

REPORT ON PROCEEDINGS BEFORE

JOINT STANDING COMMITTEE ON ROAD SAFETY

**INQUIRY INTO MOBILE SPEED CAMERA ENFORCEMENT
PROGRAMS IN NSW**

Virtual Hearing via Videoconference on Tuesday 30 November 2021.

The Committee met at 09:30

PRESENT

The Hon. Lou Amato
(Chair)

Legislative Council

The Hon. Shaoquett Moselmane
Reverend the Hon. Fred Nile

Legislative Assembly

Ms Robyn Preston (Deputy Chair)
Mr Stephen Bromhead
Mr Roy Butler
Mr Nick Lalich

PRESENT VIA VIDEOCONFERENCE

Legislative Assembly
Ms Wendy Lindsay
Mr Chris Gulaptis

The CHAIR: Good morning everyone. Before we start, I would like to acknowledge the Gadigal people who are the Traditional Custodians of this land. I pay my respects to Elders of the Eora nation past, present and emerging and extend that respect to other Aboriginal and Torres Strait Island people who are present.

This morning is the second public hearing of the Joint Standing Committee on Road Safety Inquiry into Mobile Speed Camera Enforcement Programs in New South Wales. I am Lou Amato, the Committee Chair. With me here today at Parliament House are my fellow Committee members: Robyn Preston, Deputy Chair, Member for Hawkesbury; Stephen Bromhead, Member of Myall Lakes and Parliamentary Secretary for Regional Housing; Roy Butler, Member for Barwon; Nick Lalich, Member for Cabramatta; Wendy Lindsay, Member for East Hills and she will be appearing via WebEx; the Honourable Shaoquett Moselmane; and Reverend Honourable Fred Nile; and Chris Gulaptis, Member for Clarence and Parliamentary Secretary for Agriculture and Forestry, who is taking part in the hearing via videoconference.

The hearing is being broadcast to the public via the Parliament's website. All witnesses will be attending via videoconference. To assist in the preparation of the transcript, I would ask all Members and witnesses to identify themselves when they begin speaking. I thank everyone that is appearing before the Committee today.

VICTOR WARDROP, New South Wales Operations Director, Redflex Group, Redflex Traffic Systems, affirmed and examined

ALEXANDER JANNINK, Managing Director, Acusensus, affirmed and examined

The CHAIR: We will now begin with our first witnesses. I welcome our first panel witnesses, Victor Wardrop, New South Wales Operations Director, Redflex Traffic Systems; Mr Alexander Jannink, Managing Director, Acusensus. Before we start, do you have any questions about the hearing process?

Mr WARDROP: I do not, no.

The CHAIR: Very good, thank you. Would you like to make a short opening statement before we begin the questions? Could I also ask you to please provide an electronic copy of your opening statement to Committee staff? You can go first, if you like, Mr Jannink.

Mr JANNINK: Thank you. Alexander Jannink, Managing Director, Acusensus. I founded Acusensus to reduce the road trauma caused by phone distraction, understanding that a technology-led response was the most effective solution to what has become an endemic safety issue. Our highly experienced team is committed to making the road network safer for all road users by developing solutions to curb illegal mobile phone use and other dangerous driving behaviours such as speeding, seat belt non-compliance and impairment. Acusensus is an Australian start-up success story, now employing about 100 people. Our tailored road safety solutions enable positive and sustainable social impact for government clients on a global scale.

We are proud to have partnered with Transport for NSW and very proud of our contribution to road safety outcomes. Since the mobile phone detection camera program started two years ago, there has been a substantial reduction in road fatalities that is unmatched anywhere else in Australia; a 22 per cent improvement on the two years prior. By our analysis, there are 83 people alive today that would not have been based on past trends. The severity of a vehicle crash is dictated by the kinetic energy that is rapidly dissipated in the collision. Energy increases with the square of vehicle speed and this is why vehicle speed is such an important factor in crash severity. Initiatives to deter even low-level speeding and to deliver anywhere anytime speed enforcement are vital in reducing road trauma.

The mobile speed camera program will save lives and Acusensus is focused on a successful delivery. We have built and certified a full complement of 55 mobile speed camera cars, set up seven depots and recruited 96 mobile speed camera operators in the midst of the unprecedented Delta strain COVID outbreak. I am pleased that Acusensus has been able to provide additional innovation to enforcement programs in New South Wales and that we continue to enable the State's initiatives in this space. At the heart of our end-to-end approach is our mutual goal of zero fines, zero serious injuries and zero fatalities and together we will continue to save lives. Thank you.

The CHAIR: Thank you very much for that. Mr Wardrop.

Mr WARDROP: Yes, thank you. Victor Wardrop, Director of Operations for Redflex New South Wales. I would like to thank the Staysafe Committee for their invitation to appear and give evidence today. Redflex is a Verra Mobility company and a global leader in smart transportation. We serve our customers by working behind

the scenes to provide technology solutions to make mobility safer and easier. Verra Mobility acquired Redflex, an Australian company, in June of 2021. Our government solutions customers include municipalities, counties, states, provinces, school districts and other government entities worldwide.

We provide traffic law enforcement technology products and service to our customers to positively impact driver behaviour and enhance road safety. These services include red light cameras, fixed speed cameras, average speed cameras, mobile speed cameras, school bus stop arms, school lane enforcement systems, to name a few. Redflex has been providing services to the New South Wales State Government since the commencement of the mobile speed camera program in 2010. Over that time, we have seen and accommodated many changes to the mobile speed camera program. I have read through most of the submissions that have been provided to the Committee earlier in the year and I would like to take this opportunity to make some comments based on both those submissions and the Committee's terms of reference. With warning signs, they have been raised in a majority of submissions. As a contractor, Redflex operates in accordance with government policy. When it does come to warning signs, I would like to note the following.

Deployment of signs creates additional workplace health and safety risks for mobile speed camera operators, both in terms of personal injury and drawing attention to our vehicles for abusive and threatening behaviours by members of the public in a small but not insignificant number of cases. We recognise there is this perception around the fairness of enforcement without signs. However we note that other jurisdictions, both in Australia and overseas operate successful programs without enforcement signs. Any changes to the rules around the use of warning signs have practical implications for Redflex, including the modification of our fleet. These costs are ultimately borne by the New South Wales taxpayer. I would be happy to detail exactly what is involved in the fit-out of mobile speed camera vehicles and the deployment of signs, but I can assure you that it is not as simple as putting a sign in and out of the boot of a car.

On the government's public messaging around changes to the mobile speed camera program the consequential level of community outrage aimed at mobile speed camera operators, with the introduction of the recent changes, the mobile speed camera program may have benefited from enhanced messaging around the importance of safety of the program. These outrages have surfaced following the announcement of the changes of the program in November 2020. They manifested through threats on Facebook and free-to-air media, including threats of violence towards mobile speed camera operators. Animosity towards the program manifests in an unpleasant working environment for staff, including abuse, threats and intimidation, both in person and as I said, social media.

There is no corresponding legislation that affords mobile speed camera operators additional protections in undertaking speed enforcement activity. The Committee will surely agree that this is unacceptable and from my perspective, can and should be taken very seriously by the government. This is an area that the company would welcome the Committee exploring further. This is of significant interest to Redflex because we have experienced in other jurisdictions escalating community backlash and have worked with authorities to help cool things down and foster a more civil public discussion. We note that in August 2017 the New South Wales Parliamentary Report into the Violence Against Emergency Services Personnel was tabled, which recommended affording contract security staff in the health system, be afforded similar legislative protections as those offered to other emergency services personnel. I suggested similar legislation protections being considered by this Committee to better protect mobile speed camera operators undertaking their important road safety duties.

On the location of mobile speed camera enforcement, there is a misconception that Redflex has some role in selecting enforcement sites. We do not. As the on-the-ground operator of this program, we do however provide feedback to Transport to action. A formal mechanism to provide in-field site assessments to Transport exists within our contracts, however given the newness of the contract and the significant work being undertaken to ramp to the required hours, this facility has not been exercised as yet by Transport. We note that many council submissions to the inquiry have requested some level of autonomy or input into selecting of enforcement sites. We believe that this can be done while retaining the primacy of Transport for NSW in deciding how and where mobile speed cameras operate. Regarding the contract under which Redflex operates, we are happy to work with Transport for NSW to move from a transactional enforcement role to a data analytics role. Redflex has the capacity and experiences developed and employed in other jurisdictions to apply a greater level of engagement around this point. Thank you for the opportunity for making this statement.

The CHAIR: Thank you very much. We are just going to take a five-minute break, just while Hansard rectifies some technical issues in relation to broadcasting. So we will not be too long.

(Short adjournment)

The CHAIR: Thank you for before. We will now move to questions from members and to assist with transcribing the hearing, please identify yourself before you answer a question. I have questions from Members?

Ms PRESTON: Good morning and thank you, gentlemen. I just wanted to address some comments from Mr Wardrop. In relation to your health and safety risks for staff who are setting up mobile speed camera locations and putting out signage, you said that is was a health and safety risk at that point, do you have any statistics that you can provide us that would give us an idea of how dangerous that whole activity is? Have there been any fatalities, for example?

