

Annual Report



2016 — 2017



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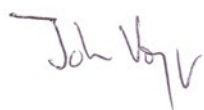
**The Honourable the President
of the Legislative Council**

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 2016-2017 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 that reads "John Voyage".

JOHN VOYAGE
Road Safety Camera Commissioner



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Commissioner's Message



A handwritten signature in black ink that reads "John Voyage".

JOHN VOYAGE
Road Safety Camera
Commissioner

This is the sixth annual report of the office of the Road Safety Camera Commissioner, and the second since my appointment.

During the 2016/17 year the office of the Road Safety Camera Commissioner 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, and red traffic control signal road safety camera systems. As had been the case on every occasion since the inception of this office, there was no technical or mechanical error found in any of the road safety camera systems. Each time, after careful scrutiny, the road safety camera systems were found to be operating accurately, and their integrity was repeatedly validated.

This year has involved one extraordinarily detailed analysis of data, in which an unmistakable pattern of driver behaviour – **all drivers** – was clear. The Peninsula Link investigation has shown a pervasive culture of slowing at cameras and speeding in between.

Speed remains the biggest road safety issue. Not only is **control reduced**, and **reaction time shortened**, but speed results in **more severe** outcomes. The use of road safety cameras plays a part in calming traffic speed, ensuring greater compliance with the speed limit. Speed is the major road safety factor which all members of our community can do something about.

Driving at speed is **high risk behaviour**. Further, as shown by the complainant group in the Peninsula Link report, and also by responses in the survey, there appears to be a substantial road safety compromise through **poor driver attitude**. Whilst I am grateful to members of the Victorian public for their frank communications with the Office of the Road Safety Camera Commissioner, especially for the two large investigations, I was nevertheless alarmed at some of the driver attitudes. For example, regarding Western Ring Road, I was alarmed at the number of people who, whilst driving, had made their own decision of whether the emergency was passed, and made their own decision of the safe speed in the circumstances. I was surprised at the number of people who drove in a closed lane and by the number of that group who complained about receiving an infringement notice. And from the Peninsula Link investigation, I was alarmed at the number of people who have unquestionably been caught speeding point to point and yet complained of their innocence.

These investigations might signal the ongoing need for driver education. Further, there should be alarm at the readiness of members of the public to undermine the integrity of the road safety camera systems and the people who work with them.

I am satisfied that the existence of this office provides motorists, and all Victorians, with an independent and impartial avenue to raise their concerns. I am wary however that social media is providing a platform for unjustified, perhaps even worthless, complaints to grow and to impede the respect of the road safety camera systems and those who operate them. A balance will need to be struck between responding to social media manipulative mock-outrage as against authentic and important concerns. Transparency of processes will continue to be the key.

One of the key learnings from this year is the repeated poor attitude of drivers, as shown in discussions regarding Western Ring Road infringements. Time and again the justification for travelling at excessive speed, or even in a closed lane, the attitude was "Everyone else is doing it." This was also apparent regarding running red lights, or pushing faster into a yellow light. This wanton disregard for road laws will have ongoing risks for the community.

The integrity, accuracy and efficiency of the road safety camera systems is non-negotiable. There cannot be any doubt in the minds of Victorians of the integrity, accuracy and efficiency of the systems.

I am satisfied with the integrity, accuracy and efficiency of the road safety camera systems in Victoria.

Speed is the most significant road safety issue

Last year I wrote that there remains some element of uncertainty, indeed scepticism, in relation to road safety cameras. Scepticism may be healthy, but cynicism, especially in relation to road safety, needs to be addressed.

This year's two large investigations, have both had examples where large numbers of speeding drivers have protested their innocence. We have repeatedly seen large numbers of examples of poor driver attitude.

The Transport Accident Commission's website continues to show that over 70% of lives lost on our roads are male. Road safety is everyone's responsibility, all of the time.

One expert in road safety suggests that Australians have a competitive mentality from an early age, and that we are competitive by nature in much that we do. This competitive spirit has been adopted in driving, at the expense of courtesies and safety. The car has become an instrument of competition. I suggest that we need to make collaboration a cornerstone of driving and roadcraft values.

The strong message of the two large reports is that speed limits apply to everyone. It is not for individuals to determine what they consider to be appropriate in the circumstances. People who think they can get around them are getting caught. The message is: don't speed.

How the Victorian public perceives the road safety camera system

Last year I noted that there is inconsistency between the public's requests for cameras to be installed in particular locations, and public comments about the revenue generated. This year the picture is further complicated by the findings of driving behaviour in point-to-point zones of Peninsula Link as against the instantaneous speeds on the same highway; and by large numbers of drivers apparently

being aware of the reduced speed limit on Western Ring Road but choosing to determine where they think the reduced speed limit should end and choosing their own idea of speed limit in the circumstances. I believe that despite the social media brouhaha relating to the cameras, the public accepts the accuracy and integrity of the road safety camera systems.

Transparency

Since inception the office has had a strong policy of transparency. The office needs to be seen by the public as a fair and accessible organisation. I am pleased that the office has continued to enjoy regular exposure in the media. In this regard I repeat my comments from 2015/16 of being indebted to Mr Neil Mitchell of Radio 3AW and Mr Keith Moor of the Herald Sun for their assistance in lifting the veil of ignorance surrounding the operation of road safety cameras. I am also most grateful to Ms Allison Harding for her journalistic efforts to give a voice to people who were complaining about uncertainties in relation to the road safety camera systems. The road safety camera systems must be completely transparent to facilitate scrutiny of the integrity, accuracy and efficiency, or just general fairness for all. I am pleased that representatives of the media recognise the independence of the office by seeking clarification in respect

of the facts when controversy about road safety camera issues arose. The reporting by the media has resulted in increased communication to my office by the motoring public, and it has been satisfying to see, that as a result of the efforts of this office, there is now much greater public awareness of just how the road safety camera system operates. I will endeavour to ensure this liaison with the media continues, in the public interest.

My predecessor, his Honour Gordon Lewis has previously noted in past annual reports:

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

I continue to endorse those comments.

No system malfunctions

I am pleased to confirm, as has been the case every year of this office, that there is no evidence of anyone who obeyed the law receiving an inappropriate infringement notice due to malfunction of the road safety cameras. There has not been any evidence of any malfunction in the detection or processing of infringement data from the road safety camera system to cause any inappropriate infringement notice to be sent out. It should

be acknowledged that there have been a very tiny number of examples where human error may have led to a wrong course; but the accuracy and integrity of the road safety camera systems remains of the highest standard. Further, the checks and balances and opportunities for review support the integrity of the system for all Victorians.

More requests for road safety cameras

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

Members of the public request the cameras because the public know that the cameras do actively participate in

reducing speed and its consequences. This reflects on how the public perceives the road safety camera system. In my view this is a reflection on the good work of many authorities, including (but not limited to) Victoria Police, VicRoads, the Department of Justice and Regulation, the Transport Accident Commission, and many other agencies and community groups.

This year there have been many further requests from the public for road safety cameras. I note, for example that more than 300 residents signed a petition to have a camera installed at the intersection of Narre Warren North Road and Ernst Wanke Road, Narre Warren, Victoria.

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

In this past financial year 863 people wrote to the office with questions, comments and complaints about various issues regarding Victoria's fixed and mobile road safety cameras. This was a substantial increase on the 359 people in 2015/16.

In addition this year 683 people telephoned the office with more general enquiries, up from 630 last year.

Further, the number of Victorians who are accessing my office's website, which increased in 2015/16 by seventy per cent to 9442 visits, has increased further to over 10,000 .

The website will be updated in the coming financial year.

How the office develops in the future

As far as we can tell, this remains the only Road Safety Camera Commissioner's Office on the planet. We are continuing to find a balance between strong advocacy for motorists and the role the camera systems play in supporting liveable communities. It is crucial for the office to continue to encourage motorists who are uncertain about, or aggrieved by, the road safety camera system, to deliver their enquiries to

this office. This office must be involved in public uncertainty regarding any questions relating to the integrity, accuracy and efficiency of the road safety camera systems.

It will also be essential for this office to continue to be one with whom road safety partners can share data and information in a frank and robust manner.

Acknowledgements

This has been a year where the roles and functions of this office have been put to the test. I thank Mr. Brendan Facey, the Executive Director of Infringement Management and Enforcement Services in the Department of Justice and Regulation for his and his staff's constant support and cooperation, Assistant Commissioner Doug Fryer of Victoria Police Road Policing Command and the staff of the Victoria Police Traffic Camera Office, and Mr. John Merritt the Chief Executive of VicRoads, for their open and good natured spirit of collaboration. I thank Ms. Marisa De Cicco, Ms Camille

Kingston and Mr Ryan Phillips of the Department of Justice and Regulation, for the support and assistance shown to this office throughout the year. I thank Mr Stuart McCormack for the robust intellect and expert performance which he brought to the Peninsula Link investigation. I thank Mr Rob Smith for his specialised insights.

