it was found that that the cameras were being deployed in accordance with the relevant road rules and site selection guidelines.

MOBILE CAMERA IMAGE QUALITY

The quality of images recorded by mobile road safety cameras provided to the public on the Fines Victoria website was the subject of one complaint this financial year. Victoria’s mobile camera systems use infrared flashes to provide illumination when recording images. Using infrared light generally means darker images and a loss of colour range. During the independent manual review process, verifiers can make adjustments to the brightness, contrast and gamma settings of a copy of the image (but not the original) to bring out details about the vehicle, such as its make, model and type.

The resulting ‘copy’ of the image can then be provided to the public for viewing. However, making those adjustments can lead to details such as the registration becoming over-exposed and illegible.

If a member of the public receives an image of an alleged offence but they cannot conclusively identify whether it was their vehicle, it is understandable that they raise concerns about the integrity of that infringement.

DJCS has been alerted to this issue, and it has undertaken to review the way mobile camera images are processed and provided for public viewing on the Fines Victoria website.

RESULTS OF ANNUAL CAMERA REVIEW

During this financial year there was a follow-up investigation into the accuracy, integrity and efficiency of the northbound cameras at Loders Rd Bridge along Peninsula Link. This is dealt with in more detail on pages 12-13. This followed the initial Peninsula Link investigation, where that camera site was observed to be recording a much higher proportion of infringements than the other five Peninsula Link sites.

The result of that investigation was that the camera site was operating correctly before the vandalism that occurred in December 2016 and after it was restored. This follow-up investigation using additional data showed that the higher infringement rate was an accurate representation of driver behaviour in that part of Peninsula Link. It also reaffirmed the correct operation of the other Peninsula Link cameras.

Not every fixed road safety camera was in continuous operation during the period covered by this annual review. The operation and maintenance of a geographically widespread and complex road safety camera system to the highest standards is a difficult task. There are various factors affecting the operation of cameras and they can be both planned or unplanned events.

Some of the issues that are encountered by the road safety camera program include, but are not limited to:

- Camera system upgrades, including software and hardware,
- Scheduled routine testing and maintenance,
- Annual certification and calibration,
- Disruptions to roadworks, including unplanned emergency works, and
- Spontaneous events such as vehicles colliding with camera equipment or deliberate vandalism.

The comprehensive documentation provided by the DJCS's Road Safety business unit is to be commended.

In reviewing the concerns raised by the public, many issues have come to light. The first is the assumption by the public that observing a camera flash meant that they would receive a fine. They described a variety of situations, such as stopping over the line at a red light or vehicles in other lanes being detected. Whilst one can never rule out the potential for human error, the public should be assured by the stringent processes used to scrutinise every detection to ensure that no inappropriate infringements are issued.

This year's annual review found that there were no technical issues with any individual Victorian road safety camera. All the cameras operated in accordance with the requirements set out in the *Road Safety (General) Regulations 2009* and the specifications set out by the manufacturers and the DJCS. I am also assured that Victoria's mobile cameras are operating in accordance with the relevant regulations, road rules and guidelines.

The annual review for the financial year 2018-19 found no evidence of any traffic infringements being issued as the result of an incorrectly operating camera.

However as stated in the 2017-2018 annual report of there are opportunities for improvement in the way in which Victoria's road safety camera program is administered. There were recommendations stemming from my investigation into the WannaCry virus infection that occurred in June 2017. I stress that those recommendations relate only to the administration of the road safety camera program, and not the accuracy of the cameras, or the integrity of infringements issued based on their detections.

The annual review for the financial year 2018-19 found no evidence of any traffic infringements being issued as the result of an incorrectly operating camera.

ANNUAL REVIEW OF INFORMATION

Section 10(b) of the *Road Safety Camera Commissioner Act 2011* states that the Road Safety Camera Commissioner is 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 Community Safety)".

Until January 2019, the Department was known as the Department of Justice and Regulation (DJR) when its name was changed to the Department of Justice and Community Safety (DJCS).

This review looked at the nature of information provided, and currency, of links on each of these websites. It also examined whether the information is presented in a clear, accessible manner. Finally, recommended actions for improvement were made where relevant.

