

# Annual Report 2019–2020



Road Safety  
Camera  
Commissioner

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## **ACKNOWLEDGEMENT OF COUNTRY**

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.

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To

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

**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 2019–20 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 be "S. Leane". The signature is fluid and cursive, with a large loop at the end.

**STEPHEN LEANE APM**  
Road Safety Camera Commissioner

# COMMISSIONER'S MESSAGE



## **This is the ninth annual report of the Office of the Road Safety Camera Commissioner, and my first since being appointed Commissioner in December 2019.**

I would like to acknowledge my predecessor, Mr John Voyage, for his stellar work over the four years he held the role. This report outlines much of John's work during the 2019–20 fiscal year. I must also thank John for his personal support and advice during my transition and the wise counsel of the original Commissioner, his Honour Gordon Lewis AM. Their generosity has greatly benefited my transition.

As the Parliament will know, prior to this role I was a sworn police officer for some 40 years, the last six as an Assistant Commissioner, ending my career as the Assistant Commissioner for Road Policing. Having committed my working life to community safety, this new role allows me to continue my passion for saving lives and reducing road trauma.

Speeding continues to be a key contributor to road trauma and a factor in around 30 per cent of road deaths. Academics and road safety advocates across the world agree that reduced speed in collisions means more lives saved.

We also know road safety cameras save lives by acting as a deterrent and, as a community, getting a driving infringement or even the possibility of getting one, modifies our behaviour. The vital work of mobile road safety camera operators needs to be recognised.

More broadly, Victoria's camera program deters speeding by reinforcing the message that if we drive and break the law, we could be fined.

We work to ensure our community is confident the road safety camera system is accurate, transparent and fair. Over the last year we've continued to involve the community in our work, as well as working with other Victorian Government departments, including:

- » Department of Justice and Community Safety
- » Department of Transport (incorporating VicRoads)
- » Victoria Police.

We also work closely with our contractors to ensure the camera system remains robust and meets community expectations of transparency, fairness and reasonableness.

The global COVID-19 pandemic has significantly challenged our state and the rest of the world and has highlighted the need to keep our front line police force focused on community safety. The need to free up these valuable police resources has never been seen as so important and, in many situations, cameras can take the place of police in enforcing speed and red light compliance.

Cameras have also contributed to a reduction in road trauma and the associated demand on hospital emergency departments, so our health workers can focus on treating COVID-19 patients instead of road accident victims.





Safety of our police is a further consideration and the tragic loss of four police officers' lives while attending to an incident on the Eastern Freeway is a powerful reminder of the importance of keeping our police safe. The incident reminded us of our responsibility to use our speed and red light technology in a way that reduces the need for police to be on the roadside, and we can do this by expanding our point-to-point systems and mobile camera technologies.

As Road Safety Camera Commissioner, I will continue looking forward and seeking out new road safety technologies for Victoria. I will also continue my predecessors' work to advocate the appropriate and broader use of cameras, ensuring they are operated transparently, fairly and reasonably.

**STEPHEN LEANE APM**

Road Safety Camera Commissioner

# VALE FOUR VICTORIA POLICE OFFICERS



**On Wednesday 22 April 2020, four highway patrol police officers on the Eastern Freeway intercepted a vehicle and were on the side of the road when they were struck and killed by a truck.**

Our police play a critical role in reducing road trauma, keeping our community safe. This tragic loss of four precious lives brings into sharp focus the dangers police face every day. We will never forget the bravery of those officers, and all police, who put themselves in harm's way to keep us safe.

My staff and I wish to express our deepest condolences to the families and colleagues of:

- » Leading Senior Constable Lynette Taylor
- » Senior Constable Kevin King
- » Constable Glen Humphris
- » Constable Josh Prestney.

**We will not forget them.**



# THE OFFICE OF THE ROAD SAFETY CAMERA COMMISSIONER

**The Office of the Road Safety Camera Commissioner (ORSCC) was established to enhance transparency and accountability in the road safety camera system.**

Under section 10 of the *Road Safety Camera Commissioner Act 2011* (RSCC Act) the various functions of the Road Safety Camera Commissioner (the Commissioner) include:

- » at least yearly, review and assess the road safety camera system's accuracy to ensure it complies with the requirements of the *Road Safety Act 1986* (Road Safety Act) and its regulations
- » at least yearly, review and assess the information about the road safety camera system made publicly available by the Department of Justice and Community Safety (DJCS)
- » undertaking investigations requested or agreed to by the Victorian Minister for Police and Emergency Services (the Minister) into the road safety camera system's integrity, accuracy or efficiency
- » receiving complaints concerning any part of the road safety camera system and
  - if appropriate, refer a complaint to the appropriate person or body for further action or
  - to provide information on available avenues to resolve complaints
- » investigating complaints to the Commissioner that indicate a problem with the road safety camera system and to make recommendations to the Minister to address any systemic issues
- » investigating any road safety camera system related matters the Minister refers to the Commissioner
- » responding to information requests about the road safety camera system from a person or body
- » advising the Minister on any matters related to the road safety camera system
- » referring appropriate matters to the Road Safety Camera Commissioner Reference Group for research and advice
- » keeping records of investigations undertaken and complaints received by the Commissioner and action taken, if any
- » providing the Minister, on request, records of investigations undertaken and complaints received
- » any other function conferred on the Commissioner by the Minister or under this or any other Act.

## Legislation amendments

Amendments to the RSCC Act were proclaimed on 30 June 2020. These included strengthening the Commissioner's role and improving the quality, transparency and timeliness of information sharing between the Commissioner, the DJCS and contractors. These amendments aim to:

- » clarify and strengthen cooperation and information sharing between the Commissioner, the Department and any contractor
- » empower the Minister to issue guidelines in relation to information sharing between those parties
- » bolster reporting and procedural fairness requirements
- » give the Commissioner statutory immunity from civil liability for acts or omissions done in good faith.





## The ORSCC's main roles

### Review

The ORSCC independently reviews and assesses the accuracy of the camera system to ensure its compliance with the requirements of the Road Safety Act. In addition, the ORSCC must regularly review information publicly available from the DJCS.

### Manage feedback

Lodge any complaint concerning an aspect of the road safety camera system with the ORSCC. The feedback may be investigated where a complaint points to a systemic problem.

### Conduct investigations

The RSCC Act empowers the Commissioner to undertake investigations requested or agreed to by the Minister into the accuracy and efficiency of the road safety camera system. The Minister can also ask the Commissioner to investigate any matter in relation to the camera system.

### Provide advice and information

The RSCC 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 system, if requested, or required.



## VISION

To provide a safe environment for all Victorian road users and increase public 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

Independence, integrity and impartiality. To act without fear or favour, carry out functions with honesty, accuracy, consistency and respect.

### TRANSPARENCY AND ACCOUNTABILITY

Provide the Victorian Parliament and community with expert and objective information about Victoria's road safety camera system and monitor and review its accuracy, integrity and efficiency.

### STAKEHOLDER ENGAGEMENT

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

### ADVANCING KNOWLEDGE

Advance knowledge, factors, and technological understanding to ensure the system's accuracy, reliability and integrity.