I sincerely thank Ms. Melanie McShane and Mr. Zhi Peng Ye for their contribution to the quality of the service the office provides.

JOHN VOYAGE

Road Safety Camera Commissioner

Recommendations

I recommend that:

1. There be efforts, including a public campaign, to stamp out **poor driver attitude**, exemplified by the investigations into Peninsula Link, and also Western Ring Road. Speeding between point-to-point camera sites, driving in closed lanes, administering their own idea of appropriate speed limit, all need to be addressed. Drivers need to more readily recognise the situation as "dangerous" rather than "inconvenient".
2. Given the importance of providing a safe place of work for road workers and emergency workers, and the importance of safety for motorists involved in an incident, the 40 km/h speed limit is sensible and appropriate. However, there have been examples on Western Ring Road where people with hitherto good driving records are travelling at speeds that result in immediate licence suspension. This seems to be beyond public expectation. **I recommend that there be review of the impact of traffic infringements where spikes in numbers occur.** This could commence by Victoria Police and/or the Department of Justice and Regulation, providing my office with a notice of any such event. There be a mandatory reporting by Victoria Police to the Road Safety Camera Commissioner of any occasion where disproportionate numbers of drivers are considered to have infringed. The circumstances of the two large investigations this year shared a public disquiet of too many infringements being issued. These circumstances potentially give rise to popular media complaining about the integrity of the road safety camera systems. The integrity requires that there be prompt attention drawn to this office to determine whether the fault lies solely with the infringing drivers. One caution is that any pre-determined percentage figure could potentially lead to adverse behaviour.
3. Further to (2), I note that the current scenario of people with good driving record being treated as hoons because of a single mistake of judgment in a variable speed zone may be beyond the community's expectation. I recommend that the reduced speed limits continue to be enforced but that there be consideration given to amending legislation to provide Victoria Police or the courts with an opportunity for some **discretion** to be available for some limited circumstances to refrain from suspending licences when imposing the law.
4. There be education of the way in which point-to-point road safety camera systems accurately assess the average speed between two points. The public have shown they do not adequately understand that the one inevitable outcome of speeding between point-to-point cameras is a traffic infringement notice.
5. There be prompt consideration to locating new point to point road safety camera systems on Victorian regional and country roads, and in particular those with a history of road trauma. There have been repeated calls for more country roads to have road safety cameras to augment the existing road safety message.



6. There be greater transparency in the reasons for setting particular road speed limits, including in the role for variable signs on highways with hazards, collisions, breakdowns or roadworks.
 7. The road safety camera systems on Peninsula Link northbound at Loaders Road bridge be monitored, and if appropriate investigated, if there are found to be repetitions of the curious infringement numbers which were observed in 2016, prior to the vandalism at that site.
 8. VicRoads review its traffic management plan guidelines and approval process for roadworks located at or near road safety camera installations to ensure that motorists are provided with conspicuous speed limit signage before, within, and at the end of the roadworks site reduced speed limit zone. This has previously been recommended, by my predecessor, Hon Gordon Lewis AM, in the investigation into Western Ring Road dated 8 August 2013, and the annual report of this office 2013-14. In addition, there be consideration of installing signage at roadworks with the purpose of advising drivers of the anticipated distance of the reduced speed limit (especially including drivers unfamiliar with the road); and clearly stating what speed limit applies at the end of the reduced speed limit zone.
 9. There be efforts towards greater public understanding of the role road safety cameras play in revenue **saving** through enforcing safer driving behaviour.
 10. In light of the findings of the survey of the public which suggest that there is a public appetite for rewarding good drivers through reduced registration or licence fees, I recommend that this be investigated.
- I reiterate my recommendations from 2015-16 that:**
11. There be ongoing **public engagement** in road safety discussions. There should be increased discussion of the fact that everyone involved in a collision that causes injury or death had thought "This happens to other people. This is not going to happen to me." It does happen, and the risk factors need to be understood.
 12. There is a need for **uniform terminology**, for data collection and integrity. This ideally should be agreed nationally.

Year In Review

This year has built on the work of this office since inception in 2011. The duties of this office have continued to rotate around assessing the integrity accuracy and efficiency of the road safety camera systems. Some new road safety camera systems have commenced operation, with the continuing themes of transparency and accountability together with the focus on safety.

I again thank my predecessor, His Honour Gordon Lewis AM, for the setting up of this office and for his use of traditional media to involve the driving public. His Honour was an advocate for the driving public, and the office continues to follow that lead. His Honour delivered many reports, which continue to inform the public. They remain available on the office website. These reports include:

- Yellow Light Timing Issues at Eight Victorian Intersections: <http://cameracommissioner.vic.gov.au/news-ldkfhdsldkfhj/>
- Mobile Road safety Camera Site Selection: <http://cameracommissioner.vic.gov.au/mobile-road-safety-camera-site-selection-investigation-report/>
- Eastlink: <http://cameracommissioner.vic.gov.au/eastlink-technical-investigation-report/>
- Western Ring Road at Keilor Park Drive Bridge: <http://cameracommissioner.vic.gov.au/investigation-into-991-infringements-issued-at-keilor-park-drive-bridge-on-30-june-2013/>
- Intersection of The Boulevard and Princes Highway, Norlane: <http://cameracommissioner.vic.gov.au/investigation-road-safety-camera-intersection-boulevard-princes-highway-norlane/>
- Electronic Speed Signage Effect On Motorists' Behaviour: <http://cameracommissioner.vic.gov.au/investigation-effect-electronic-speed-advisory-signage-motorists-behaviour/>
- Maroondah Highway, approx. 100 Metres West of Hutchinson Street, Lilydale: <http://cameracommissioner.vic.gov.au/investigation-fixed-road-safety-cameras-maroondah-highway-approximately-100-metres-west-hutchinson-street-lilydale/>
- Fixed Road Safety Cameras in 40 Kilometre per Hour Zones: <http://cameracommissioner.vic.gov.au/investigation-fixed-road-safety-cameras-40kmh-speed-limit-zones/> and <http://cameracommissioner.vic.gov.au/investigation-fixed-road-safety-cameras-40kmh-speed-limit-zones-update/>
- Intersection of Springvale Road and Lower Dandenong Road Braeside: <http://cameracommissioner.vic.gov.au/investigation-fixed-road-safety-cameras-intersection-springvale-road-lower-dandenong-road-braeside/>

This year we have completed two detailed investigations, commenced a third (into ransomware viral infection of parts of the fixed digital road safety camera network), and revisited one previous investigation. We investigated several occasions in which variable speed limits were applied for westbound traffic on Western Ring Road, approximately 600 metres west of Sydney Road. Also we conducted a painstakingly diligent investigation into the ten road safety systems (six





instantaneous, four point-to-point) along Peninsula Link. We have revisited the road safety cameras at the intersection of Springvale Road and Lower Dandenong Road, Braeside. We have also continued to assess the accuracy of every fixed road safety camera, greatly increasing the number of assessments compared with previous years.

We found **no evidence** of any malfunction on any road safety camera system to cause any inappropriate infringement notice anywhere in Victoria; we are satisfied that no one will receive an inappropriate infringement notice as a result of the camera system.

During the Peninsula Link investigation we found one curiosity, worthy of further scrutiny, (at Lodders Road bridge, northbound). Regrettably this system was the subject of vandalism before we could analyse it.

I am grateful to members of the public who have taken the time and effort to write to me to express their concerns. My intention is to continue to welcome uncertainties from the driving public, and to fully investigate complaints. I also hope to share the lessons that may be learnt from each report.

This year has also seen our first survey of the public. Since my arrival in this office, I have seen the disparity between the high standards of integrity, accuracy and efficiency set by all people working with road safety camera systems, as against public perceptions. I hope that this first survey might help all Victorians to understand the extent of that inconsistency and why it exists. Hopefully it goes some of the way towards addressing those issues in a transparent fashion.

“It is not feasible that an erroneous speed can be produced by the road safety camera systems”

The Office Of The Road Safety Camera Commissioner

The Act

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

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

- to undertake, at least annually, reviews and assessments of the accuracy of the road safety camera system in order to monitor compliance of the system with the requirements of the *Road Safety Act 1986* and regulations made under that Act
- to undertake, at least annually, reviews and assessments of the information about the road safety camera system that is made available to the public by the Department of Justice and Regulation
- to undertake investigations requested or agreed to by the Minister into the integrity, accuracy or efficiency of the road safety camera system
- to receive complaints concerning any aspect of the road safety camera system and:
 - if appropriate, to refer a complaint to an appropriate person or body for further action, or
 - to provide information on the available avenues for resolution of a complaint,
- to investigate complaints received by the Commissioner that appear to indicate a problem with the road safety camera system and to make recommendations to the Minister to address any systemic issues identified
- to investigate any matter in relation to the road safety camera system that the Minister refers to the Commissioner
- to provide information about the road safety camera system in response to a request for information from a person or body
- to provide advice to the Minister on any matter in relation to the road safety camera system
- to refer appropriate matters to the Reference Group for research and advice
- to keep records of investigations undertaken and complaints received by the Commissioner and the action taken in response, if any
- to make available to the Minister, on request, the records of investigations undertaken and complaints received, and
- any other function conferred on the Commissioner by or under this or any other Act.