The DJCS provides information about Victoria's road safety camera system on a number of websites, predominantly on Cameras Save Lives at www.camerassavelives.vic.gov.au. The Department also provides information to the public on its own website at www.justice.vic.gov.au and administers its own Youtube channel at this link: www.youtube.com/user/VictoriaGovDOJTV/videos3

In August 2018, a new version of DJR/DJCS's website was launched. The review under law, of publicly available information about Victoria's road safety cameras was conducted after the launch of the new website.

DEPARTMENT OF JUSTICE AND COMMUNITY SAFETY WEBSITE

The information provided on the DJCS about the work done by various parts of the department is general in nature. It assists the public by directing users to primary sources of information, such as VicRoads, Victoria Police and the Transport Accident Commission (TAC) as well as DJCS's own Cameras Save Lives website.

These authorities are responsible for various aspects of Victoria's road safety system.

The DJCS website appropriately directs users who have questions or concerns about various aspects of Victoria's road safety strategy and system to the relevant authorities. The information provided on the website regarding the road safety camera system is also correct and appropriate given the target purpose of the website.

The DJCS website also provides the contact details for various business units. The department has undertaken a restructure during this financial year. Further, some of the existing business units have been renamed, however the website had not been updated to reflect every one of these changes. Some relatively minor updates are required, and some content issues need to be remedied. This office has communicated these matters to DJCS. As at 30 June 2019 some matters remain unresolved.

DJCS YOUTUBE CHANNEL

The Department administers its own YouTube channel which hosts videos regarding various safety campaigns and information about its operations and what employees do as part of their work. There are nine videos relating to road safety cameras on the YouTube channel, and only those relating to road safety cameras were examined.

The most recent of these road safety videos was uploaded in 2014 as part of an advertising campaign. The videos were short, ranging from 30 seconds to four minutes. Some were used as advertising in various media such as television and video. The other videos were educational and sought to explain, for example, how cameras work, how they are tested and maintained and how camera locations are chosen.

There have been no changes made to any of these videos since the last information review, in which some information in those videos was identified as being out of date. However, the informational videos are very helpful to people who are unfamiliar with the camera system or have general questions about it.

CAMERAS SAVE LIVES

The Cameras Save Lives (CSL) website www.camerassavelives.vic.gov.au is the primary means by which the Department provides information to the public about Victoria's road safety camera system.

The website contains information on camera locations, how cameras work, testing, maintenance & certification, infringements, statistics and general news and information. The website is the subject of continuous improvement.

DATA ERRORS IN STATISTICS PAGE

CSL provides the public with access to road safety camera statistics, such as the number of infringements and warnings issued by quarters and by financial year. This data is provided in the statistics page at this address: www.camerassavelives.vic.gov.au/road-safety/statistics.

The ORSCC found a series of errors in the number of official warnings and tolling infringements issued during the financial year 2018-19. The numbers in the full financial year summary did not equate to what was progressively published over those quarters. This error was corrected once it was brought to the attention of DJCS.

REVENUE FIGURES IN STATISTICS PAGE

As part of the investigation into the overall integrity of the camera system, the ORSCC carries out an annual review of the way infringement revenue is reported.

The statistics page of the Cameras Save Lives (CSL) website publishes, among other things, the number of infringements that have been issued and revenue attributed to those infringements. The data is published in such a way that it appears to show the actual funds received by the government, and the media rely on these figures to report on the number of infringements issued and the revenue "received" by the state government.

The spreadsheet describes the revenue as "Total Infringements Issued", and there are footnotes to make clear that the figures are based on the number of infringements. (It goes unsaid that the figures are not actual revenue.)

DJCS informed us that the revenue figures published on the CSL website is not the actual revenue received. Rather, the figures represent the revenue value of each infringement issued, with the calculations based on the assumptions that each fine issued to a body corporate is later attributed to a nominated driver and that all fines are paid on time.

I have seen many articles where journalists (wrongly) assume that the CSL website reports actual revenue. I have not seen any correction of these assumptions by DJCS. This Office has made enquiries and we remain unaware of any place where the actual revenue received from road safety camera detected fines is reported as a separate line item.

The estimate by CSL is a reasonable one based on the overestimation that 100% of fines will be paid promptly, and the underestimation that 0 percent of corporate fines will be paid without nominating a driver.

However, we note that not all fines are paid; some are paid late with additional charges, and that there is a class of infringements issued to body corporates which are the registered owners of a vehicle. Such fines carry a penalty at the corporate level of more than \$3,000. When a driver is nominated for a body corporate offence, the fine is reissued in the driver's name, with the standard penalties including demerit points or licence suspension.