Mr WARDROP: Thank you for your question. There have not been any fatalities in Australia or New South Wales. There have been broken ankles for tripping or falling or stumbling on uneven ground, especially in the evenings. And I do have statistics that are provided to Transport on the events and occurrences of work health and safety activities.

Ms PRESTON: So apart from tripping on the terrain when setting up, have there been any physical acts of violence by passers-by? You said that was a risk. Has that happened?

Mr WARDROP: The types of events that we do have are swerves towards our vehicles, cars blowing their horns, gestures, shouting, objects thrown at vehicles, the vehicles attacked. We have had a member of public shoulder charge a vehicle. We have had the rear windows of the vehicles spray painted to obscure the detection equipment and have had people come up and speak very aggressively towards our operators, park behind the vehicles, put their bonnets up and then abuse staff as well.

Ms PRESTON: So there has been verbal abuse but not physical abuse at this time, is that correct?

Mr WARDROP: That is correct.

Ms PRESTON: I am just trying to get an idea.

Mr WARDROP: Yes. Our operators are secured within their vehicles and any escalation, our operators are authorised to act autonomously and leave the site to protect their own person.

Ms PRESTON: Thank you. Just looking at the image behind you, it has got signage on the vehicle, speed camera.

Mr WARDROP: Yes, that is correct.

Ms PRESTON: Is that still the case now with all vehicles or has that been removed?

Mr WARDROP: We have signs, details on vehicles, as you can see. The composition of the fleet is a question that is best asked of Transport.

Ms PRESTON: I think, Chair, just noting, I have seen vehicles that are unmarked that have been speed cameras. So you do have some in your fleet that are unmarked, is that correct?

Mr WARDROP: Our fleet is set up as determined by government policy.

Ms PRESTON: But you would know that the vehicles are either marked or unmarked at this stage?

Mr WARDROP: Yes, I would know that, but that is a question that is best asked of Transport.

Ms PRESTON: So I will put that on notice, Chair, if we can ask that to Transport as well for confirmation because Mr Wardrop has referred us to the Department, so I would like confirmation of that notice.

The CHAIR: Yes, my understanding was that all the livery was going to be taken off the vehicles as well, that was my understanding.

Ms PRESTON: And that is why I am saying, that image you have there is pre-November 2020, is that correct?

Mr WARDROP: No, that is post November 2020.

Ms PRESTON: Okay, all right, thank you.

The CHAIR: Thank you.

Mr WARDROP: That is current decals on some mobile speed camera vehicles.

Ms PRESTON: On some, thank you, Mr Wardrop.

Mr WARDROP: We have different messages on, as you can see, this one says speed cameras save lives. We have different messages on vehicles.

Ms PRESTON: Thank you. Thank you, Chair.

The CHAIR: I will put you over to Mr Moselmane and then we will go to the Reverend Nile.

The Hon. SHAOQUETT MOSELMANE: Thank you, Chair. I have got a few questions for both gentlemen. Thank you so much, gentlemen, for coming in this morning or at least appearing on WebEx. Mr Wardrop, you indicated earlier that you have read through most of the submissions.

Mr WARDROP: Yes.

The Hon. SHAOQUETT MOSELMANE: In one of the submissions that we received talks about, highlighted the corrupt conduct in the US arm of the Australian company, Redflex Traffic Systems. It says there is no known financial corrupt conduct in the traffic camera industry in Australia, however there is significant evidence overseas. My question with regards to that, Mr Wardrop, is that do you have sufficient oversight in your company to ensure that there are no corrupt conduct among staff or executive, given the historical experience in the US?

Mr WARDROP: Thank you for your question. We have a range of controls and audits to prevent a reoccurrence of what happened in the US over a decade ago. I am confident that those are maintained. There is regular training, annual training that is undertaken.

The Hon. SHAOQUETT MOSELMANE: So you do regular reviews as well within your systems?

Mr WARDROP: I would need to take that on notice. That is more a company governance question rather than an operations question.

The Hon. SHAOQUETT MOSELMANE: Well given the history of Redflex Holdings, do you have, in your agreements with New South Wales, anti-corruption clauses in your contract?

Mr WARDROP: Yes.

The Hon. SHAOQUETT MOSELMANE: You do. Can I ask, are there any bonus payments when it comes to workers or subcontractors that if there are certain number of fines made, there are certain bonuses to contractors or subcontractors?

Mr WARDROP: That is directed to myself?

The Hon. SHAOQUETT MOSELMANE: Yes, it is all to you at this moment, Mr Wardrop.

Mr WARDROP: Okay, sorry, thank you. Our remuneration, individuals' remunerations are not linked in any way to the number of infringements that are issued. Our revenue streams are not linked in any way to number of infringements issued by Revenue New South Wales.

The Hon. SHAOQUETT MOSELMANE: Apart from not linked to number of infringement issued, are there any bonuses to subcontractors or contractors that you have in New South Wales?

Mr WARDROP: No.

The Hon. SHAOQUETT MOSELMANE: No. Are there any incentive schemes?

Mr WARDROP: To our subcontractors and contractors? No there is not.

The Hon. SHAOQUETT MOSELMANE: Yes or any of the workers.

Mr WARDROP: We do not have any incentive schemes based on any infringement numbers.

The Hon. SHAOQUETT MOSELMANE: Okay, I accept that you say based on incentive infringement numbers, any other incentive schemes that you have, apart from infringement numbers?

Mr WARDROP: As with any other company, there are schemes for engagement for success of the company and performance in achieving targets. But those targets have no connection in any way to generating tickets or generating infringement notices.

The Hon. SHAOQUETT MOSELMANE: What about subcontractors?

Mr WARDROP: No.

The Hon. SHAOQUETT MOSELMANE: You refer to the company in your response now, but what about subcontractors? There is none?

Mr WARDROP: There is no – in New South Wales, we pay no bonuses or incentives or commissions to subcontractors in any way.

The Hon. SHAOQUETT MOSELMANE: When you are contracted with those subcontractors, do you have any, in your contracts, incentive clauses in those subcontracts that you do, in the actual documents?

Mr WARDROP: No, we do not. But may I just add, we do not have a significant number of subcontractors. We have a very small number of subcontractors that are not related in any way in the delivery of the services.

The Hon. SHAOQUETT MOSELMANE: Thank you.

The CHAIR: I might move on to the Honourable Fred Nile, just to make it fair for everyone.

The Hon. SHAOQUETT MOSELMANE: Yes, thank you Mr Wardrop.

Mr WARDROP: Thank you.

Reverend the Hon. FRED NILE: Thank you, Mr Chairman. Thank you for coming in. A general question, how many technicians are trained to ensure that performing mobile speed camera operations in compliance with the operating procedures?

Mr WARDROP: Is that to myself, Reverend?

Reverend the Hon. FRED NILE: Yes, Mr Wardrop.

Mr WARDROP: Okay. thank you for your question. All our mobile speed camera operators are authorised as authorised inspection officers under the Transport Act, so no one is able to operate for infringement purposes the equipment without having that authorisation number, which is provided by Transport.

Reverend the Hon. FRED NILE: What happens when mobile speed camera operations do not comply with the operation procedures?

Mr WARDROP: Our operators have two forms of surveillance. We do an internal surveillance to ensure compliance and continued training. Transport for NSW provides surveillance services and raise non-compliances. If there is a deviation from the procedures, then the enforcement session may be stopped and in certain circumstances, a delegated action request may be raised to negate any potential infringements that may have been captured by our systems.

Reverend the Hon. FRED NILE: Just a general question to finish, Mr Wardrop, have your technicians reported any vandalism or hostility directed towards them by motorists since introduction or because of the changes to the mobile speed camera program and how are the staff trained to deal with such situations?

Mr WARDROP: Thank you for your question, Reverend. We have, as I said in my statement, a number of work health and safety interactions with members of the public. They are unfortunately quite regular. Our operators are trained in their initial training on how to deal with members of public who are aggressive. The ultimate authority that they are provided is to autonomously decide to drive away from the situation, to extricate themselves from that position and they have the support and ongoing support from our network operations centre to provide assistance. All interactions are recorded through CCTV and in some cases referred to the police.

Reverend the Hon. FRED NILE: Thank you. Thank you, Chairman.

The CHAIR: Thank you. Mr Butler.

Mr BUTLER: Thank you, Mr Chair and thank you gentlemen for your time here today. Mr Wardrop, I just wanted to ask you, you talked about WHS and your obligation to staff. You have read the submissions to this inquiry; would it be fair to say that the vast majority of submissions were in support of having signage back on vehicles? Do you think an extension of that, it would also be fair to say that people are less satisfied with speed cameras that do not have signage?

Mr WARDROP: Thank you for your question. I actually am indifferent to whether signs are used or not and I am happy to just employ and implement the government policy as it stands.

Mr BUTLER: Okay, Mr Wardrop, as a PCBU, I imagine that is your status within the act, the WHS Act, you have to take all steps that are reasonably practicable to protect your staff.

Mr WARDROP: Correct.

Mr BUTLER: So, having a situation where the public of New South Wales is less satisfied, more likely to approach or vent their frustration, would not you then be supportive of returning the signage to the vehicles as a measure to protect your staff?