The Office's main functions

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 Regulation.

MANAGE COMPLAINTS

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

CONDUCT INVESTIGATIONS

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

PROVIDE ADVICE AND INFORMATION

The Act authorises me to provide information about the road safety camera system following a request from a person or body. I am 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, 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 Commissioner 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 Parliament.

As at 30 June 2017, the office has three full time positions of which two are currently permanently occupied, to enable the Road Safety Camera Commissioner to perform his functions and exercise his powers under the *Road Safety Camera Commissioner Act 2011*. The two permanent staff include a Manager, Operations and a Senior Technical Officer.

The staff of the Office of the Road Safety Camera Commissioner are appointed by the Commissioner, but are employed under Part 3 of the *Public Administration Act 2004*, as Department of Justice and Regulation employees.

For the purposes of their work with the Commissioner, the Commissioner's staff work independently of the Department of Justice and Regulation.

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

Financial reporting obligations

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

In addition the requirements in relation to the Standing

Directions of the Minister for Finance 2016 have been completed. As required by the Standing Directions compliance for the 2017-2018 and future years, reporting will be in the Department of Justice and Regulation annual report for the relevant year.

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

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 2016-2017, one application under this Act was finalised.

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, 459 Collins Street (North Tower)
MELBOURNE VIC 3000

✉ GPO Box 24234
MELBOURNE VIC 3000

☎ Toll free: 1300 735 135

🌐 www.ibac.vic.gov.au

Enquiries and complaints

The financial year 2016/17 has seen substantial activity from the Office of the Road Safety Camera Commissioner.

Wherever possible, I consider the integrity of the road safety camera systems require the prompt accurate response to each and every enquiry. In that regard I am grateful to the cooperation and assistance which my office has constantly received from the Department of Justice and Regulation, the Victoria Police and VicRoads.

This has been my first full year, since I was appointed Road Safety Camera Commissioner on 5 April 2016.

During the year the office received 863 written enquiries or complaints each of which initiated a sequence of communication. These enquiries or complaints dealt with or were related to various issues regarding Victoria's fixed and mobile road safety cameras. In addition, 683 people telephoned the office with general enquiries, and I am happy to report the information the office provides to its customers is accurate and ultimately helpful in resolving their enquiries.

Most notably this year I have completed two detailed investigations:

- Peninsula Link
- Western Ring Road, westbound, approximately 600 metres west of Sydney Road, Glenroy

I was also involved in analysing and responding to public disquiet regarding the operation of a red traffic control signal camera at the intersection of Springvale Road and Lower Dandenong Road / Cheltenham Road Braeside.

The investigations are reported on my website, and comments regarding each are set out below. There are a few items from the reports which merit repeating.

In the Peninsula Link investigation, there was a repeated attitude of complainants to assert they were wrongly assessed as speeding. In fact the technical and mechanical aspects of the 10 systems involved were not found to have any issues. There was one site which merited closer examination, but that was prevented by an act of vandalism, and this will need to be monitored in the future. We had access to a remarkable aggregate of data, and we tracked more than 60 million incidents. We found that many of the complainants were regular users of Peninsula Link, and we tracked the journeys of other vehicles entering Point-to-point zones within 60 or 120 seconds of the complainant; that is, the vehicles in front and the vehicles behind. We found that the complainant group **overtook 21 times as many vehicles as they were overtaken by**. This statistic is surprising enough for any designated group, but I found it particularly confronting from the very people who had claimed to have been wronged.

The report noted that the speedometers of infringers must have read of the order of 110km/h whilst they drove in a 100km/h zone; and yet there were complaints of some systemic issue.

I invite the reader to reflect on what had occurred. A few people claimed to have been wronged; then the group rapidly grew to dozens, and eventually to over 1,000. They made statements to the press such as "This many of us cannot all be wrong". We can now see, without any doubt, that the statistics show they are exactly the sorts of drivers who would be expected to be picked up as infringing against the speed limit by the point-to-point system. As a group, the complainants overtook 21 times as many vehicles as they were overtaken by; they must have known they were in the wrong and that the road safety camera system worked with integrity and accuracy. So why did they complain to media, to social media, and to the Road Safety Camera Commissioner's Office? One possibility is that this group hoped that media, social media, and Road Safety Camera Commissioner would get them off the infringements in a fashion that a court, (which would involve hearing and seeing evidence), would not. The reluctance to accept responsibility for infringements which had fairly and appropriately been delivered is a cynical use of media, of social media, and of this office.

There was a similar experience with social media acting as a focus in relation to the Braeside red-light camera complaints and again regarding the Western Ring Road complaints. I was troubled when a person who said they had been a member of the Western Ring Road Facebook group said that subsequent to my report, a message had gone around regarding changing the story of why they were caught speeding.

Without doubt, social media is presenting new issues, allowing baseless assertions to get oxygen, permitting groups to trivialise or disrespect accurate factual data, and perhaps feeding reduced moral standards. I see this behaviour as violating the accepted standards of our community. There has been a significant number of members of the public attempting to make cynical use of this office, seemingly in the hope that their poor judgement and poor driving will be given a reprieve. Regrettably this group has aggregated and caused substantial noise, making it more difficult for genuinely aggrieved members of the public to be heard.

By pleasing contrast, I was particularly pleased with the support that the Peninsula Link investigation report received from the wider public, many saying the pattern of infringers' behaviour was consistent with their own experiences in driving.

The Western Ring Road investigation came about from public disquiet in relation to receiving infringement notices in significant clusters, based around occasions when there were either roadworks or other hazard or incident on the roadway on Western Ring Road. On examination of the data it was seen that a significant number of people had been speeding, whilst a majority were not. Alarming, many had chosen to drive in a closed lane, on the grounds that they did not see any hazard. Many of the speeders reported reasons including:

- Being intimidated by other vehicles, especially tailgaters
- Deciding for themselves what a safe speed would be

- Knowingly breaching the speed limit because "everyone else" was breaching the speed limit
- Being unable to comply with the diminished variable speed restriction because they were too busy watching out for hazards on the road from the subject incident to look at the Lane Use Management System (LUMS).

I found no technical or mechanical problem to cause any unwarranted infringement notice.

Once again I thank Mr Neil Mitchell of 3AW for giving a voice to people, indeed very large numbers of people, who reasonably felt aggrieved at receiving a traffic infringement and who otherwise might have been unable to obtain satisfaction in their concerns.

Many members of the public write to us in relation to many different locations to protest that there is no warning of the road safety camera. They assert that this is unfair, or use terms like "trap" to describe the fact that they were infringing. At law there is no such requirement. And for all good drivers, the presence or absence of the camera ought not alter driver behaviour. If drivers do modify their driving by the location of

cameras, as was seen in enormous number in the Peninsula Link investigation the integrity of the cameras will be inappropriately diminished. Drivers ought to be complying with speed laws at all times; or else not complaining about being photographed speeding.

For the Western Ring Road investigation I called for members of the public to provide any dash-cam footage which they might have, to show some error or irregularity on the part of the roads safety camera system. Zero dash-cam received.

For the Peninsula Link investigation I called for members of the public to provide any dash-cam footage, or data from a GPS tracker, or data from a specialised smart phone app, or any other independent data which they might have, to show some error or irregularity on the part of the roads safety camera system. Two sets of data were received, both had been edited, on analysis neither showed error on the part of the road safety camera systems.

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

Use of The Commissioner's website

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

It is pleasing when looking back on the way the website is used, that it has experienced phenomenal growth in the last two financial years. In financial year 2015-16, the website was viewed 9,442 times by 7,887 users. In this financial year, 12,495 visits were made by 11,226 unique visitors of the website. This is a growth of around 32 per cent for visits and 42 per cent

unique visitors. Much of the public interest in the website has been timed around significant events, especially the annual report and investigation announcements.

Also of note is the growth in the proportion of users who have visited our website using mobile devices. This financial year, approximately 52 per cent of visits were made using a mobile device. This proportion has grown significantly from the previous financial year, when approximately 40 per cent of visits were made on mobile platforms.

The use of the website is a reflection of the transparency of the system. It is pleasing to see that website use is increasing. I will be updating the website to ensure that it provides helpful and timely information to Victorians, now and into the future.

The Reference Group

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

I have convened three meetings with the Reference Group in the last financial year. In addition to these meetings I at times called on members for their expertise. Each member has shown enthusiasm to find ways they can contribute towards the office fulfilling its functions under the Act and best serve the Victorian public. I thank each member for their contribution.

