

**Submission
No 563**

MOBILE SPEED CAMERA ENFORCEMENT PROGRAMS IN NSW

Organisation: Canterbury Bankstown Council

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Inquiry into mobile speed camera enforcement programs in NSW
Joint Standing Committee on Road Safety
Parliament House
Macquarie Street, SYDNEY NSW 2000

Dear Director,

Canterbury-Bankstown Council (Council) welcomes the opportunity to provide a submission to the Joint Standing Committee Inquiry into mobile speed camera enforcement programs in NSW.

Council recognises the importance of road safety and supports the State's Road Safety Plan 2021, that aims to achieve a zero-fatality road toll. Council also acknowledges the important role that law enforcement plays in this plan and the broader NSW Road Safety Strategy.

As the level of government closest to the people they represent, councils deal directly with community concerns and complaints, and addresses road safety issues. Councils are also owners of the greatest proportion of the road network, at approximately 90% by network length. Therefore, councils have a crucial role to play in the road safety space and should be adequately resourced to do so.

The State's current approach to road safety, notably the changes to the mobile speed camera program in November 2020, have unfairly impacted on some of the most vulnerable persons within the Canterbury-Bankstown community, and broader communities across NSW. This is particularly emphasised when considering the financial implications; fines are likely to further disadvantage vulnerable people of the community.

Council's submission supports a position of appropriately funding Councils with respect to road safety, and acknowledging the disproportionate impact fines have on the disadvantaged and vulnerable members of the community.

Council provides the following submission in response to the Committee's invitation.

Background

Mobile Speed Camera Program

In mid-November 2020, the NSW Government announced changes to the states' Mobile Speed Camera program, including:

- A reduction in high visibility markings on mobile speed camera vehicles;
- The removal of warning signs;
- Enforcement in both directions of travel; and
- A significant increase in the hours of operation.¹

Since the removal of warning signs, the NSW Government has experienced a substantial increase in fine revenue from the Mobile Speed Camera Program, with an increase of 900% between January 2020 (\$382,000 revenue for the month) and January 2021 (\$3.4m). The same comparison between February 2020 and February 2021 reveals an even greater increase of 1,450% (\$400,000 increasing to \$6.2m). Anecdotally, the proportion of low-speed fine revenue has increased by a disproportionate 1,599%.

Canterbury-Bankstown Community Profile

The estimated residential population of the Canterbury-Bankstown Local Government Area (LGA) is approximately 380,500. The demographic of the community's makeup is relevant to this submission when one considers socio-economic, cultural, language, location of birth and car ownership and dependency, which highlights the adverse impact of mobile speed cameras.

At the 2016 Census, 29% of households and 32% of individuals in the LGA received an annual income that saw them sit in the lowest income quartile. Between 2011 and 2016, this group reported the most significant change (+0.6%) of any of the income quartiles, signalling disproportionate growth compared with other income quartiles.

Further, the Australian Bureau of Statistic's (ABS) Socio-Economic Indexes for Areas (SEIFA), observed the LGA to be ranked at 102 out of 130 on the index (with the lower the ranking equating to greater disadvantage), highlighting the vulnerability of the Canterbury-Bankstown community.² This sees Canterbury-Bankstown community as the third-most vulnerable community of Metropolitan Sydney. The LGA also lists high in LGAs within Metropolitan Sydney experiencing housing stress, mortgage stress and private rental stress.

¹ Transport for NSW 2021, Mobile Speed Cameras FAQs, <https://roadsafety.transport.nsw.gov.au/speeding/speedcameras/mobile-speed-cameras.html>

² Australian Bureau of Statistics 2016, Census of Population and Housing: Socio-Economic Indexes for Areas (SEIFA), Australia 2033.0.55.001, <https://www.abs.gov.au/ausstats/abs@.nsf/Lookup/by%20Subject/2033.0.55.001~2016~Main%20Features~Data~2>

With respect to culture, language and ethnicity, the 2016 Census data for the Canterbury-Bankstown LGA showed:

- 0.7% of the community were Aboriginal or Torres Strait Islander;
- 44% of the community was born overseas;
- 60.1% of the community spoke a language other than English at home; and
- A higher proportion of households were represented by single-parent families (13.1%) compared with Metropolitan Sydney (10.4%).