Mr WARDROP: Thank you for your question. It is a difficult question to answer. It just changes the nature of the abuse. Signs provide advanced notice to members of public and allows them to prepare their soft

drinks to throw at the vehicles and that sort of thing. So it does not change the number of events, it just changes the nature of the events.

Mr BUTLER: Okay, all right, I might come back to you a little bit later on, Mr Wardrop, thank you.

Mr WARDROP: Thank you.

The CHAIR: I will ask a quick question before I pass it on. In relation to setting up of your mobile speed cameras, the locations, what is your process? I understand you were saying before it is in consultation with Transport for NSW, so how does your procedure go on a day-to-day basis, weekly basis, how do you know where to put those speed cameras?

Mr WARDROP: Thank you for your question. Transport for NSW provides us with a site list for a month in advance which determines which sites we are to deploy at and what time and for what duration and we then implement that through our rosters to ensure that our vehicles are at those sites at those times for the specified duration.

The CHAIR: That is obviously tracked by GPS, I presume?

Mr WARDROP: Correct.

The CHAIR: Yes, okay no problem. Mr Jannink, your company you work for does the same sort of thing as well with Transport for NSW?

Mr JANNINK: That is correct, that is right, Mr Amato, our company is under the same operating procedures with Transport for NSW with planned roster in advance and then go and deploy at those sites that we have been rostered to.

The CHAIR: Thank you very much. I will put you over to Mr Moselmane.

The Hon. SHAOQUETT MOSELMANE: Thank you. This time I will ask some questions of Mr Jannink, Alexander Jannink. Mr Jannink, what role does Troy Grant play in Acusensus, in your company?

Mr JANNINK: Mr Grant was employed in early 2020 as a strategic adviser to Acusensus. Mr Grant has no business with our business in New South Wales, has not been involved at all in any of our business either mobile phone detection or mobile speed camera in New South Wales.

The Hon. SHAOQUETT MOSELMANE: You were cut off there, I could not hear some parts. Can you repeat your answer please?

Mr JANNINK: Mr Grant was employed as a strategic adviser in early 2020. He has no involvement whatsoever in the business in New South Wales.

The Hon. SHAOQUETT MOSELMANE: So from your knowledge, since March 2020, has he had any interaction with either policing or road safety agencies in New South Wales?

Mr JANNINK: Mr Grant certainly has not represented Acusensus in New South Wales.

The Hon. SHAOQUETT MOSELMANE: In July of 2021, I take it, you had three cars and three cameras. Were you ready then to provide New South Wales with the role of mobile phone detection?

Mr JANNINK: So we had five weeks between contract award and go live on 1 July and we successfully had multiple cars enforcing on the roads on 1 July. This was in the midst of a really unprecedented outbreak, it was the Delta strain of COVID, which presented enormous challenges in securing vehicles and training operators and securing depots under the strict public health orders that existed at that point in time and that really could not have been predicted in February or earlier. What I can say is that we are now on track to deliver full hours in December, by the end of the year, we have our full complement of vehicles that are certified and approved for operation.

The Hon. SHAOQUETT MOSELMANE: On what basis was the government ready to sign the contract with you when you only had three cameras, three cars in July 2021?

Mr JANNINK: The tender process is a competitive process, looking at value for money, amongst other criteria, demonstrated track record to deliver, for example us being the incumbent in the mobile phone detection camera program, successfully delivering that amongst other programs. We are partnered in this delivery with a large operational organisation that employs over 500,000 people globally.

The Hon. SHAOQUETT MOSELMANE: What is the name of the organisation?

Mr JANNINK: G4S.

The Hon. SHAOQUETT MOSELMANE: Please continue.

Mr JANNINK: So we had extensive project plans in place, a team ready to deliver. One really important aspect of this delivery was actually vehicle supply. You would understand that we cannot acquire vehicles until we have been awarded a contract and so I wrote to Transport in April saying that the vehicle supply situation was extremely tight. We had testified in our tender three vehicle models, which were fully available in February but by April had four-month lead times. We then have pivoted to a number of other vehicle models and had to quickly acquire those, design entire new systems to go into that and to mount all the speed camera cars, with five weeks' notice from the contract award to 1 July. So I am very proud of my team and the company and how we were able to mobilise so quickly and deliver. Now we have enough hours to be at the full complement of hours in December.

The Hon. SHAOQUETT MOSELMANE: Mr Jannink, it has been said – my final question – it has been said that there would be an increase of 7000-hour camera operation to 21,000-hour camera operation per month. Are both your companies ready for that sort of delivery for New South Wales?

Mr JANNINK: Acusensus is absolutely ready. As I said, we have 55 cameras, the full fleet, already certified. We have deployed in every LGA in the southern part of New South Wales that has viable sites. We have our operators ready, so yes, we will absolutely be delivering all the hours contracted.

The CHAIR: Thank you. Mr Bromhead.

Mr BROMHEAD: Yes, Mr Wardrop, with the mobile speed cameras, so you would agree that the purpose of them was to drive down accidents and particularly to drive down serious and fatal accidents?

Mr WARDROP: I am not able to comment on the government policy for mobile speed cameras in New South Wales. Globally, mobile speed camera programs are used for a number of reasons. One is to, as you say, drive down accidents at certain locations. Another outcome that is sought by some jurisdictions is to change driver behaviour across the network and then by inference, reduce accidents and the impact of accidents on the whole across that network.

Mr BROMHEAD: So your company, what area are you contracted to supply the vehicles in New South Wales?

Mr WARDROP: For New South Wales, we provide essentially the northern part of New South Wales from Sydney Harbour, north.

Mr BROMHEAD: Okay. Can you explain to me why mobile speed cameras are set up in high traffic volume areas with virtually zero accident history, but a few kilometres up the road where it is low traffic volume, high speed, with very high traffic accident history, they are never set up there?

Mr WARDROP: Thank you for the question. I cannot make comment on site selection. As I said in my statement, Redflex has no impact or input into site selection. We attend sites as defined and determined by Transport.

Mr BROMHEAD: Thank you.

The CHAIR: Yes.

Ms PRESTON: I will ask this question to both of you and if you would like to reply. Mr Jannink I might ask you to reply first. Just in relation to the location of speed cameras, I know that you are not responsible for that, but what are your thoughts on having local government input into where they should go, given some of those speed cameras are on arterial roads and local council roads as well?

Mr JANNINK: Thank you, Ms Preston. I think with respect to where the cameras are deployed, that is of course a matter of policy and a matter for Transport. From the Acusensus perspective, I think that we would obviously be open to any and all input from the community and the local governments in determining where such locations are picked. They may have additional information and data on particularly important areas for them to reduce the behaviour of speeding across their local road networks.

Ms PRESTON: Just before Mr Wardrop comments on that, Mr Jannink, how much data do you provide in relation to where the locations of vehicles are set up, once they have been operating? How much data do you provide to Transport for NSW?

Mr JANNINK: The systems provide automated data reporting through, so you get a count of number of vehicles, a count of offences, obviously every vehicle's speed is monitored, so you will know, if you dive through that data, what the behaviour is like at a particular site, a particular day, a particular point in time. All the data is an automated provision of data. Acusensus does not go beyond that, other than in the provision of site surveys. So for every site that Transport would nominate, then before we conduct any enforcement at that site, we will conduct a site survey and assess that site with respect to the operational needs of the camera system and the work health

safety of our operators.

Ms PRESTON: So that data is provided to Transport for NSW, but you have no input on future locations for these activities?

Mr JANNINK: That is correct.

Ms PRESTON: Is that correct?

Mr JANNINK: Yes, that is correct.

Ms PRESTON: Thank you. Mr Wardrop, would you like to comment on the two questions, firstly about the input for local councils and local government to locations and also the data you provide please to Transport for NSW?

Mr WARDROP: The provision of sites and input by councils I am sure would be welcomed by Transport. There is a website that is run by the New South Wales Government called saferroadsnsw.com.au. that allows for people to nominate a location for a speed camera and that is an area for members of public as well as councils to nominate speed camera locations. With regards to the data, I would just be repeating Mr Jannink's answer. It is a requirement under the contract to provide that set of data and that is what we provide.

Ms PRESTON: Thank you. Do you have, under that Safer Roads site that you just mentioned where the public can actually have input, Chair, I am just wondering if we could get some statistics on how much information is then used to actually choose a site. Is there an influx of community input and if we could ask Transport for NSW.

The CHAIR: We will have the opportunity when Transport is on a little bit later.

Ms PRESTON: That would be good, thank you. I will ask that later.

The CHAIR: Thank you.

Ms PRESTON: Thank you, gentlemen.

The CHAIR: Mr Wardrop, yesterday we had the Honourable Duncan Gay, the former Roads Minister and what he mentioned, he brought about having the signs there, he thought it was more important to slow people down and make them aware of their driving habits, than have them go past a mobile speed camera and end up killing a loved one. Can I have your thoughts on that, either one of you, both of you?

Mr WARDROP: Yes, certainly, I am happy to go first. As I said, I am not in a position to comment on the government's policy.