As at 30 June 2019, we are still pursuing this investigation.

INFORMATION ON CAMERA LOCATIONS PAGE

CSL provides the public with information about where Victoria's fixed and mobile cameras operate. The page is located here: camerassavelives.vic.gov.au/camera-locations

A member of public contacted our Office in March 2019 to report that there were new fixed cameras being built along Rosanna Rd, at the intersections of Banyule Rd and Darebin Rd. They questioned why these cameras were not on the CSL. These new cameras were not marked on the map, nor did they appear in the list of pre-commissioned cameras.

At the same time, there were also two cameras that were listed as pre-commissioned on the page. However they had already been enforcing since late 2018. The DJCS was notified of these apparent errors and responded appropriately. The ORSCC continues to monitor the CSL website for the accuracy and timeliness of information that appears on it.

REMOVAL OF LINKS TO MONASH UNIVERSITY ACCIDENT RESEARCH CENTRE PAPERS

The previous version of the CSL website contained links to research papers written by the Monash University Accident Research Centre (MUARC). These papers examined the issue of speeding and the role played by road safety cameras in reducing the number of injuries and lives lost.

These links were removed from the current version of the CSL website. The links to research appear to have been replaced by the "Speed and safety" page at this link: <https://www.camerassavelives.vic.gov.au/road-safety/speed-safety>

The page contains a number of general statements. Some such statements include the phrase "research shows" without referencing the supporting evidence. That supporting research had previously been referred to with links on the page. In my view, it is readily accessible and important work. It was present on the website previously, and I have not been informed of any reason for its removal and its ongoing absence. Without citing any evidence, the current website with its generalised statements might be viewed as assertions (or opinion) rather than fact.

A website such as CSL should ideally be a repository of information; it should be authoritative and provide evidence in support of the road safety camera program, the lack of evidence might well undermine the message that cameras do save lives.

The ORSCC brought these issues to the attention of the DJCS and a review of content on the CSL website is to be carried out.

TRANSPARENCY

The ORSCC has had a strong policy of transparency since its inception. The staff of the Office understand the culture needs to be, and needs to be seen by the public to be, one of a consumer-oriented fair and accessible organisation.

I am pleased that the Office has continued to be contacted for media comment around road safety issues and when controversy about road safety camera issues arise.

I endorse the comments of my predecessor, His Honour Gordon Lewis who has previously noted in 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.”

DEACTIVATED CAMERAS

Over the 2018-19 year, the Office also looked at cameras which were deactivated for long periods. Whilst it is argued that camera housing, alone, might have a calming effect on driver behaviour there can be no doubt that the active road safety cameras, coupled with efficient enforcement, results in improved road safety. Yet, a surprisingly large number of factors can interfere with the system running smoothly.

It is regrettable that the camera at Melbourne Airport was deactivated for a long period after the roadworks in its vicinity were completed. There was no adequate explanation provided by DJCS for this period of deactivation. The system requires active cooperation from all of the stakeholders. It is more complicated than the public could know; and I remain unconvinced of there being public benefit in permitting so many bodies to participate in decision making resulting in obscuring and frustrating the road safety message.

In December 2016 the camera on Peninsula Link at Loders Road bridge was vandalised, resulting in a need for replacement. The camera is a busy one, involved in many infringements per week, with consequent driver education opportunities. I was surprised that such a busy camera could remain out of action awaiting replacement and re-certification for around 11 months, and further surprised that there did not seem to be any individual or office responsible for the efficient return to service. I saw this repeated with many cameras which DJCS classified as “deactivated” and noted there was no clear definition of “long term deactivation”. Cameras which had been deactivated, for example, for road works, but still had not been reactivated more than 12 months after the roadworks were completed. In calling for what I considered to be everyday working data, I was surprised that DJCS asserted that it might take 70 working days to deliver the working data for the analysis of efficiency. Again, this highlights the urgent need for a new agency specialising in the focused collecting and analysing of road safety data. **See recommendation on page 28.**

I am surprised that DJCS continue to administer the system with what could be unnecessary systems and processes which cause delay and add costs to the scheme, which are not required by legislation or by best practice, and for which

there is arguably no tangible benefit. This is the subject of ongoing investigation into efficiencies.