The Reference Group members in the 2016 – 2017 year were:

PROFESSOR TOM DRUMMOND

Department of Electrical and Computer Systems Engineering, Monash University

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

Professor Drummond did not attend any meetings in the 2016-2017 financial year and his appointment to the Reference Group expired on 08 October 2016.

JANE FENTON AM

Non-executive director and expert in communications

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

Ms Fenton attended one meeting in the 2016-2017 financial year and her appointment to the Reference Group expired on 17 September 2016.

PROFESSOR BRIAN FILDES

Accident Research Centre, Monash University

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

Professor Fildes attended three meetings throughout the year.

TIA GAFFNEY

Senior Forensic Engineer, Delta-V Experts

Tia is a Senior Forensic Engineer with independent safety consulting firm Delta-V Experts. Tia 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 crashes. Tia'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. Tia has conducted extensive work in road safety, crashworthiness, accident and incident investigation, biomechanical analysis and mitigation for injury prevention. Prior to working in Australia, Tia was employed by General Motors in Detroit, Michigan, and subsequently by Safety Analysis and Forensic Engineering (SAFE), a leading U.S. automotive safety research firm. Tia's career has encompassed extensive analysis, testing and research related to severe vehicle collisions.

Ms Gaffney has attended two meetings throughout the year.

DAVID JONES

Manager, Roads and Traffic, RACV

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

Mr Jones attended one meeting in the 2016-2017 financial year and he ceased being a member of the Reference Group on 12 September 2016.

PAULINE KOSTIUK

Volunteer Teacher

Pauline is currently working as a Project Manager with Victoria Police as well as continuing her work as a volunteer, teaching English to Asylum Seekers in Dandenong. Pauline served 35 years with Victoria Police in areas including traffic, investigations, liquor licensing, training and prosecutions. She spent 19 years in senior management positions representing Victoria Police in both national and international forums.

Ms Kostiuk attended two meetings throughout the year.

PROFESSOR CAROLYN UNSWORTH

Professor of Occupational Therapy, Central Queensland University, Melbourne

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

Professor Unsworth attended two meetings throughout the year.

I would also like to thank Professor Tom Drummond, Ms Jane Fenton AM, and Mr David Jones who are no longer members of the Reference Group, for their contribution.

Investigations

Western Ring Road

On 8 March 2017, a woman utilised the forum of the popular radio journalist Mr Neil Mitchell to raise her concerns regarding an infringement notice that she received for driving at excessive speed, detected on 20 February 2017 travelling westbound along the Western Ring Road, approximately 600 metres west of Sydney Road in Glenroy.

Subsequently, Mr Mitchell received more complaints regarding traffic infringements detected at that time and place. These aggrieved drivers were appropriately referred to the office of the Road Safety Camera Commissioner. I again thank Mr Mitchell for drawing these matters to public attention, and I repeat that I am most grateful to all of the members of the public who made contact with my office regarding their unease in relation to these events.

My office received more than 100 complaints from motorists who had various levels of traffic infringements detected along the Western Ring Road, westbound, approximately 600 metres west of Sydney Road, Glenroy. These complaints related to traffic infringements detected on four dates:

- 16 December 2016,
- 3 February 2017,
- 20 February 2017, and
- 26 February 2017.


The infringements all had in common that they related to periods in which the usual 100km/h speed limit was reduced:

to 40km/h for 16 December, 3 February and 20 February, and 60 km/h for 26 February. In each case this was because of incidents, breakdowns, stationary vehicles or planned roadworks on the roadway. The variable speed limit is signalled by variable illuminated speed signs, known as the Lane Use Management System (**LUMS**).

On 9 March 2017 I commenced an investigation into the integrity, accuracy and efficiency of the road safety camera operating on the Western Ring Road, westbound, approximately 600 metres west of Sydney Road in Glenroy.

My professional background includes 35 years' experience of dealing with the outcomes of trauma on Victorian roads. This informs me of the dangers of speeding: not only is reaction time shortened, but control is reduced and the outcomes are more severe.

A hazard on the road, from a collision, a breakdown, or roadworks, deserves respect. There is a heightened risk of hazard which could include citizens, surprised and perhaps disoriented or confused by a collision or breakdown, finding themselves on the roadway and exposed to risk. Emergency services, such as ambulance and police, and tow-truck drivers, are required to attend at potentially dangerous on-road situations. "Roadworks" means workers will be on the road. All of these workers have every **right to expect a safe place of work**. I endorse the use of 40km/h variable speed limits, and there is a need for better behaviour by large numbers of drivers.



Road authorities, and in particular VicRoads, have considered many factors in determining the appropriate speed limit. Many drivers were surprised when my office advised them that the roads are constantly monitored in real time, and as hazards are observed, lanes are closed and speed limits are reduced. Further, VicRoads engages the public to report hazards, by telephone or online. This is a superb effort by VicRoads, and one which, in my opinion, does not receive the credit to which it is due.

The unquestionable fact is that the behaviour of many drivers in the particular periods was abhorrent. It should not need to be restated that it is not for the individual to determine what they think is the appropriate speed limit. And if they do, I can't understand why they complain about the infringement notice which is generated.

On the other hand, I have also seen some cases where the driver was travelling at a speed which brought about a mandatory licence suspension. This penalty is based on the idea of the exaggerated speedster being a menace, or a hoon. I suggest that this description might not apply to all who exceed a diminished speed limit on a freeway. I would like to see some opportunity for discretion in the mandatory penalty, limited to cases of 40km/h diminished speed on a freeway. Whilst the mandatory penalty has an important place in general, there have been some examples which I

have seen which would be apt for some discretion. It may be that a driver with an impeccable record, but who travels with large numbers of others at excessive speed, should be heard before his or licence is suspended. There is also a caution that if the number of infringements at a particular time becomes unduly large, then consideration should be given to whether the fault lies solely with the drivers. The Western Ring Road anomalies were first brought to my attention by members of the public airing their grievances to the radio journalist Mr Neil Mitchell, and I am grateful to the public and to Mr Mitchell. I **recommend** that out of an abundance of caution, that there be mandatory reporting to the Office of the Road Safety Camera Commissioner of any situation where a to-be-determined multiple of the anticipated infringement rate is breached.

Several members of the public said they had dash-cam footage to show that the cameras were not operating correctly, but did not produce any footage whatever. Zero dash-cam was received regarding these events.

The report can be found on the office website. The link is:

<http://cameracommissioner.vic.gov.au/western-ring-road-approximately-600-metres-west-sydney-road-glenroy-final-report/>

Peninsula Link

My professional background includes 35 years' experience of dealing with the outcomes of trauma on Victorian roads. This informs me of the dangers of speeding: not only is reaction time shortened, but control is reduced and the outcomes are more severe

Public disquiet about the road safety camera system on Peninsula Link was ignited in January 2016. A caller rang Mr Neil Mitchell of radio 3AW asserting that he had been driving on Peninsula Link on many occasions, claimed to always drive in an exemplary manner and protested that he had received point-to-point infringement notices for a group of journeys. The caller's firm conclusion was that the camera system must be wrong. At that time my predecessor, the Hon Gordon Lewis AM made enquiries into the devices involved, and found no error.

During October 2016 there was increased disquiet about infringements on the Peninsula Link, and especially in relation to people who claimed to have set their cruise control and relied on that mechanism, untouched.

The Minister for Police, the Hon Lisa Neville, requested that I undertake an investigation into the integrity, accuracy and efficiency of the road safety camera system on Peninsula Link. The issues were regularly reported in local **Leader Newspapers** by Ms Allison Harding, and I am grateful to Ms Harding, and to members of the public, for raising these concerns with me.

Peninsula Link is a dual carriageway freeway, with two traffic lanes in each direction, with an emergency lane on each carriageway. The speed limit is 100 km/h along its entire length. There are six fixed road safety camera sites operating along Peninsula Link.

The road safety camera sites along the freeway are located at:

- Northbound at Skye Road Bridge, Frankston,
- Northbound at Eramosa Road West Bridge, Moorooduc,
- Northbound at Loders Road Bridge, Moorooduc,
- Southbound at Skye Road Bridge, Frankston,
- Southbound at Eramosa Road West Bridge, Moorooduc, and
- Southbound at Mornington-Tyabb Road Bridge, Moorooduc.

The road safety cameras along Peninsula Link also operate as part of a **point-to-point (P2P)** or average speed road safety camera system. There are four P2P zones along Peninsula Link, between:

- Loders Road Bridge in Moorooduc and Eramosa Road West Bridge in Moorooduc, northbound,
- Eramosa Road West Bridge in Moorooduc and Sky Road Bridge in Frankston, northbound,

- Skye Road Bridge in Frankston and Eramosa Road West Bridge in Moorooduc, southbound, and
- Eramosa Road West Bridge in Moorooduc and Mornington-Tyabb Road Bridge in Moorooduc, southbound

Effectively, the investigation required analysis of 6 fixed camera sites and 4 point-to-point zones; and analysis of all times of day, days of the week, all weather conditions, every variable that seemed possible.