## Governance and organisational structure

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

As at 30 June 2020 the ORSCC had three full-time positions, with two currently permanently occupied, to enable the Commissioner to perform his functions and exercise powers under the RSCC Act. The two permanent staff include an office manager and a senior technical officer. Staff 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 with the Commissioner committed to applying merit and equity principles when making appointments. The selection processes ensure 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 2019–20 compliance year and successive compliance years. As part of the approval of the exemption, the ORSCC operated under an alternate governance process and reports under the DJCS Portfolio Entity Financial Management Compliance Framework 2020.

This annual report contains only the reporting requirements under Part 3 of the RSCC Act.



# YEAR IN REVIEW

## Annual reviews and assessments

The DJCS administers Victoria's fixed and mobile road safety cameras. At least once a year, the Commissioner must review and assess the integrity, accuracy and efficiency of the road safety camera system.

## Fixed road safety cameras

Fixed cameras are calibrated and certified annually by independent metrology organisations in accordance with the Road Safety (General) Regulations 2019. Systems are monitored daily. The DJCS oversees preventative maintenance and regularly tests for accuracy, reliability and efficiency. Visit the **Cameras Save Lives (CSL) testing, certification and maintenance page** for more information.

The annual review for FY 2019–20 examined all fixed camera testing from October 2019 to June 2020 inclusive. This included measurement and inspection of sensors, and comparing the accuracy and repeatability of speed measurements and red-light offences.

Monthly test numbers vary (Figure 1) with scheduling and the amount of cameras operating. Non-compliant cameras are immediately taken offline and fixed. This year's maintenance and testing showed the system to be accurate and reliable and confirmed the integrity of infringements issued.

## Mobile road safety cameras

In December, Victoria's legacy systems were replaced by new Gatso T-Series mobile road safety cameras, which can monitor six lanes and multiple vehicles at once.

As per regulations, all mobile cameras used this year were independently calibrated and certified. Sites are assessed and selected by Victoria Police and updated monthly on the **CSL mobile cameras page** where you can also learn more about how sites are selected. Each session must be compliant with requirements before fines can be issued.

## The integrity of infringements

Victoria rigorously tests camera accuracy and operates robust assessments before issuing any infringement.

Fixed cameras measure speed using two independent devices. An infringement can only be issued if both devices record speeds within a small margin. There's no indication any fixed camera infringements were incorrectly issued.

Mobile camera operators follow strict road rules and operational procedures. This includes:

- » confirming the speed limit
- » parking the vehicle correctly
- » working out if any objects might interfere with the camera
- » taking test shots to confirm accuracy.

The DJCS audited approximately 200,000 mobile camera detections. One was a 'Double Doppler' detection and was withdrawn.

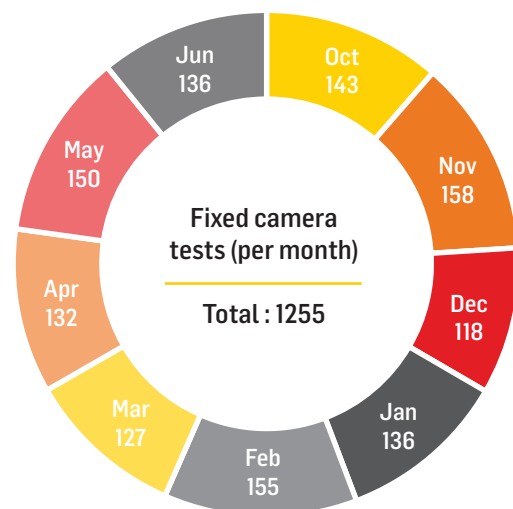


Figure 1: Number of fixed camera tests performed between October 2019 and June 2020.

## Publicly available information

The CSL site, administered by the DJCS, provides the public with high-level, general information about the system – including how accuracy is verified, locations, access to certificates and infringement statistics.

New Gatso T-Series mobile cameras began operating in December 2019. Site selection policies and guidelines are published on the **CSL mobile cameras page**.

CSL publishes fixed camera certificates so the public can confirm their accuracy. Mobile camera certificates are available on request. The DJCS could also consider the feasibility and value of putting mobile camera certificates online to provide further confidence in the system.

### cameracommissioner.vic.gov.au

This site was launched in late April 2019, and had 6231 visits during FY 2019–20 (Figure 2):

- » 65.1 per cent sought general information
- » 21.4 per cent sought reports
- » 13.5 per cent sought contact information (Figure 3).

The public can get information about the Commissioner and his work, or write (email) or call with concerns or enquiries. Staff help where possible, including getting information from other bodies, or referring enquiries to another agency.

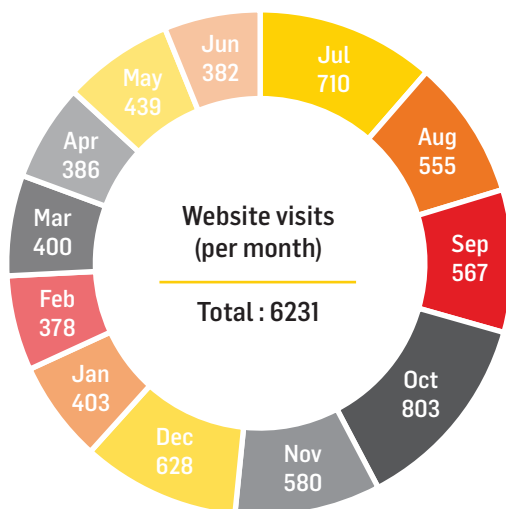


Figure 2: Number of website visits in FY 2019–20.

## Enquiries and feedback

This year the ORSCC received 420 enquiries (Figure 4). The level of public contact was not impacted by COVID-19 travel restrictions, which began in March 2020. Most enquiries related to:

- » general information requests
- » mobile cameras
- » fixed intersection cameras
- » concerns over incorrectly flashing cameras (Figure 5).

The pattern of enquiries didn't suggest a systemic issue with any camera or the overall system. Enquiries outside of the Commissioner's jurisdiction were referred to an appropriate body.

Public requests for new cameras during FY 2019–20 were referred to the Fixed Camera Site Selection Committee and Victoria Police. The ORSCC has no role in site selection, but these requests show the community understands that enforcement improves safety.

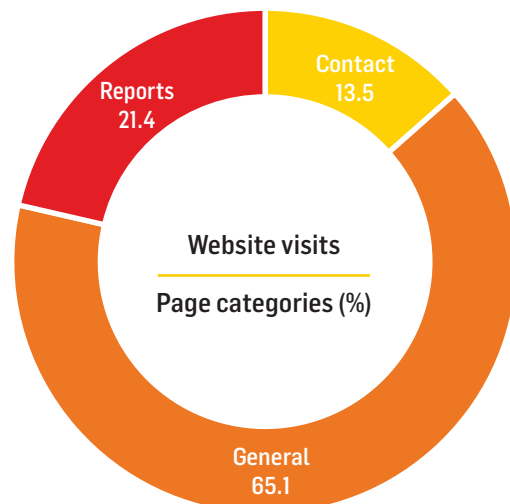


Figure 3: Page categories of website visits in FY 2019–20.