In addition, the road safety legislation of the State of Victoria, requiring tailor-made camera systems, means that highly reputable international road safety camera systems are locked out of competing to make sales in our market. When I have asked DJCS about this, the response is that these legislatively required processes ensure that Victorians can be confident in the accuracy, integrity and efficiency of the road safety camera system. But are they? Unquestionably the standard is very high. However, I am unaware of any effort by our road safety authorities to advertise or promote this high standard in information available to the public. If the public is not being told of this “gold standard” then the standard is not adding value to the confidence of the driving public. A different internationally accepted set of standards could result in greater efficiencies without any reduction in the accuracy or integrity of the system.

The ORSCC has confirmed the certification process is outside of the legislative requirements, and there is no evidence that the public confidence in the system is any way improved. It seems to be a case of money being wasted.

In 2015-16 the Department of Justice and Regulation (as it was) invited independent experts with significant international experience, including in UK Enforcement Camera Systems to Victoria, to look at the road safety camera system. They advise that Victoria has the highest standards in the world for checking, double-checking and further re-checking the accuracy of the infringement process from the road safety camera network. This is something that **deserves to be better known in the community**. There may be an argument that the checking goes too far, that it is an avoidable expense, and could be replaced by a system of visually verifying each and every infringement as is done in the UK. This would have the added transparency benefits.

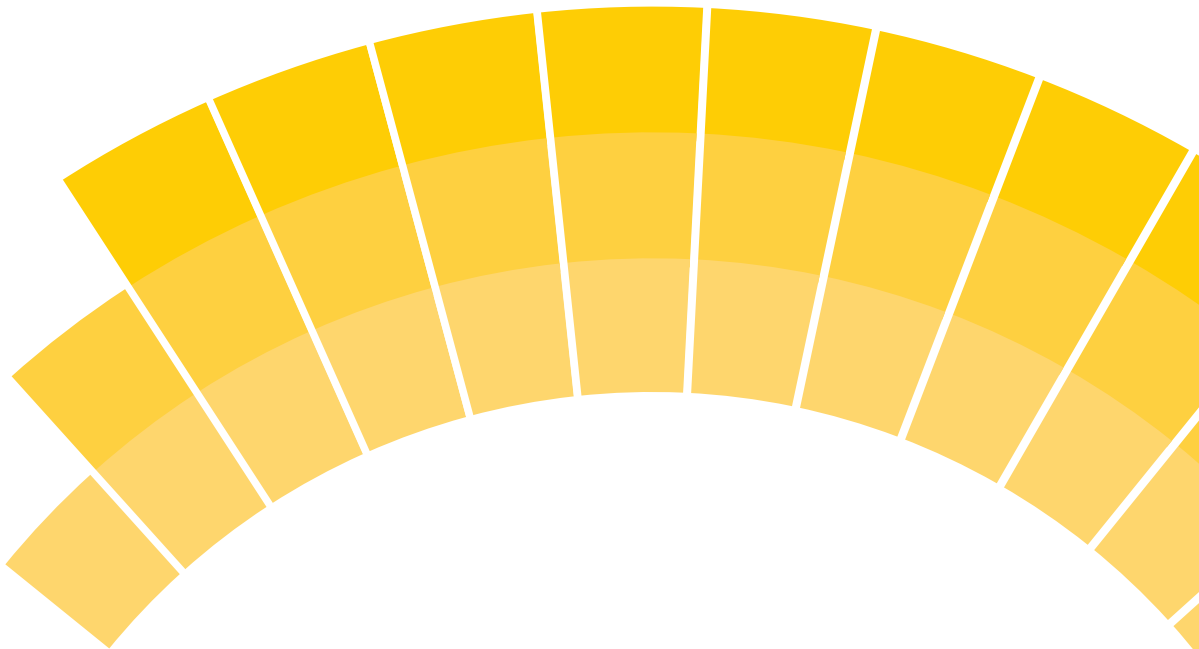
GLOBAL LESSONS

We have much to learn from other jurisdictions. For example in Germany, a learner driver must pass a theory test and a practical driving test; however, before sitting the theory test, the candidate must undertake a first-aid course of approximately eight hours. This represents a chance to drive home the message of the dangers involved in risky road behaviour.

The World Health Organisation (WHO) Global status report on road safety 2018, has found Australia is slipping compared to many; we are NOT world champions of road safety. We are NOT the best drivers in the world. We have a lot to learn from other countries.