The CHAIR: No, I was only asking your personal opinion.

Mr WARDROP: My view is it depends on the outcome, as I said, that is trying to be achieved, whether you are trying to slow a vehicle down at a certain location or change behaviour across a network. The revenue for New South Wales data that is published on infringements is a good place to have a look and the 12 months from July 2020 to June 2021 is a good place. July through to October, we had different decals and signs and the average number of speeding infringements was about 4500 infringements a month. That was a fairly static number and fluctuated, but had no trending. During November, December and January, changes were made to the program, including the removal of the signs and changes to decals.

From February through to the end of June, we were now running in the new state with no signs and change of decals and I note that the number of infringements on a per-day basis dropped from approximately 1200 infringements a day to 960 infringements a day, in a fairly straight trend downwards. That is a change of about 12 per cent a day, or 240 infringements or 240 people slowing down on the network per day. So as I said, it depends on the objective that you are looking for. If you want to slow the cars at the site and only for that site, then that may be a legitimate requirement, then signs are useful for that. If you want to change behaviour across the network, then changing, having no signs, has demonstrably shown that.

The CHAIR: I think the Honourable Duncan Gay's message was that in his view it was more important to slow somebody down there and then, rather than they go past and you end up receiving the infringement two, three weeks' later in the mail and they did not actually learn a lesson. Whereas if they see a sign, they could have stopped a serious accident or a death just going past your car, mobile speed camera.

Mr WARDROP: I understand that Mr Gay – sorry, I beg your pardon.

The CHAIR: No sorry and the other important part was as well, was in relation to motorcyclists, particularly all motorcyclists, but particularly learners on motorcycles and also the P-platers who are inexperienced, what happens, they are riding along, they are trying to concentrate on the potholes in the road and

animals and everything else and what I have heard is that they will see a car all of a sudden, they slam on the brakes and they lose it and they could inadvertently be seriously injured or be killed as well.

Mr WARDROP: I cannot comment really on Mr Gay's views. He has his views and as I said, I am indifferent to whether we have signs or not; it depends on what the objective is. As I extend on that, slowing them down at that point may prevent an accident down the track, but if they speed up after passing the mobile speed camera systems, will that really save someone down the track?

The CHAIR: Yes. Questions?

The Hon. SHAOQUETT MOSELMANE: I will ask a question and then pass on to Nick, quickly if I may. It was pointed out to us yesterday that the vehicles, like heavy vehicles, actually on their odometers, it shows a higher speed than the actual speed. When your cameras operate, do they operate knowing that fact? Do they operate on the actual speed of the vehicle or what speed does it become?

Mr WARDROP: Our systems capture and track the actual speed of the vehicle.

The Hon. SHAOQUETT MOSELMANE: Right thank you.

Mr LALICH: How often is that speed on your cameras calibrated to make sure that it is correct, that it has not drifted out too low or too high?

Mr WARDROP: There is an annual certification process that is very detailed to certify and calibrate the equipment. But every deployment we do a test to determine that the radar equipment and cameras in the vehicle have not strayed. If they move outside certain bounds then the vehicle is taken out of service, technicians correct the errors and the vehicles are recertified with Transport. So for every deployment, we confirm that there is no drift in our readings.

Mr LALICH: To both you gentlemen, we know since the mobile speed camera signs, warning signs have been removed, the income to the State Government has been massive. Now if those signs to go back in, it would be axiomatic that the monetary return to State Government would be reduced. Would that affect both your companies' income? Are you paid on the amount of money that State Government picks up or are you paid on a fixed rate, no matter how much the income or loss of income to the State Government? Can I ask you that question? Or can you answer that question?

Mr JANNINK: The contract we have with Transport for NSW is that we are paid to deploy mobile speed cameras. So for every hour of deployment, Acusensus is paid for that service. It is only that service provision. There is absolutely no monetary link between the number of offences that a camera system can capture and the amount to which Acusensus is paid. So to answer your question, it has absolutely no bearing on Acusensus's finances whatsoever how many offences are generated from the program.

Mr LALICH: But you would be paid by the amount of vehicles out on the road, so if you only had 10 vehicles out, would you get paid for 10 vehicles or if you had 50 vehicles out, you get paid so much per vehicle?

Mr JANNINK: We are paid per hour of speed deployment, so it is not linked to the number of vehicles at all. In our case, on average, we are contracted for 8300 hours per month.

Mr LALICH: What is that, each vehicle or total per month? You could have, I suppose, 8300 per vehicle, no.

Mr JANNINK: It does not matter how many vehicles we use, how many speed camera vehicles we use or how many general public vehicles were detected by the systems. How Acusensus is remunerated is when a vehicle, a mobile speed camera car, is deployed by the side of the road and enforcement is active.

Mr LALICH: So there has been no pressure on you people from anybody in the State Government to get those vehicles out there and get that revenue to the State Government up, as far as you know?

Mr JANNINK: There has been no pressure whatsoever regarding the number of offences. I would actually say, from an Acusensus perspective, we bear higher costs when there are more offences generated and we bear lower costs, just marginally, when there are less offences generated.

The Hon. SHAOQUETT MOSELMANE: Just a follow-up question on that, before I pass back to the Chair. Mr Jannink, you mentioned the 8300 hours per month, by what month does Acusensus believe it will achieve this, achieve the 8300 hours per month? Have you achieved it already?

Mr JANNINK: We have been progressively ramping up hours month on month on month, I believe at a rate of approximately 300 per cent month on month increase in hours. We will achieve the full complement, 8300, in December.

The Hon. SHAOQUETT MOSELMANE: December, thank you.

The CHAIR: There is a question from Mr Butler.

Mr BUTLER: Thank you, Mr Chair. Gentlemen, just a question in regards to the sensitivity of your devices. I understand that they are calibrated and checked each time they go out and the annual certification. My question relates to very low-level speeding offences, two, three, four kilometres over the limit. Can you talk to us about the buffer that you have or what the sensitivity is? For example, would somebody be fined for 51 in a 50 zone or 52 in a 50 zone? Anecdotally you would see through the submissions that people have been fined for very low-level speeding offences and certainly in my electorate office, I hear that people are getting fined for very low-level speeding offences. Can you speak to that please gentlemen?

Mr WARDROP: That is a policy decision; any buffers or thresholds is a policy decision and is a question that needs to be taken up with Transport for NSW. I am not able to speak to that.

Mr BUTLER: Yes, that is okay.

The CHAIR: Wendy Lindsay from East Hills.

Ms LINDSAY: Thank you, Chair. Look I have a question for Alexander. Just in relation to your earlier comment in relation to less speed fines, sorry, more speed fines actually costing your company more, could you please explain why that's the case?

Mr JANNINK: So part of the contract requirements is a pre-verification step. So every speed offence generated by a mobile speed camera system is reviewed at multiple points. One of those review points is conducted by Acusensus, the very first review point. So Acusensus personnel have to check the details on every speed offence and so the more speed offences there are, the more labour time is consumed at Acusensus.

Ms LINDSAY: Thank you. Thank you, Chair.

The CHAIR: You are welcome. A question from the Honourable Fred Nile.

The Hon. FRED NILE: Yes, you may have to collate the answers to this question. Can you provide an overview of the mobile speed camera services your company provides, including the number of vehicles, contracted deployment hours and the areas covered and operating procedures?

The CHAIR: You can take it on notice if you wish. There is a bit of detail to the question.

Reverend the Hon. FRED NILE: Mr Wardrop.

Mr WARDROP: Thank you for your question, Reverend. I think that is a question that should be asked of Transport. I do believe it was answered in the recent budget hearings.

The CHAIR: Thank you. Thank you both for attending and giving evidence this morning.

(The witnesses withdrew.)

HUGH ERIKSSON, Councillor, Willoughby City Council, sworn and examined

NATHAN McBRIARTY, Traffic & Transport Unit Leader, Wollongong City Council, sworn and examined

The CHAIR: Sorry about the slight delay and welcome our next witnesses. We have Councillor Eriksson and Mr Nathan McBriarty, is that correct?

Mr ERIKSSON: Correct.

Mr McBRIARTY: Correct.

The CHAIR: Traffic and Transport Unit Leader, Wollongong City Council. Before we start gentlemen, do you have any questions about the hearing process?

Mr ERIKSSON: No thank you Chair, all good.

Mr McBRIARTY: No questions from me, thank you.

The CHAIR: Would you like to make a short opening statement before we begin the questions? Could I also ask you to please provide an electronic copy of your opening statement to Committee staff. Perhaps I could start off with you, Mr McBriarty.

Mr McBRIARTY: I am comfortable. I think all our information is in our submission and here for

questions.

The CHAIR: Okay, no problem. You are both from the same organisation.

Mr ERIKSSON: Actually no, Chair, I am from—I am here in a private capacity.

The CHAIR: Oh no, you are a councillor, yes. Well perhaps—you have got an opening statement then?