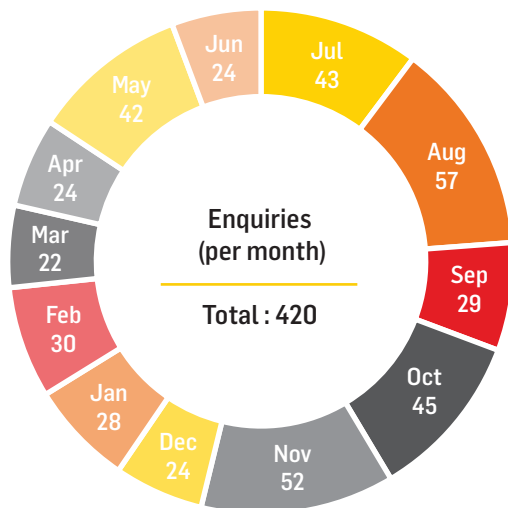


Figure 4: Enquiries per month in FY 2019–20.

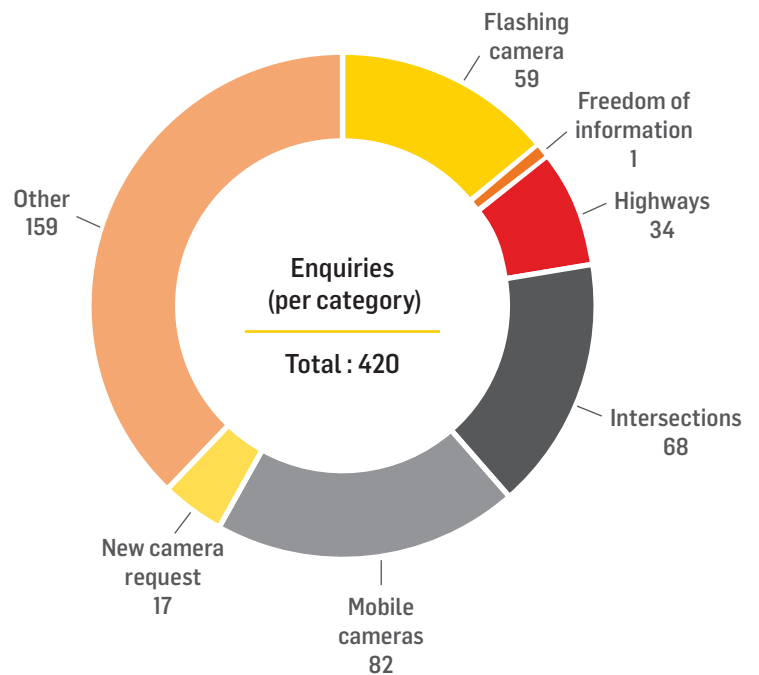


Figure 5: Enquiries per category for FY 2019–20.

## COVID-19

The World Health Organization (WHO) declared a COVID-19 pandemic on 11 March 2020 and Australia responded with unprecedented health and economic measures.

In line with directions from Victoria's Chief Health Officer, we began remote working on 19 March 2020. Progress against our Business Continuity Plan for FY 2018–19 meant we had already upgraded our staff's technological capability to deal with unexpected events; ensuring flexibility and minimal disruption.

ORSCC preparations included:

- » working digitally within DJCS guidelines and policies to minimise handling of hard copy documents
- » using modern technology so staff could work from home
- » virtual meetings.

Flexibility is business-as-usual, and staff have complied with Victoria's Chief Health Officer's social distancing measures and travel restrictions.

Camera testing and maintenance and fixed camera operations were not affected by the restrictions. Mobile road safety cameras operated as per rostered hours.

According to the Department of Transport (DOT) the Chief Health Officer's directions to minimise travel dropped metropolitan traffic between 37–44 per cent from 31 March. This is in line with our fixed camera data. Speed infringements across most categories also fell 23.34 per cent.

Interestingly, there was a slight increase in excessive speed infringements, however this is from a very small base. This seems to support reports across Australia that some people took advantage of lower traffic volumes to speed excessively. It is pleasing that road safety cameras continued to deter the vast majority of people from risky behaviours and the potential for road trauma, particularly since the health system was preparing for a wave of serious illness.

# UNINHIBITED DRIVERS REPORT



**On 24 September 2019, the then Commissioner, Mr John Voyage, published the report into Identification of Uninhibited Drivers. It revealed a disturbing loophole in the system.**

Traffic infringements are initially issued to the vehicle owner, including corporate bodies, who nominate a responsible driver to send the infringement notice to. However, corporate bodies can opt to simply pay a \$3000+ penalty instead. With no identified responsible driver, no one loses demerit points or gets their licence suspended.

DJCS infringement data for 1 July 2016 to 30 June 2018 revealed 53,845 body corporate infringements without a nominated responsible driver (a small proportion were likely withdrawn). Worryingly, 4280 of these drivers would have lost their licences, as they were 25 km per hour or more over the speed limit. The data showed that:

- » 274 vehicles recorded five or more un-nominated speed infringements – one had 31
- » 730 vehicles recorded seven or more un-nominated body corporate infringements
- » 47 vehicles recorded body corporate infringements totalling 100 or more demerit points each
- » one vehicle accounted for body corporate infringements totalling 213 demerit points.

The infringement data also indicated most Loss of Licence (LoL) infringements resulted in the corporate body paying the penalty, instead of nominating a driver. The report concluded this was to hide driver identity. Our road rules ensure community safety and compliance and should not be undermined/affected by a corporate body's preparedness to pay fines for repeat offenders. This is both unfair and unsafe for the rest of us.

Read the full report [here](#). The Commissioner's recommendations follow.

- » I recommend that the existing provisions for prosecuting offenders with multiple corporate infringements be strengthened. I recommend that section 84BEA of the Road Safety Act and all like provisions be reviewed and strengthened to achieve their intended purpose.
- » I recommend that in a LoL event circumstance, where a driving infringement is paid by a corporation without nominating the driver, there also be a new penalty attached to the corporate vehicle, suspending registration for at least the period commensurate with the LoL event. I also recommend that demerit points be attributed to the corporation, forbidding it from owning any registered vehicle where demerit points have accrued.
- » I recommend that DJCS improve its data retention and design to enable more ready handling and accessibility and to enable prompt analysis. In particular, I recommend that DJCS ought to put into place systems to more efficiently signal when a particular number plate comes up repeatedly and especially when paid as corporate. The top 50 corporate infringing vehicles merit immediate analysis.
- » I recommend that DJCS bring its CSL website data more up to date, rather than posting the results from eight months previous. I recommend that DJCS explain to the public with some clarification of what the posted data depicts.
- » I recommend that the availability of the corporate infringement veil should be recognised as a consequence of automating road safety policing.



# MAKING THE ROAD SAFETY CAMERA SYSTEM MORE EFFICIENT

At the request of the Minister in 2019, the ORSCC completed an efficiency review of the Road Safety Camera Program (RSCP). While broad ranging, the review focused specifically on fixed cameras.