WHO estimates the ranking of nations in road deaths per 100,000 of population with Australia ranked 22 out of 175 countries. We are more unsafe on our roads than 21 other nations. The WHO 2018 estimate is that Australia's fatality rate is 5.6 per 100,000.

The previous 2015 WHO report had estimated Australia's fatality rate at 5.4 per 100,000. Our rate has deteriorated. We need to recognise that we are not as safe as we think and we need to learn why we are in this position.



Recommendations

1. **Improved road safety data management and linkage** Improvements in data collection and integrity are urgently required for evidence based decision-making. A better, centralised data management system will assist efforts to enhance road safety. Any changes to the system should be agreed nationally and as per the recommendations of the Parliamentary Road Safety Committee report on Motorcycle Safety, Dec 2012.
2. **Enhancing the Road Safety Camera program** Consider the introduction of Mobile Point-to-point cameras. Benefits would include:
 - i. Can be deployed through GPS sited locations across the State to areas identified as high risk, and re-deployed based on Intelligence, Tasking and Coordination
 - ii. Can be deployed as un-staffed units
 - iii. Can be deployed 24/7, which would significantly enhance capacity of this program
3. **Disclosure of video** Most red light Road Safety Cameras (excluding wet-film) have, in addition to the familiar still photographic images, video recording during the period of around 12 seconds associated with the period the light turns red or the infringement is detected. Benefits of disclosure would include:
 - i. Drivers alleged to have committed red light offences able to be provided with accurate real time evidence of the alleged offence
 - ii. Reduced contested hearings for red light offences
 - iii. Transparency, enhances the integrity of the road safety camera system
 - iv. Speedier payment of appropriate fines
4. **Future administration of ORSCC** Steps should immediately be taken to ensure the immunity and indemnity of the ORSCC. Further, to show independence and integrity, steps should be taken so that the administration of the Office is moved out of DJCS. Currently the people whose work is overseen by the ORSCC are also the people who administer the ORSCC, which is contrary to an independent office.
5. **Driver behaviour** There be renewed efforts to adopt a range of measures to improve driver behaviour and to reduce the road toll. This includes making collaboration second nature for all drivers.

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6. **Driver attitude** Victoria needs a campaign to improve poor driver behaviour and attitudes focussing on:
 - i. The dangers of driving while fatigued
 - ii. The dangers of driving while using mobile phones and other technology
 - iii. The impact of speeding including speeding between point-to-point camera sites
 - iv. Improving understanding of road rules including driving in closed lanes
 - v. Education about why speed limits matter and how they save lives.
 7. **40km/h zones** That there be road safety education focussing on speeding in 40km/h zones:
 - i. Inevitably this speed limit applies in places where the risk for vulnerable road-users is accentuated, such as school zones, shopping and high-pedestrian districts, construction zones, and at the scene of hazards including collisions.
 - ii. There remains an attitude of drivers self-assessing an appropriate speed limit. Many drivers need to understand that their driving is dangerous, and the speed limit is not inconvenient.
 8. **Roadworks** VicRoads should consider requiring contractors to drive through a roadworks site, with a dash-cam to record the experience in order to confirm the adherence to the Traffic Management Plan and to show the view that a driver would have, from before entering a roadworks zone until after leaving for the purposes of ensuring high standards are maintained.
 9. **Public awareness about speed and point-to-point cameras** Increase awareness including a public campaign, to educate drivers about the role road safety cameras play in **revenue saving** through enforcing safer driving behaviour, compared with the high financial cost, and physical emotional and community costs, of road trauma. This should include awareness and education about how point-to-point road safety camera systems work. Drivers do not adequately understand that speeding between point-to-point cameras will lead to a traffic infringement.
 10. **Community education** As part of the work to educate the public about the role of cameras and road rules, the website Cameras Save Lives should be renamed to **Road Rules Save Lives**.
 11. **Regional and rural road safety** There be prompt consideration to locating new point-to-point road safety camera systems on Victorian regional and country roads, and particularly in areas where there is a history of road trauma. There have been repeated calls for more country roads to have road safety cameras to augment existing road safety messages.
 12. **Law reform** Victoria Police and the courts should be given the discretion to refrain from suspending licences of people with an otherwise good driving record, when they have been speeding in a variable speed zone. The current scenario of people with good driving record being treated as hoons because of a single error of judgment in a variable speed zone may be beyond the community's expectation.
 13. **Drivers of corporate vehicles** Anyone driving a corporate vehicle should be nominated where a speeding infringement is issued. If no driver is nominated for a loss of licence event then fairness and road safety both require that the corporate vehicle should be impounded.
 14. **Reference Group** Reappointments of the Road Safety Camera Commissioner Reference Group members should be executed by DJCS with expediency and efficiency.