The investigation was conducted with the enthusiastic co-operation of many authorities and groups. I was particularly pleased with the support of Mr Stuart McCormack whose analytic and technical expertise guided the investigation into areas which, as far as we can tell, have not been researched previously, anywhere. The access to information from all government agencies and a number of private organisations was truly exceptional.

The report involved analysis of greater than 60 million incidents. We used the data to reconstruct the journeys of vehicles by using their registration number plate. We were able to track millions of individual journeys, analyse the speed with which each individual vehicle had passed each road safety camera site, and we could compare it with the speed that the very same vehicle had traversed the point-to-point zone.

By contrast, there was virtually no objective data volunteered by the public; zero dash-cam, and data associated with only two journeys, both of which had been edited before being forward to this office.

We tracked every journey on Peninsula Link by every vehicle driven by every person who complained about their infringement. We found a repeated behaviour of approaching the camera at a speed of under the speed limit (or of slowing at the instantaneous cameras), then speeding through the zone, then slowing again at the next camera. We could also track the cohorts driving in the vicinity for every journey by every vehicle. We looked at vehicles entering the point-to-point zone 60 or 120 seconds before and after the complainants' vehicle. This way we could track how many vehicles had overtaken the complainants and how many were overtaken by them. We thought this might assist in building a picture.

I found that the group who complained had overtaken **21 times as many** vehicles as they were overtaken by. The complainant group were overtakers of large numbers of others, yet seldom if ever overtaken. I see that as inconsistent with the claim of complying with the speed limit, and further that it is reinforcing the accuracy of the road safety camera system.

This data in the report shows some of the information regarding the aggregate driving behaviour over a thirteen month period by vehicles of the complainants. Without doubt, there is no evidence of who was driving on many of these occasions. However, a picture was built up by aggregating thousands of journeys along Peninsula Link both by the complainants and by vehicles in their vicinity.

Complainant behaviour



21 TIMES AS MANY
The group who complained had overtaken
21 times as many vehicles as they were overtaken by.

COMPARING INSTANTANEOUS
AND POINT-TO-POINT DATA

I consider this figure, **21 times as many**, to be too big to ignore.

Over huge aggregates of data, we could not find any error in any of the road safety camera systems. However, a most instructive picture was built up, regarding the way that large numbers of vehicles travel through the Peninsula Link. The general driving public produce two different graphs of speeds, again showing a widespread trend of slowing at the instantaneous sites but travelling faster between. A series of graphic depictions was included in the investigation report, showing that for vehicles travelling at different point-to-point speeds up to around 113km/h, the average instantaneous speeds remain at or below 100km/h. The detailed graphs can be found at pages 25 to 30 of the report.

The analysis of millions of journeys was broken down into component parts, analysing the speed of passing an instantaneous road safety camera system on "entering" a point-to-point zone, the speed of passing an instantaneous road safety camera system on "exiting" the point-to-point zone, and the average speed between the two camera systems calculated as the point-to-point speed.

We grouped the journeys with common point-to-point speeds, and analysed their parameters. We looked at the average entry and exit speeds for the point-to-point zone for each point-to-point speed. A striking image was developed which showed that the entry and exit speeds is markedly lower than the point-to-point speed. Indeed, the average instantaneous speed remains below 100km/h for all journeys upto around 113km/h.

In considering this analysis it must be kept in mind that the numbers of journeys at each speed are different. More vehicles have a point-to-point speed of, say, 98km/h than, say, 105km/h.

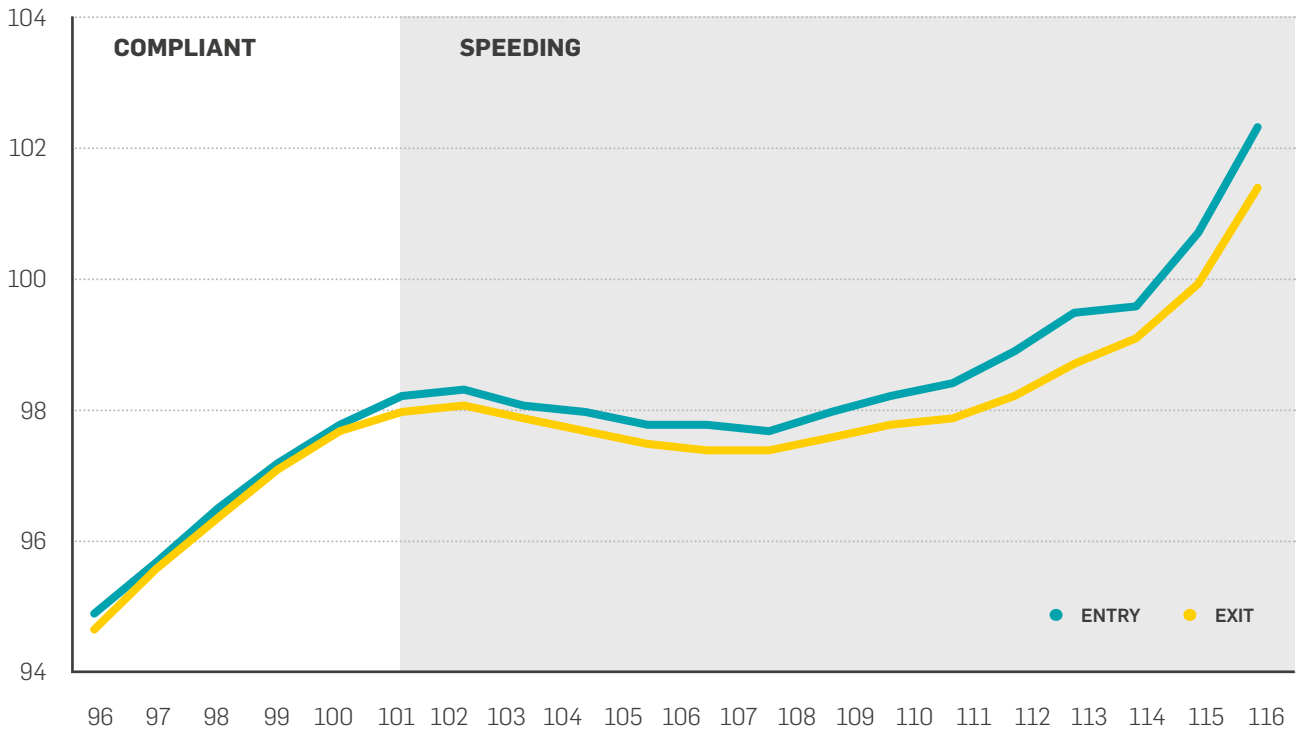
But the depiction of entry and exit as against average speed remains true for each value of point-to-point speed.

This has several graphic depictions in the report, summarised in the graph featured on page 22. This graph shows the driving community, in very large numbers, when averaged out, exhibit behaviour of driving slower at entry than in point-to-point, and then slower again at exit. The unmistakable message is that drivers are slowing at the instantaneous cameras and speeding up in between them, as measured by the point-to-point system. It also reflects **poor driver attitude** toward the importance of complying with the speed limit.

Historically, the 2013/14 annual report of this office had noted the driving behaviour at points on Princes Freeway, Lara. That was done without the benefit of volume and nature of data which was available for the Peninsula Link investigation. This office found in that previous report that vehicles were driving, on average, at a faster speed 900 metres before Beach Road and 550 metres past Beach Road than at the Beach Road speed sensors. As such, the findings on Peninsula Link are consistent with patterns of driver behaviour previously observed and ought not to be considered surprising. Again, it appears to confirm the widespread poor driver attitude.

Our analysis of Peninsula Link systems was substantially assisted by the comparison we undertook with the Linfox transport fleet. As readers would know, the Linfox organisation demands very high standards from its drivers, and in turn the drivers perform in an exemplary fashion. The speed between the cameras of the Linfox fleet was the same as the speed at the cameras. We traced 21,367 records of Linfox journey, with zero infringements. This showed a visible contrast to the general driving public.

AVERAGE SPEED ON ENTRY & EXIT VS AVERAGE SPEED OF JOURNEY



There were so many complaints regarding a particular speed that we had to carefully analyse all records, all speeds on the Peninsula Link. Contrary to what might have been expected based on the public complaints, when set out in a graph there was no spike at any speed. On the contrary, the graph of speeds is a smooth one. I consider the 108 Facebook group to be a chance collection of the kind that generates on social media and then feeds in a post-truth echo chamber. The fact is that there is a very large number of vehicles that use Peninsula Link, and they travel at various speeds. We observed two different sets of speeds, one for travelling at the camera sites, and a different one for travelling in the point-to-point zone. The two sets of data produced clearly different statistical pictures, neither showing any spike, cluster, or gathering of infringements.