With KPMG's help, we identified five key areas for improvement:

1. underpinning the state's broader road safety strategic direction
2. enablers for changing driver behaviour
3. response to emerging trends impact road safety
4. providing value for money
5. public trust in enforcement outcomes.

Several management changes happened in 2019–2020, in both the RSCP and the DJCS. The department appointed a new Deputy Secretary, Police, Fines and Crime Prevention.

Discussions to understand the context of the efficiency review were held between key departmental staff. These and meetings with KPMG, including at partner level, resulted in much effort to improve the RSCP's efficiency. However, after reflecting on the review's advice, more work was considered necessary.

## Opportunities to improve accountability, ownership and alignment of government strategy

1. Fragmented governance. There remains a split in management of the RSCP with two separate executive directors now reporting to one Deputy Secretary. There is an opportunity to think through bringing the operational management of the camera system under one accountable officer to create better cohesion between governance and policy setting and operational service delivery.

2. Opportunity to clarify purpose and overall strategy for the camera system. There are several key road safety partners that have a critical role in the system. Victoria Police and DOT are the most obvious but the contractors who provide cameras, operation, processing and certification are also critical. A clear strategic position regarding camera use and operational deliverables linking to the broader road safety strategic direction is essential. This needs to give clear advice as to the role of each road safety partner and their respective responsibilities.
3. Future vision. The strategy document should also include a strategic vision for the short, medium and longer terms.
4. There is an opportunity to make clear the contribution of camera operations to the road safety outcomes of government.
5. The strategy provides an opportunity for clarity of government investment in assets and asset replacement to support the safety outcomes that can be delivered by the system and the return on that investment in fiscal terms to the state.

## Opportunities to better manage data to support RSCP strategic decision making

6. Each road safety partner currently has large data holdings relevant to the system. There is an opportunity to look at mechanisms to bring that data together (big data) and streamline appropriate access for road safety partners. This would facilitate 'intelligent' strategic and operational decisions around the system, use of resources and current and future behaviours of drivers the program is focused on influencing.





7. Steps in this approach would include defining data requirements, data standards across the network and data sharing protocols, and then opportunities to communicate the learnings to government, road safety partners and the broader community.

### **Opportunities to foster a culture that embraces innovation and is responsive to emerging trends through transparency and communication**

8. Focus on collaboration across the road safety partners that continues to challenge the status quo in the utilisation of technology and looks to place Victoria as a world leader in road trauma reduction.
9. Development of an Asset Management Strategy and Procurement Strategy is a vital piece of work to support this thinking, noting asset life is typically 7–10 years.
10. Similar industry standards suggest 10 per cent of income should be allocated to asset replacement and research and development.
11. Develop an innovation agenda.

### **Opportunities to explore options to streamline the current operating model and enabling processes to improve efficiency**

12. Develop a coordination committee across road safety partners and vendors at operations level.
13. Reflect on the current operating model and look for opportunities to streamline and make it more efficient.
14. Consider if the current structure within DJCS is fit-for-purpose.

# RECONCILIATION OF RECOMMENDATIONS

The RSCC Act authorises the Commissioner to undertake investigations requested or agreed to by the Minister into the integrity, accuracy or efficiency of Victoria's road safety camera system. From these, the Commissioner can produce reports, make recommendations and provide advice.

Since being set up in 2012, the ORSCC has published 102 recommendations across eight annual reports and 14 investigation reports.

In February 2020, the ORSCC began a review of the status of these recommendations. So far we've identified common themes and found the occasional recommendation had been made a few times. Figure 6 depicts how we've categorised the recommendations.

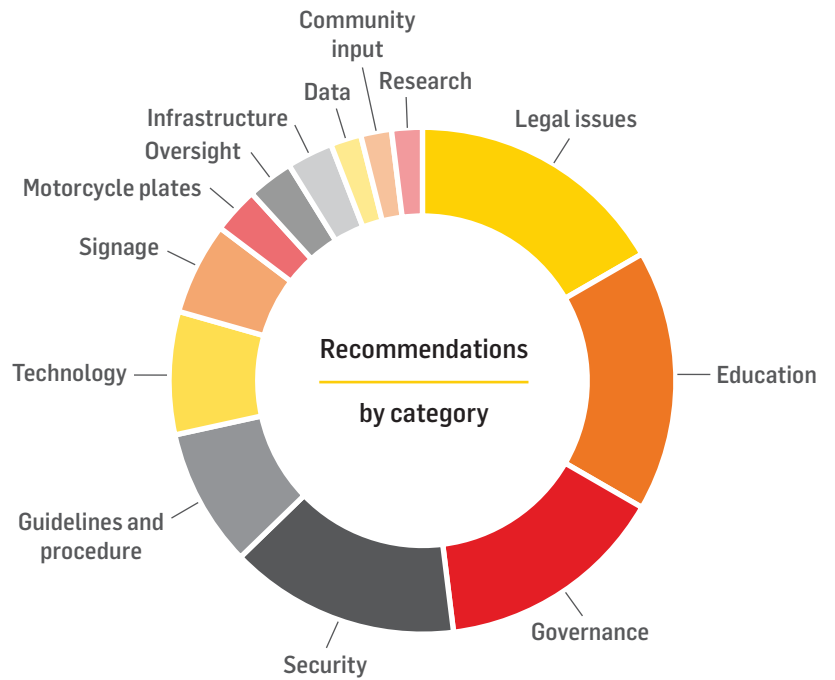


Figure 6: Recommendations by category.



# REVIEW ROADMAP



Identify repeated issues and common themes across the reports



Begin talking with agencies



Understand the work status of each recommendation



Understand any implementation delays and challenges



Work out when they will be done



Finish the reconciliation

To determine which recommendations had or hadn't been accepted, in March 2020 ORSCC reached out to the:

- » DJCS
- » Transport Accident Commission (TAC)
- » City of Melbourne
- » DOT.

For the ones that hadn't been accepted, we asked why. For those that had, we asked what their status was and found some had already been implemented or were in the process of it.

We found that a lot of priority recommendations from recent years had not been implemented. For example, several from the WannaCry Report published in 2018 are yet to be fully implemented and others relating to culture and internal governance for the DJCS are yet to be fully addressed.

Having identified the outstanding work, our Commissioner is currently working closely with the relevant agencies to advise them on addressing challenges, to monitor progress and ensure this process is quickly wrapped up. With some dates for implementation projected into the next financial year, we expect to finalise this process sometime in the 2020–21 financial year.



# DOWNTIME REVIEW



On 18 December 2019, following a 6.8 per cent fall in infringements in FY 2018–19, the Minister requested the Commissioner to review downtime (scheduled, non-operational hours) across the road safety camera system. The review also focused on the effects of 'long-term' deactivations on system performance.

## Process of review

The DJCS provided us with 914 days of operational and infringement data from 1 July 2017 to 31 December 2019. We examined fixed camera downtime through the lenses of whole sites and discrete lanes, and broke downtime durations into three categories:

1. short term – 28 days or less
2. medium term – 29 to 89 days
3. long term – 90 days or more.

We then put the 60-plus reasons for deactivation into six categories:

1. certification – testing etc
2. environmental – vandalised or crashed into
3. policy – deactivated by DJCS
4. roadworks
5. technical issue – a system component impacting operation
6. upgrades – software/hardware.