FREEDOM OF INFORMATION

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 2018-19 no applications were received under this Act.

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

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

PROTECTED DISCLOSURES

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, North Tower
459 Collins Street
MELBOURNE VIC 3000

 GPO Box 24234
MELBOURNE VIC 3000

 Toll free: 1300 735 135

 Website: www.ibac.vic.gov.au

ENQUIRIES AND FEEDBACK

Financial year 2018-19 has involved a variety of activity for the ORSCC. One pleasing constant is that the public seeks assistance and information regarding a wide variety of matters or concerns.

Where the Office can assist in these matters, either by providing information or by investigating these matters to their conclusion, it does so to the fullest extent it can. In this regard, I am grateful to the assistance of Victoria Police, VicRoads and the DJCS with resolving public concerns about the integrity accuracy and efficiency of Victoria's road safety camera system.

This Office received 175 written enquiries or complaints. Each of these were the beginnings of a chain of correspondence. Many of these dealt with, or were related to, the various issues regarding Victoria's road safety camera system. This included enquiries about both fixed and mobile cameras.

The number of **contacts is less than the number** in financial year 2017-18, when we received 390 written enquiries and 577 telephone enquiries.

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

As has occurred each year since the commencement of this Office, many people have first voiced their complaints or questions on talkback radio. The media has an important role to play in engaging and communicating with its audience. Some callers asserted that their matters indicated that there was a problem in the integrity or accuracy of Victoria's

cameras. We investigated some of the complaints made on talk back radio and the Office could find no evidence of any systemic or technical issues with the road safety cameras that detected those alleged offences.

Further there were a number of people who did not respond to the Office's approaches for information about their matters. Without adequate information or data from complainants, matters cannot be fully investigated. It is regrettable that people are deliberately making misleading or incorrect complaints with the intention of impugning the integrity of the camera system and those who operate within it.

In my previous annual reports of financial years 2016-17 and 2017-18, I reported that we had made repeated requests for independent data and information from the public regarding their complaints. These pertained to general correspondence and in the large investigations, such as Peninsula Link. These requests predominantly sought dash-cam video and GPS data in their raw form. The public has been a little more forthcoming in providing such data during this financial year, and hopefully this will be a trend in future years. This data has been invaluable in making an accurate assessment of the scenarios from which their concerns arose.

The provision of independent and reliable data is paramount in investigating and potentially corroborating any claims of issues with the integrity or accuracy of Victoria's road safety camera system. I would encourage any drivers who have dash-cam footage or GPS data to provide it where possible as part of their enquiries.

COMMISSIONER'S WEBSITE

The Road Safety Camera Commissioner's website, cameracommissioner.vic.gov.au, plays a significant role in providing information to the public. It is a repository of the Office's investigations and of its annual reports. It also invites contact from the public regarding their questions or concerns.

Further, the website provides assistance and general information to the public, including directing them to the relevant authorities if their enquiry is outside the Office's authority.

During financial year 2018-19 the Office undertook the renewal of our website. The new website was launched on 30 April 2019 and replaced a version that was built in 2013 at the same web address. There were several reasons for the renewal project.

In 2013 around 10% of contact to the office was from mobile devices (including tablet computers), but in the current year contact via mobile device had risen to 50%. The website needed modification to make it more mobile compatible.

The integrity of Victoria's road safety camera system and public confidence in the system is best served by providing easy and timely access to information. This includes using simple language to engage road users. The new website has improved navigation, structure and content and has better search capabilities.

The existing website was not functioning adequately with many current mobile web browsers, and as a consequence some members of the public would have had poor access to the office website.

The transition from the old version of the website to the new was accomplished with no downtime.

This financial year has seen a smaller number of website visits compared with previous years.

There have been 6,256 unique impressions from 5,815 users during 2018-19.

This financial year there have been spikes in interest in the website which have coincided with significant events, particularly investigation announcements, media interest in topics related to road safety and cameras, and the publication of the annual report.

As per previous financial years, many of the Office's previous investigations have been frequently visited pages for the public. Investigation reports such as those about four cameras operating at intersections with 40km/h speed limits, Peninsula Link at Loders Rd and the WannaCry investigation of Victoria's camera system were of particular interest.