Mr ERIKSSON: I do, thank you, Chair, I do have a short statement. Firstly I would like to thank the Committee for hearing me today. I know there was a very large amount of submissions, so I really do appreciate being called today to appear. Firstly, in addition to myself being an elected councillor, my family own a family-run farm business in the Central West, so we do a lot of driving and are very well-versed with our roads in New South Wales. I just thought I would touch very quickly in my statement on a few other options across the globe on enforcement on speed. Often we hear from road academics on Europe and what Europe do, especially in Scandinavian countries in their road safety programs. I think it is important to note that Sweden, which is obviously the size of Victoria and where they do far less driving than in Australia, not only do they have a higher motorway limit of 120 kilometres an hour, they also have no speed cameras on any of their motorways; instead they focus speed cameras in high-risk zones such as high pedestrian traffic areas, et cetera. In Germany, their zero-to-10-kilometre fine is €30 or AU\$50 and no lost demerit points. Illinois and New York State...

The CHAIR: Sorry, that was up to 10 kilometres, was it?

Mr ERIKSSON: Yes, so in Germany their zero-to-10 fine is only €30 which is roughly AU\$50 and no loss of demerit points.

The CHAIR: No demerits.

Mr ERIKSSON: No demerits. In the United States, Illinois and New York, which have the reputation of being the strictest in speed enforcement in the US, have a tolerance of 11 miles per hour, or 17 kilometres before a fine is even issued with their speed cameras. In our own country, obviously in Australia, ACT has a zero-to-15 band, 15 kilometre an hour band, as opposed to our zero to 10. Northern Territory it is the same. In Queensland it is zero to 13. In Victoria, after signs were removed and mobile speed camera enforcements was increased, the road toll actually went up. The obsession that we seem to have with low-range speeding is wrong in my opinion, and it should be a focus, rather, on dangerous driving. Most dangerous drivers do not hold a licence and therefore mobile cameras do not act as a deterrent. In Western Australia, and this is my final point in my statement, that criteria for speed cameras is a point system, i.e. high crash ratings, not an anytime anywhere approach, but rather a criteria. I just thought I would provide these other examples as an alternate to what we have currently in New South Wales. I thank the Chair for allowing me to give a statement.

The CHAIR: Thank you very much. Any questions from our Members? The Honourable Fred Nile.

Reverend the Hon. FRED NILE: Thank you very much for coming in as a witness. I note in your written submission you are very frank, far more than any of the other witnesses we have had before us. For example, you say in your written submission: I would like to start by saying I do not support the changes made by the Government to the mobile speed camera program announced in November 2020, I believe them to be a regressive move designed to raise revenue and not to educate motorists and improve driving conditions and safety as it moved the opportunity for motorists to make and at the moment change their driving behaviour. So I am just thanking you for being very frank and would you like to expand on why you have those views and what is the basis of you making those observations; is it your experience or any study you have done?

Mr ERIKSSON: Thank you, Reverend Nile. Yes, I do not agree with the changes the State Government made in November 2020 as I do believe they were regressive. Road safety is something I think we all take as a given, absolutely. I have been passionate about road policy since I was very little. One of the reasons I—encouraged me to get into local government was road policy. I feel, as I said in my statement, this obsession with low-range speeding is wrong as it does not actually focus on the real issue, which is dangerous driving. As I said, in addition to my role as a councillor, I own a farm business and I do tens of thousands of kilometres driving every year and as we all know, you drive to the conditions. This obsession with looking at your speedo, I think, is counterproductive.

I gave the examples of across the world, of other jurisdictions that have a different approach and I just feel that, yes, I have researched the topic quite extensively and also talked to a lot of people. There is a sense of—there is a loss of faith, there is a loss of trust now. New South Wales, friends of mine in Victoria, looked at us with envy that we had a fair system that promoted road safety but also tolerance and fairness to the driver and I think that has been lost with these changes.

Ms PRESTON: Thank you. Any further questions, Reverend Nile?

Reverend the Hon. FRED NILE: Yes. You also state in your submission: these changes have had a

dramatic impact on thousands of motorists, the vast majority who do the right thing on our roads without reducing the real issue of dangerous driving. Covert mobile cameras do nothing to deter dangerous drivers as many do not have a licence to lose, so they do not care about them. Only highly visible policing and stopping them on the spot would deter the motorists who make up the majority of accidents that cause serious road crashes, et cetera. Recent statistics show that most fines are for low-range offences, not high-range speeding.

So would it be better to have a system of having warnings for the drivers to check their speed and make any adjustments on the spot? Receiving a fine some weeks later would not have any educational value. Would you like to comment about that?

Mr ERIKSSON: I would agree with that, Reverend Nile. I think we should look at education rather than punishment for low range. I think we can all be guilty of paying attention and there be a change in a speed zone and through no fault of our own, we could be actually speeding. There was an example given some months ago by a motorist on the New England Highway where he got fined for doing 80 in a 70 zone, even though the 70 zone was about to go to a 100 zone. I do not see that as being very fair and counterproductive to what we are trying to—the road safety message. Actually, as my colleague who is appearing as well today in their submission made the point that under 10 kilometres an hour, perhaps a warning for someone who has a good driving history would be better than a fine and a loss of demerit points. I do think we need to look at this from a different perspective.

I note the current Transport for NSW Centre for Road Safety campaign of casual speeding again sends this message that if you are doing 61 in a 60 you are somehow going to have an accident, but if you are doing 59 in a 60 zone, you are not going to have an accident. I just think that, again, is counterproductive and our messaging should be driving to the conditions and focusing on those that drive dangerously and not those that, for all intents and purposes, try to do the right thing day in, day out and occasionally may accidentally go above the limit. That is what this covert program has caused, as we have seen with the statistics in fine revenue that is for 10 and under.

So as you see in my submission, I cited examples from South Australia and ACT, both Coalition and Labor Governments, where they have a different approach. In South Australia, for example, their changes to publishing camera locations ahead of time was an election commitment and has been extremely well received. I have spoken to a number of Cabinet ministers there, including the Minister for Transport and it has been very well received because motorists feel like they have got a fair go and if you are still speeding, even though you know where the camera is going to be, well that is on you and fair enough. Policing is the way to stop the dangerous drivers in their tracks, on the spot.

Ms PRESTON: Mr McBriarty, would you care to comment?

Mr McBRIARTY: I would and I guess we share that similar response. I guess with our submission, it has been very clear that we have been trying to portray that we would like to encourage Transport for NSW to have a greater collaboration with the local council on these type of projects because we are on the, I guess, the coalface of seeing—my team alone receive up to 1500 to 2000 letters a year and a huge majority of those letters are relating to speeding and hooning behaviour. So on the ground we know these locations they could work through, in some of those locations, but we have also reiterated that the advance warning sign also does assist with keeping these areas safer for a longer period of time.

To further add to that, we have worked closely with local groups that are in that low range that could provide education rather than a fine, that we could work with them for a period of a number of nights a week to actually provide education, as like a community service as a response, rather than a fine, to have them actually learn from the mistake that was occurring on our roads.

Ms PRESTON: Thank you. I just wanted to pick up on what you said just then, Mr McBriarty, in relation to the correspondence you receive, around 1500 to 2000 letters. Can I ask, given that, what is the percentage that would be local residents that are writing as opposed to, say, tourists moving around the area there?

Mr McBRIARTY: I do not have the exact numbers, but predominantly I would be comfortable in saying that 90 per cent would be local residents. It generally is issues concerning their front-of-mind, the front of their properties, where they have that lived experience of where they actually are. So they are very forthcoming and we have a great engagement program at Wollongong City Council, that we encourage this sort of information so we can really understand the issues on the ground to actually help. That we strategically prepare programs, locally with our Road Safety Officer program, to address those local concerns.

Ms PRESTON: Thank you. Mr Bromhead, you had a question?

Mr BROMHEAD: Yes. The basis of the covert speed cameras, we have been told, is based on the slogan anytime anywhere. In other words, at any time anywhere on any road you could be picked up by one of these covert speed cameras and they say it is not about black spot, it is not about the stopping the accidents, it is about

changing people's behaviour through that mechanism. What do you think about that approach?

Mr ERIKSSON: Mr Bromhead, is that directed to both of us?

Mr BROMHEAD: Both of you, yes.

Mr ERIKSSON: Nathan, I will go first, if that is okay with you.

Mr McBRIARTY: Yes.

Mr ERIKSSON: Also, Mr Bromhead, my family is from your region in beautiful Foster, so hello to you. Again, I do not agree with that approach because it takes away this notion of driving to the conditions. The anywhere anytime approach is fair enough in troubled areas, black spots. But as I said, any of us that have driven on rural roads, good highways, good dual carriageways, in the right traffic conditions, as I said, someone doing 120 or even 130 on the new upgraded Pacific Motorway would not be considered—I would not consider them driving dangerously, in fact I would say that it is actually safe driving because it is reducing fatigue and improving your travel time. As I said, in Western Australia, which is obviously a Labor Government, their focus is actually on a criteria for picking mobile speed camera locations using a point system of high crashes, fatalities, serious injuries, et cetera. They do not have an approach of anywhere anytime and yet their road toll is actually decreasing, as is their serious injuries year on year.