We provided the DJCS, DOT and Victoria Police with a preliminary analysis report, seeking feedback.

## Outcomes

Our review found cameras were down for 18.45 per cent of the 226,672 available fixed camera site days. Approximately 80 per cent of downtime was long-term, meaning we may have missed around 700,000 infringements. Mobile cameras did much better, hitting 98.66 per cent of baseline hours and 87.82 per cent of additional government purchased hours.

By reducing certification downtime and completing upgrades, the DJCS successfully reduced downtime for fixed cameras from 20.58 per cent of site-days in FY 2017–18, to 15.62 per cent in the first half of FY 2019–20. However, there were regular short-term spikes of certifications, and upgrades between January 2018 and January 2019, suggesting that work is scheduled in particular geographical areas and in bursts, perhaps to maximise contractor convenience. The DJCS could review its governance and management practices for many of the categories it controls or influences.

Department officers advised us there are issues during deactivations that extend downtime, however, there was no data to identify their nature or effects. Downtime management would benefit from auditing and better data.

Most of the downtime was due to roadworks, going from 35.67 per cent in FY 2017–18 to 49.51 per cent in the first half of FY 2019–20. Roadworks kept some sites down for the whole 914-day survey period, so those sites were deactivated for even longer than that. Downtime could be minimised by formalising DOT's and the DJCS's critical relationship. Since some sites stayed inactive even after roadworks were complete, better DJCS planning, stakeholder engagement and governance may improve management.

Currently, speed management and enforcement are not part of DOT's major roadwork safety plans, despite the increased danger roadworks present. DOT agrees it needs to better engage with the DJCS and Victoria Police, and acknowledges it should work harder with road safety partners to educate the community about roadwork risks, as this will help general compliance with safety measures.

Infringements overall were down 90,078 from FY 2017–18 to FY 2018–19 and a further 58,699 in the first half of FY 2019–20. Fixed cameras accounted for 81.68 per cent of this decline. Since fixed cameras have had less downtime recently, the reduction in infringements must be caused by other factors. We'll continue monitoring the impact of downtime on infringements to better understand this.

Read the full report [here](#).

## Commissioner's recommendations

### Better data/audit/management

1. That the department update and validate the SiteTrak data system with the reasons why sites are currently deactivated.
2. That the department's Audit and Risk Committee consider monitoring the resolution of long-term deactivations as a discrete organisational risk to the DJCS.
3. That the department review its management practices in the conduct of upgrades and testing of camera sites, to determine if there are opportunities to reduce downtime through better scheduling and active management.
4. An asset management strategy should be implemented to ensure the development and implementation of new technology is rolled out in a scheduled and expedient manner, resulting in limited downtime.
5. That appropriate level governance oversight and management processes be put in place over deactivated sites to ensure matters can be escalated to Deputy Secretary and Secretary level and on to other stakeholders for resolution.

### Existing long-term deactivated sites

6. The department should conduct an audit of long-term deactivated camera sites to establish the reasons why they are still deactivated.
7. Develop site management plans for all long-term deactivated sites.
8. Until sites are reactivated, the department should consider what alternative methods of enforcement can be utilised; either mobile cameras or police enforcement.
9. That the department consider the current need for long-term deactivated sites, based on analysis of current driver behaviours at the site and the impact of any traffic-calming installed during roadworks, which may have addressed road safety risks.

### Future sites

10. That the department engage more actively with DOT and relevant local authorities to ensure future upgrades, or other works resulting in the deactivation of a road safety camera, include a planned schedule for reactivation and handing back of the asset.

### Major road works

11. That DOT include in any safety plan for future major projects, elements of traffic speed management and enforcement.
12. As part of the speed enforcement plan, DOT to work with the department and Victoria Police to consider provision for mobile speed camera vehicles within sites, safe zones for police vehicles to conduct enforcement, and / or the use of temporary point-to-point speed cameras.
13. That DOT review existing safety plans for current major road projects to consider what steps can be taken to better enable speed management and enforcement.
14. That DOT consider a community information campaign to address understanding of the need to comply with road work speed zones, for the safety of motorists, and workers and emergency service personnel who need to work in that environment.

# FUTURE CAMERA TECHNOLOGY



The Victorian RSCP must keep pace with technology. Victoria's new mobile cameras (installed in December 2019) can identify motorists across six lanes travelling in either direction. These overcome the limitations of existing cameras in operating around steel signs and trams, etc.

They are part of a \$120-million investment in both mobile cameras and the investigation of new technology. The RSCC would like to see further investment in two critical areas:

1. point-to-point cameras
2. cameras that can detect mobile phone use.

## Point-to-point cameras

The community is familiar with point-to-point camera technology which examines average speed over a specific distance not at one camera point – known internally as 'average speed enforcement'. This technology has been used for some years on the Peninsula Link and the Hume Freeway. Its broader, global application, accompanied by a community communication campaign and clear road signage, can reduce speeds overnight. In some cases it has reduced fatalities and serious injuries on previously dangerous roads by 70 per cent.

Average speed enforcement has other benefits:

- » many drivers believe being fined for a momentary lapse of concentration isn't fair
- » road speeds are more consistent
- » certainty of travel times with less stop start becomes uniform
- » vehicles brake less, saving fuel and reducing pollution.

Significantly, it also eliminates 'camera surfing' where drivers speed between suspected camera sites.

Scotland's longest A class road, the A9 – previously known as the Road of Death – provides us with an important case study (Figures 7 and 8). In October 2014, authorities broke 220 km of average speed enforcement into 5 km segments. Leading up to enforcement and the issue of infringements, a lot of work went in to explaining the technology and its benefits to the community. The road was well sign posted for camera enforcement, and warnings leading up to its launch saw driver behaviour change overnight. There was a significant percentage drop in speeding, from as high as 40 per cent on some sections to around 5 per cent (see below). Fatalities were reduced by 33 per cent, serious injuries by 62 per cent.



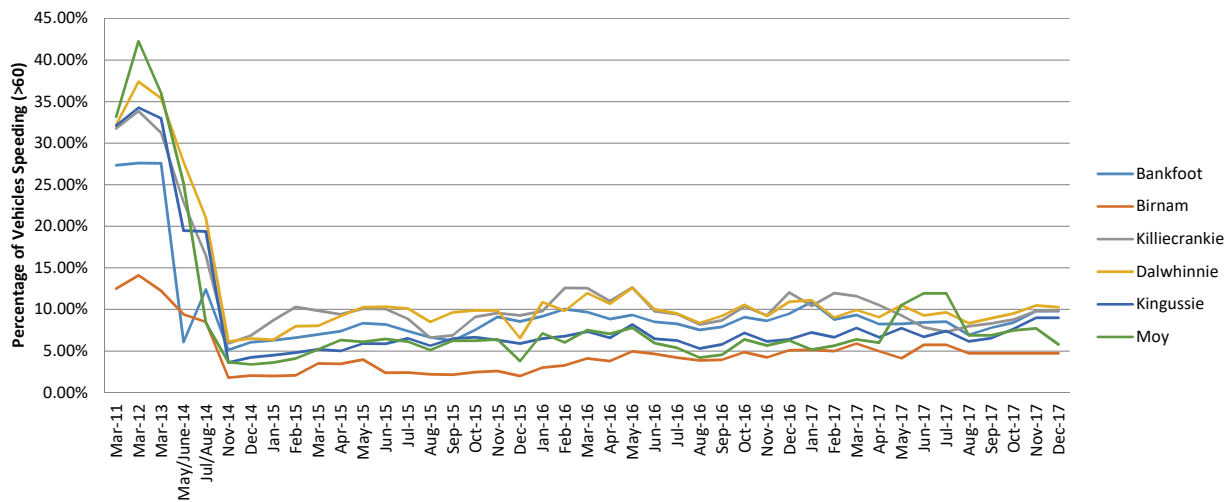


Figure 7: Percentage of vehicles speeding on Scotland's A9, March 2011 to December 2017, pre and post-introduction of point-to-point camera technology. Source: Transport Scotland.