THE REFERENCE GROUP

The Commissioner is authorised 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 and Emergency Services on the recommendation of the Commissioner.

Several Reference Group meetings were held in 2018-19. In addition to attending at these meetings, members were at times called on for their expertise.

The terms of office for the Reference Group members expired April in 2019, and in December 2018 I took steps to ensure the reappointment of members, to enable the ongoing functioning of the Reference Group. Regrettably, for reasons that are currently unknown to me, the re-appointments were not made until 25 June 2019. This meant that the Office spent several months without a Reference Group.

Recommendation 14 on page 29 arises because of these issues as to reappointments.

The Reference Group members in 2018/19

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.

TIA GAFFNEY

Principal Professional Leader, Transport Safety, Australian Road Research Board

Ms Tia Gaffney is the Principal Professional Leader of Transport Safety at the Australian Road Research Board. Ms Gaffney graduated from the University of California (S.B.) with a B.S. degree in Mechanical Engineering and has over 15 years' experience evaluating the behaviour of vehicles and occupants in crashes. Ms Gaffney's major specialisation has concerned the application of the physical and engineering sciences to safety in many areas ranging from transport through to occupational health and safety in the workplace. Ms Gaffney has conducted extensive work in road safety,

crashworthiness, accident and incident investigation, biomechanical analysis and mitigation for injury prevention. Prior to working in Australia, Ms Gaffney was employed by General Motors in Detroit, Michigan, and subsequently by leading automotive safety research firms Safety Analysis and Forensic Engineering (Santa Barbara, CA) and Delta-V Experts (Melbourne, VIC). Her career has encompassed extensive analysis, testing and research related to severe vehicle collisions.

PAULINE KOSTIUK

Victorian Commission for Gambling and Liquor Regulation

Pauline served 35 years with Victoria Police in areas including traffic, liquor licensing, training and prosecutions. Pauline is currently the Deputy Director, Compliance Division, at the Victorian Commission for Gambling and Liquor Regulation, responsible for liquor and gambling compliance, enforcement, investigation and intelligence functions. Pauline has recently worked as a volunteer, teaching English to Asylum Seekers in Dandenong. She also has been a casual lecturer in leadership, management and criminal law at TAFE. She spent 19 years in senior management positions representing Victoria Police in both national and international forums.

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.

ACKNOWLEDGEMENTS

I am grateful to members of the public who have taken the time and effort to write to me at the Office to provide feedback about the road safety camera system.

The smooth running of the ORSCC would not happen without the work of its staff. During the year our hard working manager Melanie McShane accepted an offer of a position elsewhere. I thank Mel for her years of service, her bright insights and her important contribution to this office. I also thank Miss Catherine Mackintosh, Miss Elly Alija and Mr. Zhi Peng Ye for their contributions and quality of service. I am especially grateful to Mr Stuart McCormack of ByteSmart for his input, provided cheerily and in occasionally frustrating circumstances; and for his genius in analysing huge amounts of data and assisting the Office to perform functions which might otherwise have been beyond our reach. Mr McCormack has combined data from several agencies to recreate tens of millions of journeys, from which hidden driving patterns can emerge.

I particularly thank Mr Keith Moor, recently retired of the Herald Sun, and Mr David Caird, senior photo journalist at the Herald Sun, for their sensitive communication of the issues around the fatal collision which I witnessed.

I thank Mr Sal Perna AM, Racing Integrity Commissioner, for his continued insightful support throughout the year and also for standing in as Acting Road Safety Camera Commissioner in my absence.

I thank colleagues at Road Safety Support (United Kingdom) for their interest and involvement in road safety, and preparedness to share wisdom and learning from their extensive international experience.

I remain very grateful for the goodwill and spirit shown by Ms Corri McKenzie, Deputy Secretary of the DJCS, to provide support and to ensure cooperation. I have many colleagues in the DJCS to thank including Ms Allegra Walsh and Ms Emma Catford for their integrity and professionalism and Mr Colin Speed for his support and wisdom regarding matters of governance and integrity.

I thank Assistant Commissioner Stephen Leane of Victoria Police Road Policing Command and the staff of the Victoria Police Traffic Camera Office, especially Superintendent Donald Downes and Inspector Damien Madden for their availability and their dedication to road safety in Victoria.

I also thank colleagues at VicRoads for their support during the year.

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