As I said, it comes back to this notion of if you are doing 61 in a 60, you are driving dangerously, but if you are doing 60 or 59 or 58, you are not. But in wet weather, for example, you adjust your driving to suit that. I again do not, respectfully, agree with that approach. I know that we all take road safety seriously, but I do think it is time to look at it differently, especially in New South Wales, especially the amount of kilometres we cover. Speed limits are just one aspect of better roads and safer roads and the way we enforce that, I think, needs to be revisited. Thank you.

The CHAIR: Nathan?

Mr McBRIARTY: I would just like to add and I guess part of our submission that in length went into the details that we want to take the community on a journey with us and understand why that is doing and what we would prefer to see is a larger focus on that comprehensive marketing and communication to the community at these locations and what they could be doing better, as in driving to the locations and understanding that every road is different in our city, from all different hierarchies of roads. So I guess that is what we are steering to, that we would prefer to see a greater focus on that education component at specific locations.

The CHAIR: Thank you.

Mr BUTLER: Mr Chair, this is probably not a very tough question, it is an easy one. Just when we are talking about roads that we know have motorcycle accidents, cars coming into contact with trucks, my mind goes to Macquarie Pass. Just wondering, do you see a great level of enforcement activity on Macquarie Pass?

Mr McBRIARTY: Is that directed to me? Macquarie Pass sits outside of our local government area but I can speak—

Mr BUTLER: But obviously people move down to your part of the world on Macquarie Pass.

Mr McBRIARTY: Utilise that. That is right. We do know that—

The CHAIR: Is that part of Wingecarribee?

Mr McBRIARTY: No, that is Shellharbour City Council.

The CHAIR: Oh, Shellharbour, is it?

Mr McBRIARTY: I used to work there 10 years ago, so I do know the area well and I know especially motorcycle issues and injuries, we had a strong focus and our road safety officer there had a very heavily targeted operation project that we worked hand-in-hand with Transport for NSW. This was over 10 years ago and I know that did continue but in terms of what is actually happening now on Macquarie Pass, I am not entirely sure. But I would always encourage that yes, there does need to be some sort of compliance along Macquarie Pass, but also it is vital that there is education programs around that area and we have always identified that, that specifically to that location we need to monitor.

The CHAIR: Thank you. Mr Moselmane.

The Hon. SHAOQUETT MOSELMANE: Thank you, Chair. I will be asking one question of Mr Eriksson first, then one to both of you. Mr Eriksson I think you have indicated earlier that in Victoria the Government, ahead of allocating mobile speed cameras, they would inform the public, is that right?

Mr ERIKSSON: So in Victoria, no, they have no warning signs in Victoria for their mobile speed camera program.

The Hon. SHAOQUETT MOSELMANE: Right, no warning signs and we heard earlier from the companies that provide the service that they are fearful that they may be—once people know where their cars are, they are fearful for their employees that may be subjected to threats, physical threats and verbal threats. Is that—

Mr ERIKSSON: Yes that is why they have CCTV cameras on top of the roofs on mobile speed cameras, both in Victoria and in New South Wales. The irony of the changes is actually that even though the cameras are covert, there is now increased awareness from people of what they look like and where they are and actually I think anecdotally they are having a higher degree of abuse, for lack of a better word, towards the operators, which is not right. Warning signs, I think, actually reduce that because people feel like they have got a chance, whereas now when they are covert and you see someone sitting in there, it is pretty obvious what they are, even if they are unmarked. And the locations are published on social media and other places like that and I actually think, and this is just my opinion, it actually increases the risks to those operators as opposed to if they are marked with signage because, as I said, it reduces that anger that people have towards these things.

The Hon. SHAOQUETT MOSELMANE: My other question relates to both of you gentlemen if you want to answer it. It has been indicated that there would be an increase in number of camera hours from 7000 to 21,000 hours per month, yet the road toll update for New South Wales, and I have got one here for Thursday 25 November 2021, indicates in terms of driver fatalities, in 2020 there had been 120 driver fatalities and in 2021, there has been 121, so there was an extra one fatality. I mean every life is important, but in terms of the allocation of number of hours and the actual impact, it has been very small.

Mr ERIKSSON: That is correct and as we know from the former Roads Minister, the evidence or the justification for this change was to reduce the road fatality, but I believe it was 40, give or take, per year. We actually have not seen that, actually the contrary. The increase in hours has not—we have not seen that change to reduction in serious injuries and fatalities and that is the evidence out of Victoria as well. When they increased their hours and took away signage and markings, they actually also saw an increase. It is clear now that mobile speed cameras and making them covert does not translate into reducing the road toll, which is what the justification was for the program.

The Hon. SHAOQUETT MOSELMANE: Right. Mr McBriarty.

Mr McBRIARTY: Look, I think our recommendation has always been that the program remains but just with advanced warning, but again with that strong focus of education behind it, which I have repeated. So that would be my direction, that we could improve on that number, but again, it needs a stronger marketing campaign and a focus on education.

The Hon. SHAOQUETT MOSELMANE: Thank you.

The CHAIR: Thank you. I do not think this question has been asked yet. Do you think that more mobile speed cameras or other enforcement measures are needed, particularly in regional or rural areas and why? The question goes to both you gentlemen.

Mr ERIKSSON: Nathan, would you like to go first, seeing I have gone first.

Mr McBRIARTY: Yes, that is fine. I would definitely say there is locations and as I touched on earlier, I would really encourage the program to incorporate local knowledge and then that collaboration with local councils to actually understand the actual roads of concern and road environments. Obviously councils have limited budget to improve their infrastructure delivery to upgrade roads and therefore sometimes driver behaviour is affected due to the environment and we know those issues and we may be repairing them in the near future, but we could supplement in the interim additional cameras in those locations and could provide a solid knowledge source for extended periods of time working with Transport for NSW.

The CHAIR: Thank you.

Mr ERIKSSON: Thank you, Mr Chair. I, at the start of the year, was actually out at Mr Butler's electorate on the Barrier, drove the Barrier Highway and Silver City. You see the highway patrol cars out there. Obviously the Barrier being a straight highway, you see them and it does change your behaviour where needed. But people that live in the country that I speak to, friends and family, there is also a sense that one day a road has a speed limit of 100, the next day it drops to 80, the road has not actually been improved and yet they put a camera on there. So one day you are not speeding, the next day you are speeding and there has been no improvement to the road infrastructure. I think speed limits are just one part of this and instead we should actually be looking at it more broadly [that—to] improve roads.

The Hon. SHAOQUETT MOSELMANE: It's a good point.

The CHAIR: So what you are saying is—yes, the correspondence I have had, sometimes they will have the speed limit dropped or saying there is roadwork, but there is no real roadwork happening. Is that what you are saying?

Mr ERIKSSON: Absolutely, Chair. That is another problem. In South Australia the Marshall Government there has actually now just brought in fines, fines for this very thing. So if there are roadworks and there are no roadworks happening, the operators or the road maintenance companies that operate these roadwork zones get fined now if they do not remove roadwork speed limit signs back to the normal speeds for this very reason. As I said, there is numerous examples of where roads, as I said, were one day 100 kilometres an hour and they have been dropped to 80, under the guise of road safety, but the road has not actually been improved, yet someone now is doing the wrong thing, when they day before they were not.

The CHAIR: That is why you have so much public resentment.

Mr ERIKSSON: Absolutely and this all comes to the point, I think—and may I say of obviously Nathan's submission, it is about bringing the public along with you and that trust we had in New South Wales has been eroded and now there is just a sense of resentment, as you say, Chair, towards this. I think it is a bit like human nature. If you tell someone not to do something, they tend to do it and now there is almost a sense that, oh well, if I am going to get caught, why not speed? We need to bring that confidence back to people and also look at other issues. I know it is not part of the terms of reference, but also look at other issues such as speed limits in far western New South Wales and on motorways. I mean the 110 limit has been around since before seat belts and we have got to look at the broader picture here and not just—

The CHAIR: I think that is one of our future inquiries, is to look at the speed limits. You are absolutely right; we do need to look at the speed limits right across the state. Just one final question before I pass you on. You were saying a little bit earlier about the police presence, particularly in rural and regional areas. Do you believe if there was more police presence it would deter people or encourage people to behave more appropriately on the road?

Mr ERIKSSON: One hundred per cent. I do not think there is anything more scary than being pulled over by a highway patrol officer and in a good way. You change that behaviour in the moment, in the moment. Mobile speed cameras are designed to stop accidents and serious injuries. If someone is speeding and they go past it and they do not know they have gone past it and they continue to speed, they may have an accident 100 metres down the road or a kilometre down the road or whatever. If a highway patrol officer pulls you over in that moment, it could potentially stop that. I have friends in the force and they also have discretion. They can determine whether the road conditions at the time permit maybe someone going slightly over the limit or not. Mobile cameras do not have that ability to show discretion, regardless of weather conditions, road conditions, traffic conditions. Highway patrol officers have that ability and I think—

The CHAIR: It is a fairer system. Is that what you are saying?

Mr ERIKSSON: It is a fairer system and a more effective system.

The CHAIR: No, thank you very much. I will just pass you over to Robyn Preston and then we will go over to Mr Lalich. Actually, we might be out of time. I will get you to ask your last question.