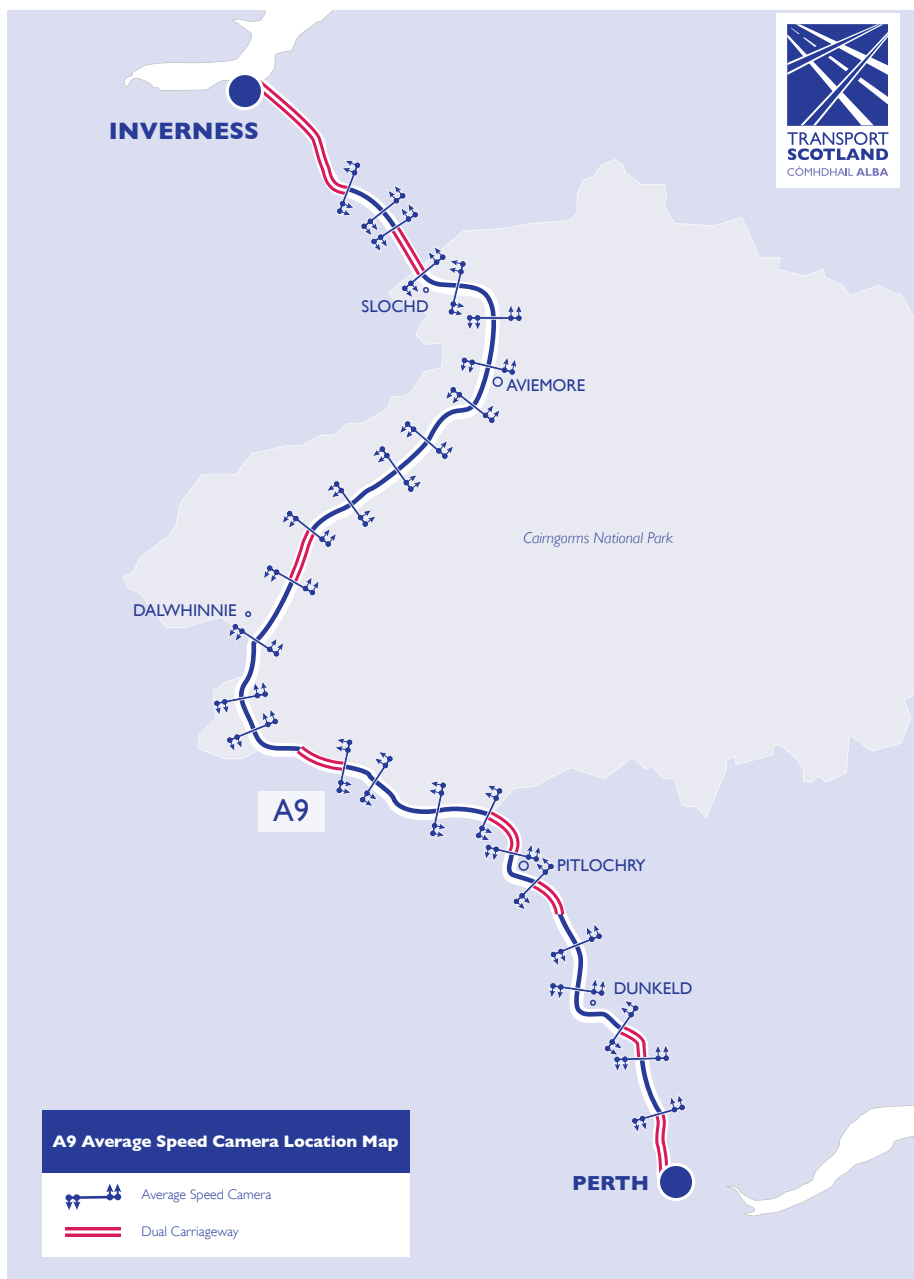


Figure 8: A9 average speed enforcement camera location map. Source: Transport Scotland.





## Cameras that can detect mobile phone use

Our reliance on smart phone technology, and the inability of some of us to resist the temptation to use them while driving, is being steadily reflected in our rates of road trauma. The WHO recognises that, although work to generate evidence in this area is in its infancy, governments need to be proactive now.

Cameras detecting mobile phone use fall into the category known as 'distraction-related camera technology' and this technology currently operates in NSW. Warning letters commenced in NSW from December 2019 following a number of testing and pilot processes. Enforcement started in March 2020. During 2019–20 NSW hopes to conduct 30 million vehicle checks, then double that in 2020–21, and exceed 135 million from 2022–23. The state hopes to prevent around 100 fatal and serious injury crashes over five years. In the first two months of enforcement 21,000 infringements were issued.

Research found 80 per cent of the NSW community supports using cameras to enforce mobile phone offences. Almost 75 per cent believe talking on a mobile increases the risk of a crash and 72 per cent of NRMA members surveyed put down illegal phone use as their biggest road safety fear. According to the Monash University Accident Research Centre (MUARC) conducting a visual–manual task on a mobile while driving increases the risk of a minor, moderate or severe crash by 83 per cent.

The Victorian Government is committed to broadening point-to-point and distraction technologies, having begun one project to evaluate distraction camera technology and another, focused on point-to-point cameras, set for 2020–21. The Scotland and NSW experiences show us that keeping the community engaged and informed at every step of technology development and roll-out is essential.

**Figure 9: An example of 'distraction-related' mobile camera technology.**



# ROLE OF MEDIA

**Previous annual reports have addressed the role of the media in reducing road trauma. In fact, former Commissioner, Mr John Voyage, raised his own concerns about the negative impact some reporting on road safety cameras has on community attitudes. Like all public institutions, Victoria's RSCP needs the confidence of its community.**

On Thursday 5 March 2020, during an interview with 3AW's Neil Mitchell, Julian Kennelly, the Community and Public Sector Union's (CPSU's) Media and Communications Manager, raised camera operators' concerns about the new T-Series mobile speed cameras. These included technical set-up and accuracy problems, plus other OHS and work practice issues.

A review of these concerns is ongoing and I will present our findings in next year's annual report.

It must be stated that many of these matters have already been successfully addressed via technical briefings with union officials and by revisiting certain processes and procedures.