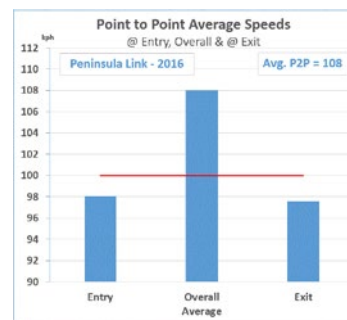
We had some concerns about the higher rate of infringement by vehicles passing the Loders Road bridge, Moorooduc, northbound. However, the device was the subject of vandalism before our data had been fully analysed, and so before we could conduct any new investigation of the mechanical and technical aspects of that individual system. In the circumstances the higher infringement rate is noteworthy as a curiosity but we cannot take that any further at this point.

Discussion with many infringers also revealed a surprising misunderstanding of how point-to-point systems work; for example many said they thought the point-to-point was an average of the instantaneous speeds, rather than the average speed as calculated by distance divided by time.

In testing we were unable to replicate the asserted experience of travelling at a legal speed by being assessed at a speed

of 108km/h or any other incorrect assessment. It did not occur in our testing. Drivers had complained about being wrongly accused of speeding. We very thoroughly looked for every plausible basis of error, but we could not find any error. Importantly we also could not repeat the claimed scenario of driving at 100km/h but being assessed at a faster speed.

For readers of the digital version of this annual report I attach a copy of an animation of the aggregate of Peninsula Link journeys (animation of the graphs on pages 25 to 30 of the report), in which every journey has been tracked, and then grouped by average point-to-point speed, with average entry speed and average exit speed also included for comparison:



CLICK TO OPEN ANIMATION

I am of the opinion that this amply establishes, over millions of journeys, the trend for vehicles to slow at cameras, and speed up in between.

The report can be found on the office website, I attach a link: <http://cameracommissioner.vic.gov.au/report-investigag-peninsula-link/>

Investigation Review



Road safety camera at the intersection of Springvale Road and Lower Dandenong Road, Braeside

This was an interim rather than a formal investigation because there had been an investigation conducted by this office under my predecessor, dated 10 March 2015. That report can be found at the Road Safety Camera Commissioner office website:

<http://cameracommissioner.vic.gov.au/investigation-fixed-road-safety-cameras-intersection-springvale-road-lower-dandenong-road-braeside/>

There were a series of articles (commencing 7 October 2016) reported in newspapers including the Dandenong Journal by Casey Neil in which a number of drivers asserted they had been wrongly accused of transgressing a red traffic control signal at the intersection of Springvale Road and Lower Dandenong Road / Cheltenham Road Braeside. One identity went so far as to describe this as "...so many allegations of foul play...". Again a Facebook group was formed by people aggrieved.

The many drivers involved had told the journalist that they entered the intersection on a green or yellow light, and denied it was a red light. Many of the complainants were spoken to by the Office of the Road Safety Camera Commissioner, and most of them asserted that the light had changed to red after they entered the intersection.

In our analysis we went first to the photographic evidence.

Infringement images are available online, and without any fee, at:

<https://online.fines.vic.gov.au/View-image>

There was no evidence of any error on the part of the road safety camera systems. There was, by contrast, strong evidence of vehicles entering the intersection a substantial time after the light had turned to red.

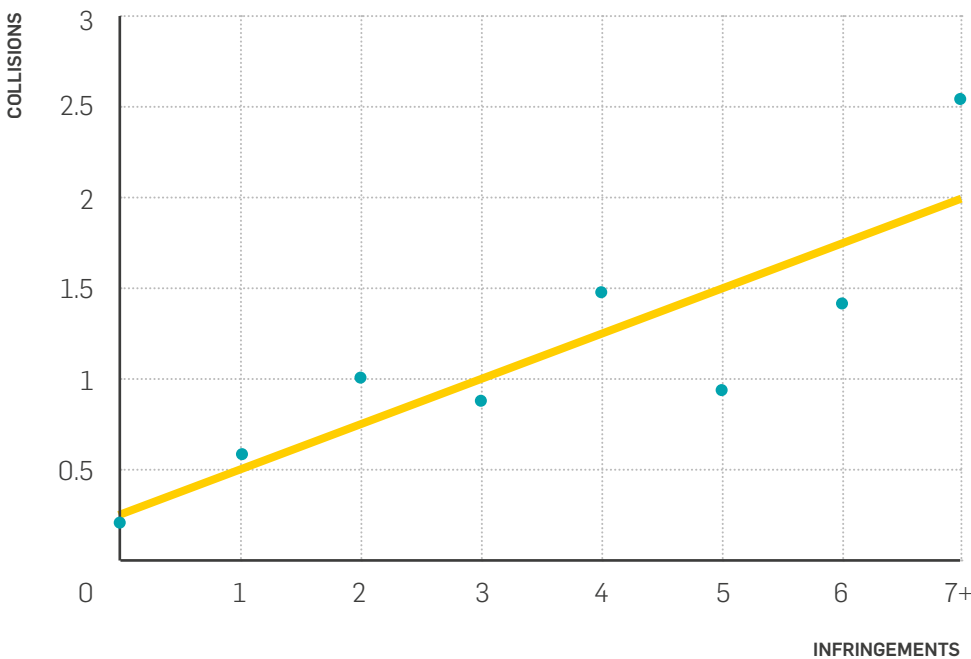
I invited the people who thought they had been wronged to check, and then let me know. I said I would be happy to publish all photos of the infringement. Only one driver agreed; and on seeing the photos, she replied that she did not accept that the photographic evidence accurately depicted the events, and made baseless allegations.

Apart from this one person, there have been no further complaints or issues in relation to this intersection. I remain confident of the integrity accuracy and efficiency of the road safety camera system at the intersection of Springvale Road and Lower Dandenong Road, Braeside.

Community Perception Survey



RELATIONSHIP BETWEEN INFRINGEMENTS AND COLLISIONS



Generally, the more infringements a person has had, the more likely they are to have had a collision.

The road safety camera systems in Victoria are regularly and thoroughly checked from a technical and mechanical approach. There is an arduous process of ensuring that each and every component of each and every road safety camera system is operating with integrity, accuracy and efficiency. Speed camera systems have two separate methods of assessing speed, no infringement notice is issued unless the two show the same infringement within a very small margin. There are additional work practices which further ensure the accuracy of the infringement, currently including work practices which require that any infringement notice be corroborated by two officers working independently.

It might be trite to say it, but for that any reasonable person should be satisfied that any infringement is established on

the evidence of the road safety camera system on the basis of "beyond reasonable doubt". It ought to be viewed as a high standard.

However there has been ongoing public disquiet about the integrity and accuracy of the cameras. They social media forums, and some conventional media, are capable of casting aspersions on the systems (and the people who work in them) solely on the basis of assertions that they were not speeding, or they did not transgress a red traffic light. One clear example this year was Peninsula Link, where infringers were unendingly asserting their innocence and further asserting the systems were "dodgy" (or similar derogatory terms). From my observations, the road safety camera systems, and those who work with them, are unquestionably trustworthy and reliable.



I had been concerned at the inconsistency between the technical/mechanical integrity/accuracy and this loudly voiced public perception. Further, the Office of the Road Safety Camera commissioner had been set up as an additional support for the Victorian public. I arranged a survey of attitudes to be conducted by EY Sweeney to research some issues:

- To determine the level of public awareness of the Office of the Road Safety Camera Commissioner
- To identify current attitudes towards the road safety camera systems
 - Strengths and weaknesses
 - Perceived impact on road safety
 - Perceived accuracy and integrity of the systems

- To identify any improvements that could be made to enhance the community's views on the road safety camera systems and the Office of the Road Safety Camera Commissioner.

Around 54% of respondents agreed with the statement "Speed cameras are more about making money than road safety". This is down from 61% in a study undertaken in 2013. By contrast, 33% said they would like an additional speed camera in their local area. When asked why they thought speed cameras were ineffective, 8% responded "not enough cameras".