Car ownership and dependency on private vehicle transport are also relevant to this submission. At the 2016 Census, 80.8% of Canterbury-Bankstown households owned at least one car, while the greatest growth in car ownership category between 2011 and 2016 was in those households that owned three or more vehicles (2.6% growth). This, when considered with the 62% of adults who travel to work by private vehicle and the 66% who travel outside of the LGA for work, highlights the susceptibility of the Canterbury-Bankstown community to policy changes that disproportionately impact upon them.

Finally, the rate of unemployment within the Canterbury-Bankstown LGA also has a bearing on Council's submission. At the 2016 Census, Canterbury-Bankstown had an overall unemployment rate of 8.2% as compared with the Greater Sydney average of 6.0%.³ The impact of Covid-19 on the community also marked the transient and vulnerable nature of employment: in the period December 2019 to May 2020, the number of people in receipt of the main income support payments (JobSeeker and Youth Allowance) doubled from approximately 820,000 to 1,640,000.⁴

Canterbury-Bankstown Crash and Casualty Profile

For the period 2015-2019, there were 6,222 casualties from crashes within the Canterbury-Bankstown LGA. Of these:

- 73 were killed;
- 1,392 were seriously injured;
- 2,138 were moderately injured; and
- 2,654 received minor injuries.

³ Profile.id 2021, City of Canterbury Bankstown Community Profile, <https://profile.id.com.au/canterbury-bankstown>

⁴ Parliament of Australia 2020, The impact of COVID-19 on jobseeker payment recipient numbers by electorate, https://www.aph.gov.au/About_Parliament/Parliamentary_Departments/Parliamentary_Library/pubs/rp/rp2021/COVID-19/jobSeekerRecipientNumbersElectorate

Adequate Funding of Local Government

As the responsible road authority for approximately 90% of the road network (by length), NSW councils have a full range of responsibilities in relation to public roads, including road safety. As one of the largest metropolitan councils in NSW, Canterbury-Bankstown provides and maintains 907km of local roads in NSW; in 2019-20, Council spent \$17.3m in road maintenance.

Councils are also the closest level of government to communities and are best positioned to respond to challenges such as road safety, through programs tailored to suit the particular characteristics of their communities at the LGA level and at an even more refined level to account for individual cultural and geographic differences across an LGA.

As presented in the background section of this submission, the demographic profile of the Canterbury-Bankstown community is complex and linguistically diverse comprising one of the most multicultural communities in NSW, with over half the population speaking a language other than English at home. It cannot be accurately characterised or represented by using Greater Sydney's profile as a proxy, let alone that of the State of NSW.

The NSW Road Safety Plan 2021, which adopts the Safe System approach, acknowledges the importance of education in road safety. This involves public education programs aimed at achieving behavioural change that are fundamental to moving towards the aspirational target of zero fatalities from vehicle crashes by 2056.

Council therefore asserts that the local government sector must be adequately funded to develop and deliver behaviour change programs, if NSW is to achieve its Towards Zero targets. This is particularly notable for Canterbury-Bankstown as it must factor cultural and language considerations in its community road safety programs and relevant road safety responses.

At present, while there is funding available for structural responses to road safety issues, through the Blackspot Program and Safer Roads Program for example, the funding available through the Local Government Road Safety Program (LGRSP) is insufficient. Funding provided under the LGRSP is generally distributed equally across groups of councils and must be met 50:50 by councils. This creates a significant disparity between available funding per resident, and completely fails to recognise the differing demands placed on councils by the characteristics of its community, cultural and linguistic diversity being a significant driving force behind the cost to deliver programs.

For example annually, Council receives \$22,000, which is not indexed against inflation or population increase, for the development of behaviour change programs, representing a spend of just \$0.05 per resident, while some other councils receive substantially more, in some instances as much as 3.5 times more funding per resident.

Since the NSW Government's changes to Mobile Speed Cameras in November 2020, the revenue collected from mobile speed cameras has increased in the order of 15 times for some months. If that trend continues, the State Government is set to receive an additional \$80m in revenue (this does not include a proposed increase in operation hours).