Ms PRESTON: Thank you, Chair. Mr McBriarty, my question is to you. On page 11 of the Wollongong City Council submission, you have here: Council operates a speed management program utilising vehicle message signs funded by Transport for NSW, coordinating locations and the deployment with mobile speed cameras could improve compliance, this could include the use of tube counts when mobile camera vehicles are not in operation. Would you just like to elaborate on that please?

Mr McBRIARTY: I have probably got a little bit further since our submission too. We are working heavily in this focus, as you might be aware, that Wollongong is hosting the UCI 2022 bike event where we are going to see a huge influx of visitors. I know it is getting out of the terms of reference here, but it is all about that education behind making users on our roads and movement corridors safe. Now what we actually run is a variable messaging sign and they have actually tapped into computer AI data now that actually has cameras to actually analyse and it is sort of touching on what we spoke about today, it is the type of user for the type of time, it is that layer of what is the environment conditions behind us.

So with those VMS signs, variable messaging signs, VMS signs, we can actually layer and correlate data, to what was the conditions on that day, what was the volume on those roads, what was the type of arrangement. Then we also supplement that with tube counts, because what we find is, from what our community is feeding back to us, when the variable messaging sign is up and deterring people to speed, you get a whole range of skewed advice. But the tube counts, people do not see them, do not—are not fully aware of them. The information that we gather from them is sometimes very different. But what I would like to say on that is that each location is very

different and we would pick a strategy or a type of data collection for that specific location, taking into the broader considerations of that area.

Ms PRESTON: So does that information get shared with Transport for NSW or it is just kept within council?

Mr McBRIARTY: Correct yes and it goes the other way as well; Transport for NSW also shares their knowledge and data with us for the state roads and we are looking to expand our fleet to ensure that our systems connect and communicate with Transport for NSW systems. But as you could understand, there is a lot of layers of information management technology and cybersecurity that we are working through and it is not a quick, clean answer on that one at the moment.

Ms PRESTON: Thank you. Thank you, Chair.

The CHAIR: Thank you and I will just do one last question, if you just make it a brief one.

Mr LALICH: Thank you, Mr Chairman. You guys, both probably have answered this question somewhat. But in your submission, you expressed a view about allocation of fine revenue in general and to going into funding for road safety initiatives. Could you elaborate on that, apart from you said roadworks and things like this, what other initiatives do you think there would be there?

Mr McBRIARTY: Yes, I would like to jump in on that one because that is what I was explaining before, is taking community on the journey with this program. It is actually portraying the benefits to the community of what can be done, so that can be done in two manners and it would be an education program directly addressing, say, lower speeding environments or targeting high hoon areas within the community. But secondly, what we have seen as well is that that revenue be put into infrastructure that is known to reduce speeds on our roads. For example, Wollongong is implementing cycleway, pop-up cycleways infrastructure within our CBD, which we have the evidence behind that the adjacent travelling lanes of vehicles have reduced speed. So we would be favourable to see that funding directly going back to reducing speeds on our roads, whether it be education or infrastructure that is known to reduce speeds in travelling lanes.

Mr LALICH: Can I just say that I found that when I travel in rural areas, I find that sometimes the speed limit signs, there is not enough of them. They seem to be a long distance between each other and it can drop from 100 to 80 and you still keep driving at 100 and the policeman is up there, bad luck that you did not see the 80 sign back there, you are booked. Where I think they should put those signs more often, more regular down the road, so either write them on the road like they do on the lane, or put a sign up on the side of the street so at least the driver, every kilometre or so, can see the sign, 80 miles an hour, it has been dropped from 100, now you are into the 80 area. At least it gives you a chance to slow down, where otherwise just keep going at the 100 and say, well we are in the middle of nowhere, why should it drop, and you keep going at the wrong speed, of course.

Mr McBRIARTY: I would agree with that and we heavily work on less signs more lines and it is that communication piece with the stencils you were talking about on the road, because that is a really effective way. As we know, our roadside environment is heavily cluttered with no stopping signs or other visual cues, so a speed zone sign is just another layer, where the pavement is a really effective tool of actually communicating those messages when it changes regularly.

Mr ERIKSSON: May I just say, yesterday the former, obviously the former Roads Minister, Mr Duncan Gay, appeared before the Committee. When he took office, State Government at the time looked at reviewing the amount of speed limit changes in New South Wales after this very point. We now have a situation in New South Wales where we have a 10, 30, 40, 50, 60, 70, 80, 90, 100 and 110 speed limits. We have over-complicated it. In parts of Europe, in residential areas, you have 50. On motorways you can have 120 or whatever it may be. You are right, you can be doing 100 kilometres an hour, thinking you are doing the right thing and there will be a change down to 80 and this has happened on Sutton Forest road, adjacent to the federal highway, where it has gone from 100 to 80 for no justification. I think another review would be to look at do we have too many speed limit changes now and I think the answer to that is yes, because it just, again, adds to confusion for people.

I know my own experience on council, infrastructure calms traffic better than the number on the sign. If there is an issue in our residential areas, the simplistic approach is to: we'll just drop the speed limit. Well that does not change the behaviour of dangerous drivers. But speed cautions, chicanes, mirrors, markings, et cetera, infrastructure—and I agree with Nathan's point on cycleways, separated cycleways, they calm traffic in high pedestrian activity zones, not necessarily the number on the sign, which actually does not change the behaviour of people who choose to drive in a dangerous manner.

The CHAIR: Well, thank you very much for appearing before the Committee today. Unfortunately we have run out of time. You both will be provided with a copy of the transcript of today's proceedings for corrections and any questions on notice taken today will be forwarded to you by our Committee staff and thank you gentlemen

again for your time.

Mr ERIKSSON: Thank you for having us.

Mr McBRIARTY: Thank you.

(The witnesses withdrew.)

(Short adjournment)

BERNARD CARLON, Chief—Centres for Road Safety and Maritime Safety—Safety, Environment and Regulation, Transport for NSW, sworn and examined

ANDREA PARKER, Executive Director Regulatory Operations—Safety, Environment and Regulation, Transport for NSW, affirmed and examined.

The CHAIR: I will welcome our next witnesses, Mr Bernard Carlon, Chief, Centres for Road Safety and Maritime Safety, Transport for NSW and Ms Andrea Parker, Executive Director Regulatory Operations, Safety, Environment and Regulation, Transport for NSW. Before we start, do you have any questions about the hearing process?

Mr CARLON: No, I am fine thanks.

Ms PARKER: No questions, thank you.

The CHAIR: Would either one of you like to make a short opening statement before we begin the questions?

Mr CARLON: Yes, Chair, I have an opening statement that also addresses some of the questions that have been raised in the hearing so far. So yes, I can get straight into that opening statement.

The CHAIR: Yes, that is fine. Could you also provide an electronic copy of your opening statement to the Committee staff please?

Mr CARLON: Absolutely.

The CHAIR: Thank you very much.

Mr CARLON: I wish to acknowledge the opportunity to appear before the Staysafe inquiry today with Andrea Parker, the Executive Director of Regulatory Operations and welcome the opportunity to answer your questions. New South Wales crash data and community attitude research indicates that speeding continues to be an ongoing challenge on our roads. In New South Wales, speeding consistently contributes to around 41 per cent of road fatalities and 17 per cent of serious injuries each year. This means almost 145 lives lost, costing \$1.1 billion and around 3306 casualties each year, costing \$1.9 billion. Attitudinal research into speeding shows that most drivers in New South Wales see speeding as widespread and acceptable and our research also suggests that 64% of the community support the use of mobile speed cameras to stop people speeding. Evidence shows that managing speed can stop crashes occurring, as well as reduce the degree of injury if a crash does occur. Speed-related trauma is a network-wide issues with crashes very dispersed across our large road network and a network-wide solution is an important element of addressing it.

The purpose of the New South Wales fixed speed camera program is to address speeding at known, high-risk locations where there is a crash history over a kilometre length. These locations have signs consistent with their very specific location base of intent. They are proven to reduce crashes at and narrowly around the specific position of a fixed camera. New South Wales mobile speed camera program is about deterring people from speeding across the entire network, not just at specific locations and this supports the critical work done by the New South Wales Police Force. The 2500 current mobile speed camera locations used in New South Wales were selected because they meet the selection criteria, they are a length of road with a crash history, risk of future trauma or are nominated by police or community.

Evaluation studies carried out both in Australia and internationally show that mobile speed cameras produce sustained change in driver behaviour and significant reductions in mean speeds, crashes and casualties. With sufficient hours, a high number of important sites, less highly visible operations without advanced warning signs and highly randomised deployment across the network, mobile speed camera programs are proven in detailed evaluations to deliver network-wide 20 to 30 per cent reductions in casualty crashes. That is why following the recommendations of the Auditor-General in 2018, a detailed analysis of options was produced and the New South

Wales Government announced a balanced package of changes to expand and optimise the mobile speed camera program in November 2020.