One notable finding is that only 25 % of all drivers rated their driving as "about average". After excluding the respondents who said "Don't know", 71% self-assessed as better than average driver. The balance of "worse than average" is miniscule by comparison. More alarmingly, Victorian drivers who had

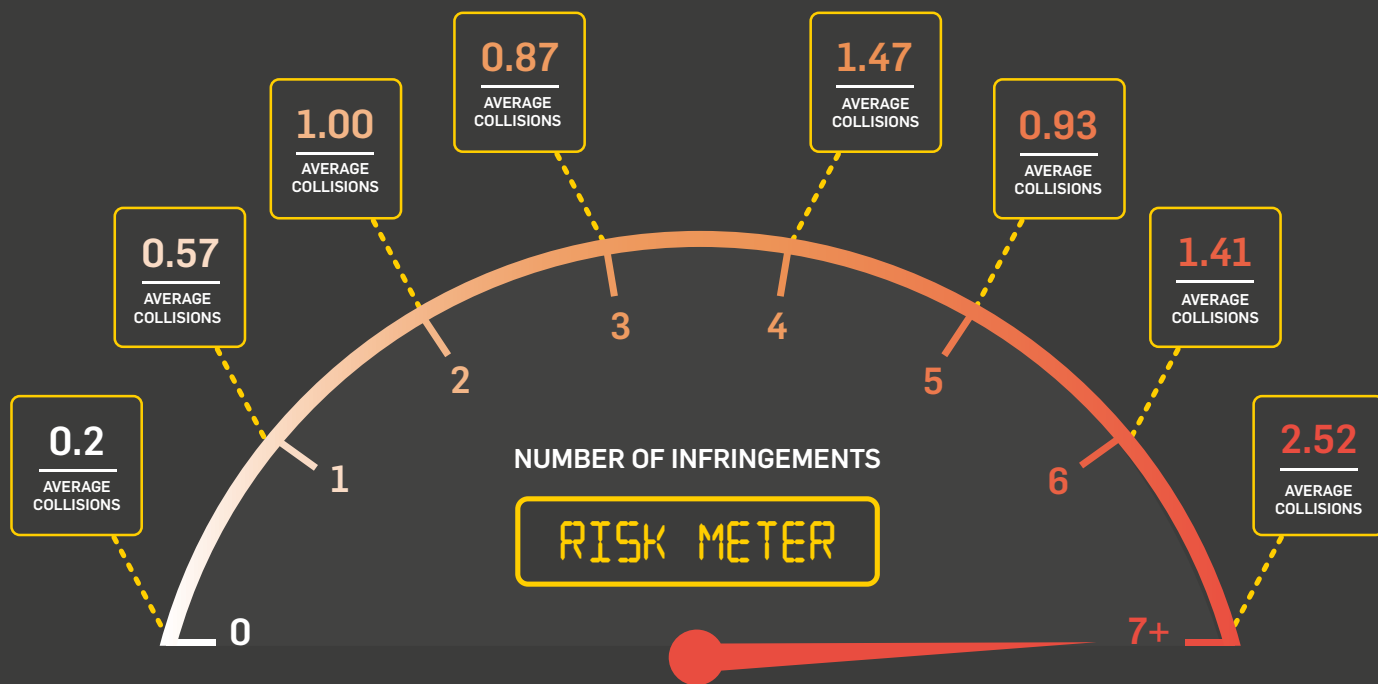
Attitudes towards road safety cameras

Victorians who have had a traffic infringement (outside of parking fines) are **three times more likely** to have had a collision when compared to those who haven't (49% vs. 16%)

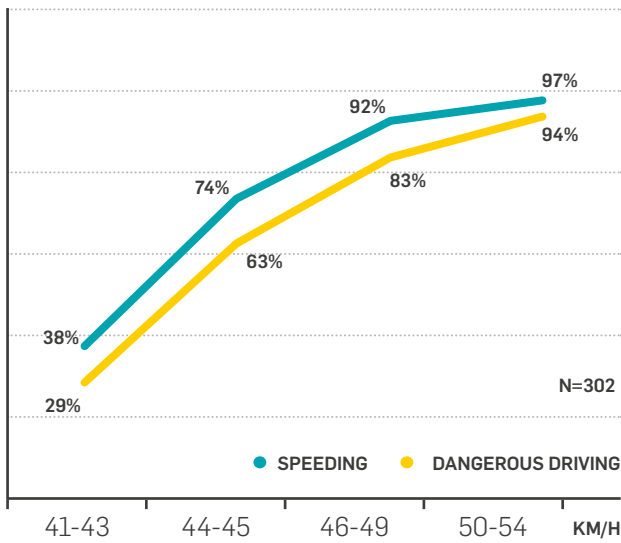


49% of those who have had an infringement have also had a collision at some point in time

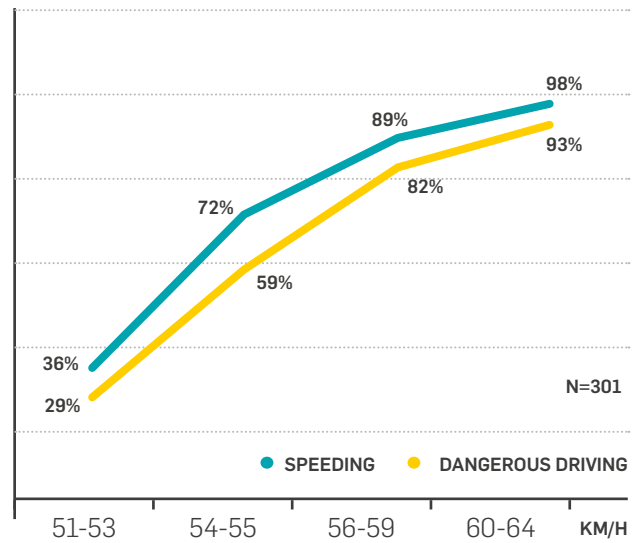
48% of those who have had a collision before have also had an infringement



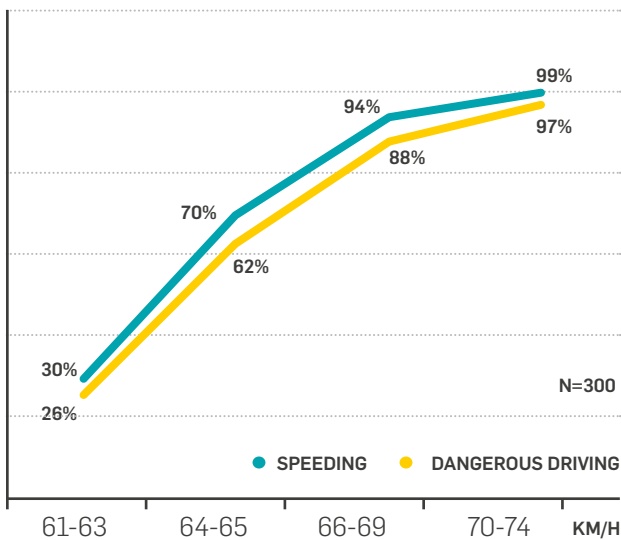
40 WHAT CONSTITUTES SPEEDING AND DANGEROUS DRIVING IN A 40 KM/H ZONE



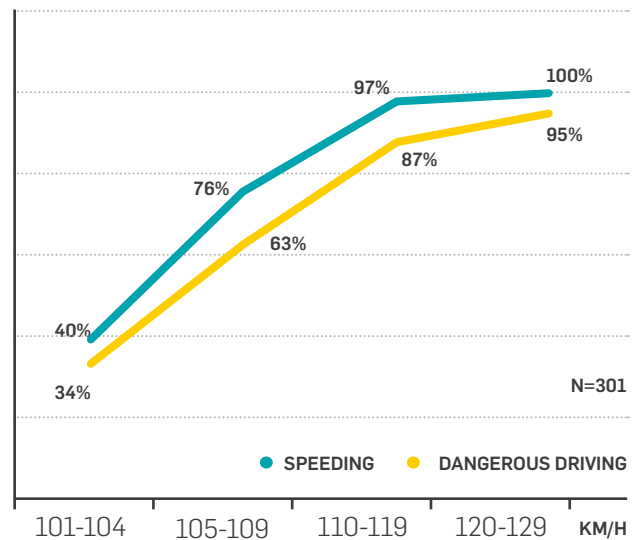
50 WHAT CONSTITUTES SPEEDING AND DANGEROUS DRIVING IN A 50 KM/H ZONE



60 WHAT CONSTITUTES SPEEDING AND DANGEROUS DRIVING IN A 60 KM/H ZONE



100 WHAT CONSTITUTES SPEEDING AND DANGEROUS DRIVING IN A 60 KM/H ZONE



received a speeding infringement were even more likely to consider themselves better drivers than others on the road.

This seems to be consistent with recent research from South Australia by Blackwell Zanker & Davidson (May, 2017) which concludes in part: **Low-level speeders are disengaged from the notion that their behaviour can have consequences** which can be found at:

<http://search.informit.com.au/documentSummary;dn=840028686993366;res=IELHEA>

There is also a surprisingly clear relationship between drivers' infringements and their history of collisions.

The survey merits further study. The results are consistent with the self-monitoring and behaviour of complaining infringers, particularly on Peninsula Link.

Among the reasons for speeding, 36% said "everyone else was travelling at the same speed", consistent with the Western Ring Road investigation report. We had concluded that some drivers chose to ignore an imposed reduced speed limit, and instead self-assess what they consider to be a reasonable speed in what they consider to be the circumstances.