However, many of the issues the CPSU raised could've been avoided or resolved through the change management process. The DJCS acknowledges this and is now providing:

- » clearer manuals and policy references
- » fact sheets
- » feedback loops for operators to better identify issues and their solutions.

The positive takeaway is that, by the media bringing attention to these issues and our subsequent work to address them, we've been able to regain the confidence of our camera operators in the accuracy of the T-Series cameras. And, hence, the confidence of the broader community.

# TRANSPARENCY



**The ORSCC was established in 2012 to enhance the transparency and accountability of Victoria's road safety camera system.**

We achieve this by:

- » reviewing and assessing DJCS' publicly available information on the system
- » giving people information on how to resolve complaints
- » investigating complaints made to the Commissioner that indicate a problem with the system
- » responding to information requests about the system.

The ORSCC plays a key role in driving the RSCP's transparency and accountability by providing an independent avenue for people to raise concerns and complaints or to get information and assistance. Critically, the ORSCC provides independent oversight, advice, review and investigation over any aspect of the system. Transparency is critical to building community trust in our RSCP, particularly as we introduce new technologies. Better communication and more openness help with the distribution of consistent, quality information. Transparency builds confidence amongst the community that our RSCP is essential to keeping us all safe. To better engage the community around road safety we must maintain a collaborative approach to openness and communication from all agencies focussed on reducing road trauma.

Government agencies associated with this program can contribute to this transparency by:

- » providing the public with quality information, advice and assistance
- » producing and sharing quality data about road safety cameras and infringements
- » ensuring public access to information about new camera technologies and their impact on Victorian drivers
- » working collaboratively towards common road safety goals and communicating how and why these are achieved.





# COMMISSIONER'S RECOMMENDATIONS

## Recommendations arising from the Uninhibited Drivers Report 2019

1. I recommend that the existing provisions for prosecuting offenders with multiple corporate infringements be strengthened. I recommend that section 84BEA of the Road Safety Act and all like provisions be reviewed and strengthened to achieve their intended purpose.
2. I recommend that in a LoL event circumstance, where a driving infringement is paid by a corporation without nominating the driver, there also be a new penalty attached to the corporate vehicle, suspending registration for at least the period commensurate with the LoL event.
3. I also recommend that demerit points be attributed to the corporation, forbidding it from owning any registered vehicle where demerit points have accrued.
4. I recommend that the DJCS improve its data retention and design to enable more ready handling and accessibility and to enable prompt analysis. In particular, I recommend that DJCS ought to put into place systems to more efficiently signal when a particular number plate comes up repeatedly and especially when paid as corporate. The top 50 corporate infringing vehicles merit immediate analysis.
5. I recommend that the DJCS bring its CSL website data more up to date, rather than posting the results from eight months previous. I recommend that DJCS explain to the public, with some clarification, of what the posted data depicts.
6. I recommend that the availability of the corporate infringement veil should be recognised as a consequence of automating road safety policing.

## Recommendations arising from the efficiencies investigation

### Opportunities to improve accountability, ownership and alignment of government strategy

1. Fragmented governance. There remains a split in management of the RSCP with two separate executive directors now reporting to one Deputy Secretary. There is an opportunity to think through bringing the operational management of the camera system under one accountable officer to create better cohesion between governance and policy setting, and operational service delivery.
2. Opportunity to clarify purpose and overall strategy for the camera system. There are several key road safety partners that have a critical role in the system. Victoria Police and DOT are the most obvious, but the contractors who provide cameras, operation, processing and certification are also critical. A clear strategic position regarding camera use and operational deliverables linking to the broader road safety strategic direction, is essential. This needs to give clear advice as to the role of each road safety partner and their respective responsibilities.
3. Future vision. The strategy document should also include a strategic vision for the short, medium and longer terms.
4. There is an opportunity to make clear the contribution of camera operations to the road safety outcomes of government.
5. The strategy provides an opportunity for clarity of government investment in assets and asset replacement, to support the safety outcomes that can be delivered by the system and the return on that investment in fiscal terms to the state.

## **Opportunities to better manage data to support RSCP strategic decision making**

6. Each road safety partner currently holds large data holdings relevant to the system. There is an opportunity to look at mechanisms to bring that data together (big data) and streamline appropriate access for road safety partners. This would facilitate 'intelligent' strategic and operational decisions around the system, use of resources and current and future behaviours of drivers the program is focused on influencing.
7. Steps in this approach would include defining data requirements, data standards across the network and data sharing protocols; and then opportunities to communicate the learnings to government, road safety partners and the broader community.

## **Opportunities to foster a culture that embraces innovation and is responsive to emerging trends through transparency and communication**

8. Focus on collaboration across the road safety partners that continues to challenge the status quo in the utilisation of technology and looks to place Victoria as a world leader in road trauma reduction.
9. Development of an asset management strategy and procurement strategy is a vital piece of work to support this thinking, noting asset life is typically 7–10 years.
10. Similar industry standards suggest 10 per cent of income should be allocated to asset replacement and research and development.
11. Develop an innovation agenda.

## **Opportunities to explore options to streamline the current operating model and enabling processes to improve efficiency**

12. Develop a coordination committee across road safety partners and vendors at operations level.
13. Reflect on the current operating model and look for opportunities to streamline and make it more efficient.
14. Consider whether the current structure within the DJCS is fit-for-purpose.

## **Recommendations arising from the downtime review**

### **Improved data/audit/management**

1. That the DJCS update and validate the SiteTrak data system as to the reasons why sites are currently deactivated.
2. That the DJCS's Audit and Risk Committee consider monitoring of the resolution of long-term deactivations as a discrete organisational risk to the department.
3. That the DJCS review its management practices in the conduct of upgrades and testing of camera sites, to determine if there are opportunities to reduce downtime through better scheduling and active management.
4. An asset management strategy should be implemented to ensure the development and implementation of new technology is rolled out in a scheduled and expedient manner, resulting in limited downtime.
5. That appropriate level governance oversight and management processes over deactivated sites be put in place, to ensure matters can be escalated to Deputy Secretary and Secretary level and on to other stakeholders for resolution.



### **Existing long-term deactivated sites**

6. The DJCS should conduct an audit of long-term deactivated camera sites to establish the reasons why those sites remain deactivated.
7. Develop site management plans for all long-term deactivated sites.
8. Until sites are reactivated, the DJCS to consider what alternative methods of enforcement can be utilised, either mobile cameras or police enforcement.
9. That the DJCS consider the current need for long term deactivated sites, based on analysis of current driver behaviours at the site and the impact of traffic calming that may have been installed during roadworks, which may have addressed the road safety risks of the site.
10. That the DJCS engage more actively with the DOT and relevant local authorities to ensure that any future upgrades, or other works resulting in the deactivation of a road safety camera, include a planned schedule for reactivation and hand back of the asset to the department.