To provide some objective measure of increased funding, a council's rating revenue could be used as an approximate to reflect the population, although it would not reflect the complexity and thus cost of equal outcome.

For the 2019-20 financial year, Council received \$238m in rate revenue. Funding equivalent to 0.1% of the rate revenue would yield \$238,000 for Council to develop programs, compared with the present \$22,000. On the basis of reported rating revenue across all councils for the 2018-19 year (most recently available) such an approach would represent a cost to the NSW Government of approximately \$4.9m or just 6% of the increased revenue forecast to be generated from mobile speed cameras.

Recommendation

Irrespective of the increased revenue arising from the Government's policy change, there is a need for funding to be significantly increased to local councils, and to adequately reflect the varying cost drivers associated with community size and complexity.

The NSW Government must recognise the critical role the local government sector plays in driving behaviour change within its communities and must adequately fund councils to deliver these programs.

Council recommends the following:

1. Irrespective of any changes to the Mobile Speed Camera Program, the NSW Government recognises the critical role Local Government plays in supporting road safety initiatives;
2. The NSW Government should fully fund the Local Government Road Safety Program; and
3. The NSW Government should increase the available funding for the delivery of road safety programs by councils up to a value approximate to 0.1% of the rate revenue and a future funding model to reflect drivers such as need, cultural and linguistic diversity.

Impact of Fines on Disadvantaged and Vulnerable Communities

The most recent research available to Council, on the impact of fines on the community and undertaken by the Law and Justice Foundation in 2018, revealed that fines as a method of enforcement disproportionately affect disadvantaged people.

Most disadvantaged groups and communities examined, communities equivalent to the Canterbury-Bankstown community, had elevated experiences of “fines problems”, including substantial fines problems. The researchers included Indigenous people, single-parent families, people in disadvantaged housing, people on government benefits, people with a disability and the unemployed in their definition of disadvantaged groups.⁵

The research found that disadvantaged people were also less likely to have the capability (both financial and knowledge) to handle their fines problems satisfactorily and that they were less likely to take any type of action. Notably, inaction in response to fines problems was linked to less favourable outcomes.

These findings suggest a vicious cycle of fines, disadvantage and debt whereby heightened vulnerability to fines, inaction, further penalty and adverse consequences can compound disadvantage. This is again compounded when reliance on private vehicles, as is the case for a significant proportion of the Canterbury-Bankstown community, is so prominent to achieve participation in the labour forces, education and social pursuits.

Furthermore, it was found that the level of adverse consequences experienced from fines problems increased as the level of disadvantage increased, meaning the most disadvantaged are likely to experience the greatest level of adverse consequence, giving rise to indirect discrimination and the undermining of the principle of equal justice for all.

Recommendation

This submission has established that the Canterbury-Bankstown community represents one of the most disadvantaged and vulnerable communities in the Metropolitan Sydney region. It is therefore unsurprising that Council holds significant concerns for its community due to the disproportionate adverse consequences it is likely to experience as a result of the November 2020 policy change.

⁵ Wei, Z, McDonald, HM, Coumarelos, C 2018, 'Fines: are disadvantaged people at a disadvantage', Law and Justice Foundation, [http://www.lawfoundation.net.au/ljf/site/articleDs/D5D375991CE8E1B68525823A000641F4/\\$file/DL_27_Fines_disadvantaged_people.pdf](http://www.lawfoundation.net.au/ljf/site/articleDs/D5D375991CE8E1B68525823A000641F4/$file/DL_27_Fines_disadvantaged_people.pdf)

Council recommends the following:

4. That high visibility markings on mobile speed camera vehicles and advanced warning signs be reinstated as soon as practicable.

Council trusts that the above mentioned will be considered as part of the Inquiry into mobile speed camera enforcement programs in NSW. Should you require any further information or clarification, please do not hesitate to contact the undersigned, on [REDACTED]
[REDACTED]

Yours sincerely

[REDACTED] [REDACTED]

Anthony Vangi

Director City Assets