Some told us they had not altered their behaviour, despite being fined, because they didn't think that their speeding was dangerous.

Driving behaviour



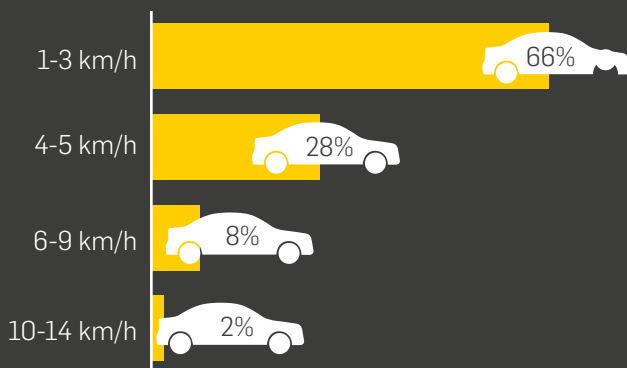
72%
of Victorians admit to exceeding the speed limit



35%
of Victorians admit to intentionally exceeding the speed limit

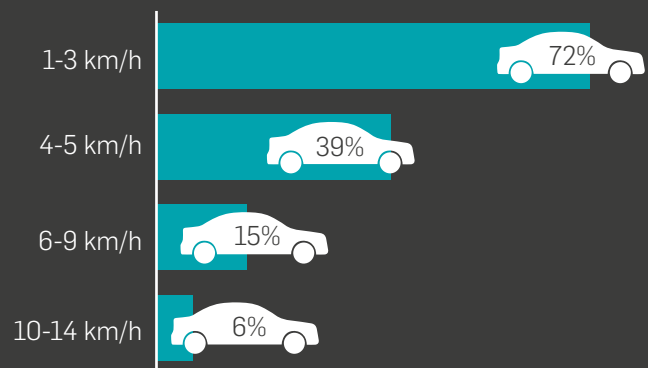
Do not consider to be speeding*

Above the limit



Do not consider to be dangerous driving*

Above the limit



*Average of responses when asked what constitutes speeding in a 40km/h zone, 50km/h zone, and 60km/h zone

Further, the idea of what constitutes "speeding" and what constitutes "dangerous driving" in the eyes of those surveyed, was also of interest.

Among those with red light infringements and who had not altered their driving behaviour, 48% said they already considered themselves to be a careful driver.

Other feedback from the survey included the repeated comment from some that they are better drivers when they have had alcohol. That flies in the face of all available evidence; indeed, the consensus is that the only aspect of driving which alcohol improves is confidence.

When asked what initiatives could improve the fairness of road safety cameras, 63% agreed with "improve the

accuracy of cameras". Whilst this figure is down from the 74% in a survey in 2013, it is still a remarkable reflection on the disconnection between the real accuracy of the cameras and the public perception.

One road safety lesson we should all be repeating is that no-one plans to have a collision. It is unexpected. And the consequences can be devastating. It all can occur due a moment's lapse in concentration or distraction.

Attitudes towards road safety cameras



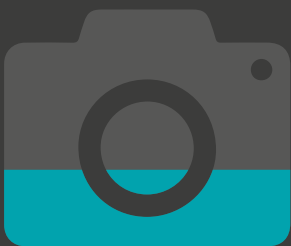
59%

if I know there is a speed camera in the area I tend to slow down



57%

red light cameras help make the roads safer



32%

would like an additional red light camera in their local area



33%

would like an additional speed camera in their local area

Experience with speed / red light camera fines



39%

of motorists do not believe they were speeding at the time they last received a fine



Top 3 reasons for not believing speeding infringement



42%

believe their speedometer indicated they were traveling within the speed limit

36%

believe everyone else was travelling the same speed

21%

don't trust the speed camera where they received the fine

Annual Reviews And Assessments



Annual review of the road safety camera system

BACKGROUND

In accordance with section 10(a) of the *Road Safety Camera Commissioner Act 2011*, the Commissioner is obliged to conduct, at least annually, a review into the accuracy of the road safety camera system. This is to ensure compliance with the system with the *Road Safety Act 1986*.

To accomplish this, the Commissioner examined the accuracy, integrity and efficiency of every fixed camera operating in Victoria in the twelve month period from May 2016 to April 2017, inclusive. This review included any new cameras that were installed and activated during this period.

EXISTING ROAD SAFETY CAMERAS

Victoria has fixed road safety cameras in operation at over two hundred sites. The majority of these camera locations are concentrated in and around the Melbourne metropolitan area, with some systems along rural freeways and at intersections in country towns.

There are three suppliers of fixed road safety cameras in Victoria; Redflex, Jenoptik and Gatsometer. All of the road safety cameras operating in Victoria must be a prescribed device contained in the *Road Safety (General) Regulations 2009*, and must operate in accordance with the accuracy and reliability requirements set out in those regulations.

A road safety camera system can only become a prescribed device in the regulations after it has been extensively

tested for a significant period, and is shown to operate in accordance with stringent requirements for accuracy and reliability.

NEW ROAD SAFETY CAMERAS

During this annual review, seventeen new fixed road safety cameras were installed at traffic light controlled intersections throughout Victoria. Ten of these road safety cameras are direct upgrades of older wet-film type road safety cameras to modern digital systems.

This annual review included these new road safety cameras to ensure that the commissioning, testing and maintenance standards on these road safety cameras were equivalent to those that were already in operation.

METHOD OF REVIEW

The Department of Justice and Regulation provides the Road Safety Camera Commissioner with all testing and maintenance reports of road safety cameras. My technical staff examined the testing and maintenance activities for all fixed road safety cameras operating in Victoria for a period of twelve months. The objectives of the annual review are:

- To establish trends and monitor the road safety camera systems in operation for any systemic or technical issues,
- Monitor the performance of each camera site and the road safety camera network in Victoria as a whole, and

- Scrutiny of the regular testing and maintenance activities carried out on the road safety cameras.

RESULTS OF ANNUAL REVIEW

I note that during this annual review, two investigations were carried out by my office where road safety cameras were alleged to be operating incorrectly or inaccurately. One investigation was into the road safety camera systems along Peninsula Link and the other into the operation of the road safety cameras along the Western Ring Road, westbound, approximately 600 metres west of Sydney Road in Glenroy. In both investigations, the road safety camera systems were found to be operating correctly at all times, and the test and maintenance reports also showed their correct operation.

Not every road safety camera was in continuous operation for the twelve month period, due to various factors, including but not limited to:

- Scheduled testing and annual calibration,
- Routine maintenance,
- Camera equipment upgrades, and
- Disruptions to operations due to roadworks, or
- Other events, such as vehicles hitting the camera equipment or vandalism.

It is a challenging and strenuous exercise to operate road safety cameras and maintain them to the highest standards. My office has been provided with access to all documentation related to the testing and maintenance of Victoria's fixed road safety camera systems. The documents are extremely thorough, and I commend Infringement Management and Enforcement Services in Department of Justice and Regulation in the quality of the work that its staff perform in relation to ensuring the state's cameras are accurate and reliable.

Following the completion of my annual review, I concluded that there were no systemic issues with any individual road safety camera operating in Victoria, or the Victorian road safety camera network as a whole. I found that all of Victoria's road safety cameras operated accurately, reliably and effectively throughout the year, within the requirements set out in the Regulations, the manufacturer's specifications and the rigorous technical requirements set out by the Department of Justice and Regulation.

The annual review for the 2016-17 financial year showed that no traffic infringements were issued during the 2016-17 financial year as a result of a detection made by a fixed road safety camera that was operating incorrectly. I am satisfied that the integrity, accuracy and efficiency of Victoria's road safety cameras is maintained to a high standard.

Publicly available information about the road safety camera system made available by the Department of Justice and Regulation

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

In this past year, I have conducted a review of the information published on the Cameras Save Lives website (www.camerassavelives.vic.gov.au). The website contains helpful information about the road safety camera system, including:

- Road safety camera systems and locations
- How road safety cameras work and are maintained
- How road safety camera locations are chosen
- Fines and penalties
- Statistics on the number and value of fines issued (published quarterly), and
- Research about road safety.

The Department of Justice and Regulation publishes information on their website to increase transparency about the road safety camera system. The website provides

authoritative information about the accuracy and integrity of Victoria's road safety camera network, such as publishing camera test certificates, and explaining the vigorous verification process before a speeding fine is issued.

I have been informed that in 2016-17, the website had over 430,000 visits, and more than 68 per cent of these visits were on a mobile device. The camera locations page was the most popular page, with one third of all page views (287,408).

The website is managed by the Department of Justice and Regulation and complements other Victorian Government road safety partner websites managed by VicRoads, Transport Accident Commission and Victoria Police.

The Department of Justice and Regulation has advised me that further enhancements are being made to make it easier for people to access information about Victoria's road safety cameras, and help them understand the camera's road safety benefits.

Notes

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