### **Major road works**

11. That DOT include in any safety plan for future major projects, elements of traffic speed management and traffic speed enforcement.
12. As part of the speed enforcement plan, DOT work with the DJCS and Victoria Police to consider provision within the sites. For example, provision for mobile speed camera vehicles, safe zones for police vehicles to conduct enforcement and / or the use of temporary point-to-point speed cameras.
13. That DOT review existing safety plans for current major road projects to consider what steps can be taken to better enable speed management and speed enforcement.
14. That DOT consider a community information campaign to address understanding of the need to comply with road work speed zones, for the safety of motorists as well as workers and emergency service personnel who need to work in that environment.

# ROAD SAFETY CAMERA COMMISSIONER REFERENCE GROUP

The RSCC Act authorises the Commissioner to establish a Road Safety Camera Commissioner's Reference Group (the Reference Group) consisting of selected experts in their respective fields.

The Reference Group informs and advises the ORSCC, and consists of the Commissioner and three to seven others appointed by the Minister, on the Commissioner's recommendation.

Mr Duke Trench-Thiedeman became a new member of the Reference Group on 31 October 2019. As a retired computer engineer and President of the Para-Badminton Club of Victoria, Mr Trench-Thiedeman brings a wealth of knowledge from his community engagement activities and a fresh perspective on the needs of people with disabilities.

Over the four Reference Group meetings during FY 2019–20, members assisted the Commissioner with their knowledge, expertise and feedback.

The Reference Group's membership for FY 2019–20 was as follows.

## **PROFESSOR BRIAN FILDES MUARC**

Brian is head of the Traffic Engineering and Vehicle Safety Consortium and a foundation member of the MUARC since it formed in 1987. He holds a PhD in behavioural research, and qualifications in science and engineering. Brian is a Visiting Professor at the UK's Transport Safety Research Centre at Loughborough University. His research interests include:

- » vehicle safety
- » speeding
- » driver perception
- » injuries to our elderly on the road and at home.

## **MS TIA GAFFNEY**

### **Transport Safety, Australian Road Research Board**

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

- » road safety
- » crashworthiness
- » accident and incident investigation
- » biomechanical analysis
- » mitigation for injury prevention.

Prior to working in Australia, Tia was with General Motors in Detroit, Michigan. She led automotive safety research firms; Safety Analysis and Forensic Engineering (Santa Barbara, CA) and Delta-V Experts (Melbourne). Her career encompasses extensive analysis, testing and research related to severe vehicle collisions.

## **MS 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. She's 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 recently worked as a volunteer, teaching English to asylum seekers in Dandenong. She's also been a casual lecturer at TAFE in leadership, management and criminal law. Pauline has spent 19 years in senior management positions representing Victoria Police at both national and international forums.

## **MR DUKE TRENCH-THIEDEMAN**

### **Retired computer engineer and President of the Para-Badminton Club of Victoria**

Duke was a computer engineer for over 40 years. This included time with a German instrument company developing onboard computer systems for trucks and road train safety.

After becoming paraplegic in a 2009 motor vehicle accident, Duke retired to become more active in the community through:

- » mentoring inpatients at the Austin and Royal Talbot Rehabilitation Hospitals
- » promoting sports for disabled people through the YMCA
- » becoming a Champion for Seniors
- » involvement in a housing for the ageing project in Banyule City Council
- » being the inaugural and current president of Victoria's first Para-Badminton club.

Needless to say, Duke brings an acute awareness of the needs of people with disabilities and realises there's no 'one size fits all' solution.

Duke represented Australia in the World Para-Badminton Championships in South Korea in 2017 and the Total World Para-Badminton Championships in Basel, Switzerland in August 2019.

## **PROFESSOR CAROLYN UNSWORTH**

### **Central Queensland University**

Carolyn is a Professor of Occupational Therapy at Central Queensland University and Adjunct Professor at:

- » La Trobe University, Melbourne
- » Jönköping University, Sweden
- » Curtin University, Perth.

Carolyn's expertise is in community transport mobility for the elderly and those with a disability. Her research and publications cover the assessment and rehabilitation of older and/or functionally impaired drivers; scooter and powered wheelchair mobility use; and access on public transport.



# SUPPLEMENTARY INFORMATION



## Freedom of Information

The *Freedom of Information Act 1982* (Fol Act) ensures the public can access our documents. We received and finalised one application under the Fol Act during 2019–20.

### How to make a request for information

As per section 17 of the Fol Act, you have to write to the Freedom of Information Officer and:

- » identify as clearly as possible the document you're requesting
- » accompany your request with the right application fee (this is sometimes waived).

Address your requests to:

Freedom of Information Officer  
Office of the Road Safety  
Camera Commissioner  
Locked Bag 14  
Collins Street East  
MELBOURNE VIC 8003

Or email **commissioner@cameracommissioner.vic.gov.au**

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

**www.foi.vic.gov.au** has more on Freedom of Information.

## Public Interest Disclosures

The *Public Interest Disclosures Act 2012* (Vic) (PID Act) ensures anyone reporting improper conduct and corruption in the Victorian public sector (whistle blowers) can do so, confident they'll be protected. This includes keeping their identity confidential and protecting them from things like bullying, harassment or legal action.

Legislative changes supporting people making such disclosures came into effect from 1 January 2020. These changes replaced previous 'protected disclosure' arrangements with 'public interest disclosures' under the updated PID Act.

### Reporting procedures

Under the PID Act, the ORSCC can't receive public interest disclosures. Address any disclosures of improper conduct or detrimental action by the Commissioner or ORSCC employees directly to:

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

GPO Box 24234 Melbourne VIC 3001

Call IBAC on 1300 735 135 or visit **ibac.vic.gov.au** for more.



# ACKNOWLEDGEMENTS

Since becoming Commissioner in December 2019, I have worked with many people whose cooperation and support is, integral to progressing our work and delivering important community outcomes.

A big thank you to the following people whose responsiveness and help have greatly assisted our reconciling recommendations:

- » Ms Rebecca Falkingham, Secretary, DJCS
- » Mr Joe Calafiore, Chief Executive Officer and Ms Samantha Cockfield, Head of Road Safety, TAC
- » Mr Paul Younis, Secretary and Ms Robyn Seymour, Deputy Secretary, DOT
- » Mr Justin Hanney, Chief Executive Officer, City of Melbourne.

I would also like to thank Corri McKenzie, Deputy Secretary of Police Fines and Crime Prevention in the DJCS, and her staff. The positive, open and collaborative help they gave us this year has been vital to progressing many ORSCC projects.

Many thanks also to Mr Sal Perna AM, Racing Integrity Commissioner for filling my shoes in my absence and when the Office was transitioning between Commissioners, and for his support and advice since I began this role.

I am very grateful to our colleagues in the United Kingdom including the team at Transport Scotland and Mr Trevor Hall of Road Safety Support for their collaboration, support and willingness to share data and learnings that have contributed to this report.

I'd also like to thank former Chief Commissioner Graham Ashton for his support during my transition into this role, and Libby Murphy, Assistant Commissioner Road Policing and the staff of the Victoria Police Traffic Camera Office for their constant cooperation and collaboration.

Finally, I would like to express my great appreciation to my key staff, Senior Technical Officer Zhi Peng Ye and our Office Manager Catherine Mackintosh for their unwavering effort and support.





Road Safety  
Camera  
Commissioner