These changes include increasing enforcement hours to 21,000 per month, bringing New South Wales into line with the scale of enforcement in Victoria and Queensland. As you have heard, we are on target to reach that by the end of December. This increase in the program hours provides the opportunity to enforce in more types of locations more frequently, including local and community-nominated roads. The New South Wales Government has also removed advanced warning signage and reduced the markings, methods which add to the unpredictability associated with enforcement operations and contribute to long-term changes in driver behaviour. Importantly, 70 per cent of mobile speed camera vehicles continue to include markings that can be seen when a driver passes the vehicle but a smaller proportion of 30 per cent unmarked so that the drivers still understand there is a risk of anywhere anytime detection if they speed. This is the same model that has been successfully used in Queensland, which has achieved a 28 per cent reduction in their casualty crashes. Most vehicles are not covert and none are hidden.

These balanced changes mean that drivers are less able to predict when and where enforcement will occur. Most drivers are seen being more careful in changing their behaviour wherever they are on the network, rather than just at specific locations where they can see in advance where enforcement is being conducted. For those who continue to speed, they are more likely to be caught, penalised with a fine and, importantly, demerit points, so are more likely to change their behaviour in the future. These changes address the recommendations previously made by the Auditor-General and brings the New South Wales program into greater alignment with other Australian jurisdictions.

The independent modelling by the Monash University Accident Research Centre, based on the results in Queensland and Victoria, indicates that the New South Wales program changes [should] be expected to save between 34 and 43 lives and prevent more than 600 serious injuries per year once fully implemented and compared to the previously highly overt mobile speed camera program which was estimated to be saving five lives per annum and 72 prevented serious injuries. Value of this trauma saving to the community is calculated at \$664 million per year and whilst less visible enforcement is one feature of the mobile speed camera program, drivers continue to be advised about the use of mobile speed cameras across the network. 1000 fixed advisory signs are being installed across New South Wales roads, in areas and on routes where mobile speed cameras are used. These signs provide a 24/7 reminder to drivers to not speed and that they could be detected anywhere anytime.

The mobile speed camera program is managed by Transport for NSW in partnership with New South Wales Police Force and Revenue New South Wales. The operation and maintenance of the mobile speed cameras and vehicles is outsourced to third party private contractors, who you have heard from today, with close oversight by Transport for NSW and there are two vendors currently supplying those services. Enforcing the small proportion of drivers who are breaking the law provides increased protection for the community from those who continue to speed past mobile speed cameras and who are putting their own and other people's lives at risk. This includes drivers who are speeding excessively by at least 30 kilometres over the limit. For the period December 2020 to October 2021, there were 1200 penalty notices issued for excessive speeding detected by mobile speed cameras. These drivers received an automatic three- or six-month licence sanction for putting the community at risk.

Qualitative research shows clearly that many drivers believe the only way to stop speeding is through enforcement, that is, being caught and penalised. The program changes that have been made appear to have started delivering the desired road safety outcomes and changes to driver behaviour. In the year since the optimisation of the program was announced, up to 19 November 2021 inclusive, fatalities have reduced by 21 per cent, which translates to 71 lives saved. Speed-related fatalities have reduced by 23 per cent in this period compared to the three-year average prior to the changes. The number of drivers caught by the cameras has reduced from one in 131 in October compared to the peak of one in 86 drivers being caught by the cameras in early April 2021. These are encouraging early results, but a real impact of the program changes will need to be determined by evaluation in the coming years following full implementation of the changes. Transport for NSW continue to monitor the New South Wales camera programs and to adjust supporting communications to ensure there is awareness of enforcement and to support the desired road safety outcomes.

The overwhelming majority of drivers are doing the right thing. At least 99 per cent of vehicles passing cameras currently are not infringing for speeding. I would like to bring to the Committee's attention that any fines from the mobile speed camera program and other safety-related camera programs are paid into the Community Road Safety Fund via a legislative mechanism to be reinvested into lifesaving road safety programs across New South Wales. These lifesaving road safety programs include the rollout of an additional 3300 kilometres of audio tactile line markings, an investment in protective safety features like flexible safety barriers on our road network, wide centrelines, curb treatments and traffic calming measures with a focus on saving lives on country roads. The Community Road Safety Fund also provides for school crossing supervisors and the safety around schools, large-

scale public education campaigns, as well as education programs across the educational lifecycle. For novice drivers, such as programs like the Safer Drivers course and the Driver Licensing Access program.

Finally, while mobile speed camera enforcement is an important and proven measure to reduce road trauma, it is just one of the several measures designed to tackle speeding behaviour to create a safer system. Other automated camera programs, ongoing enforcement across the state by the New South Wales Police Force, as well as our sustained investment in education and training, is key in motivating road users to follow the rules and behave safely on our roads. While the majority of the community supports the program and some have called for the changes to be undone, I think it is important that we do not lose sight of the impact of having up to 43 less deaths and 600 serious injuries on our roads, saving \$664 million every year, to reflect on the impact that that will have on families who do not need to go through the trauma associated with these preventable deaths and serious injuries. Thank you for the opportunity and we welcome your questions.

The CHAIR: Thank you, Mr Carlon. You just mentioned about the fewer deaths. Where did you get those statistics from?

Mr CARLON: Yes, so look I would actually refer to the Committee to today's running sheet which we publish. So we publish this data on a daily basis and as at today, or Monday 29 November, midnight last night, there were 244 deaths year to date compared to 262 last year, that is 18 less fatalities year to date. On the three-year average, that is 57 less deaths in New South Wales for that period compared to the three-year average.

The CHAIR: Can I ask you a question, in relation to those figures, was the effects of COVID taken into consideration due to less traffic on the road and less people moving around, to give us an accurate figure?

Mr CARLON: Yes, we have absolutely been closely monitoring that impact and certainly for the lockdown period both last year, which lasted around 44 days and this year which lasted around 100 days, we did see a significant reduction. What I would say about the first lockdown period is we also saw a significant increase in the speed-related fatalities prior to the introduction of these changes in that first lockdown period. So yes, clearly having less vehicles on the road has had an impact.

The CHAIR: Do we have a breakup of where those incidents occurred?

Mr CARLON: Yes, we publish this in—

The CHAIR: Is it by region? Just for the benefit of the Committee, that is all, so we can make an accurate assessment of it all. Thank you Mr Carlon, I appreciate it. Mr Carlon, has Transport for NSW undertaken audits, inspections or other measures to verify the contractors' compliance with the contracts and operating procedures? And if so, what issues were identified and how were they addressed?

Mr CARLON: That is a question that Andrea Parker, who manages the operations of the program, will be happy to answer.

The CHAIR: Well if Ms Parker could perhaps answer that question.

Ms PARKER: Thank you. Can I just ask you to repeat the question?

The CHAIR: Yes, by all means. Has Transport for NSW undertaken audits, inspections or other measures to verify the contractors' compliance with the contracts and operating procedures? And if so, what issues were identified and how were they addressed?

Ms PARKER: Okay, thank you for the question. I will start by outlining what we have in terms of our contractual requirements. So there is a services control group associated with these two contracts and that consists of representatives from both the supplier and Transport and typically meets monthly to monitor the provision of the services. From a work health and safety perspective, audits are carried out by Transport to review the performance of the services, including ensuring appropriate risk mitigation strategies are in place. Then Transport also has the right to require the service provider to meet with Transport to freely discuss any issues which arise under the delivery of the contract and Transport can also require the service provider to develop an action plan to address any issues. The contract provides Transport with audit and inspection rights in order to verify contract compliance. Those are the terms that we have as part of that engagement for our oversight of the delivery of those services.

The CHAIR: So if there is a complaint, that actually goes back to Transport?

Ms PARKER: Yes, if there are any issues identified, they come back to Transport.

The CHAIR: So in its submission, Wollongong City Council mentioned that non-compliant operations may compromise the legality of infringement notices and drivers caught speeding by non-compliant operations could successfully challenge their fine. How does the non-compliance of mobile speed camera operations impact the provisions of infringement notices and are images captured in the course of non-compliant operations

excluded?

Ms PARKER: So there are checks and balances that are applied before the enforcement hours commence to make sure that the equipment is performing in accordance with its required settings and calibration to make sure that it is accurate.

The CHAIR: When does that occur, the calibration?

Ms PARKER: I understand that the actual official calibration and testing which is done in accordance with quality assurance procedures and requirements is an annual test, so those cameras are certified on an annual basis. But as far as the operations are concerned, the vendors need to verify that the equipment is operating correctly as they set up to commence their enforcement hours and so there are operational checks which are undertaken to confirm that the camera is still operating within its calibrated requirements.

The CHAIR: Every 12 months and they will have to supply also the Department with a compliance certificate?

Ms PARKER: Yes. We actually have records of all of the camera equipment and its compliance status.

The CHAIR: And the calibration is performed by a private company, I presume?

Ms PARKER: I would need to ask my team for further detail on that as to precisely—

The CHAIR: You can take that on notice, yes.

Ms PARKER: I can take that one on notice, yes.

The CHAIR: Thank you. I will pass over to one of our other members.

Ms PRESTON: I did have a question. Thank you, Chair. Welcome ladies and gentlemen, good to see you. Just in relation to your thoughts, we have heard that managing speed stops crashes from occurring in known high-risk locations. Some of the feedback we have got from those that have addressed the inquiry yesterday and today is that they felt that the locations were not in high-risk areas, they seemed to be in areas that they felt could not justify why the mobile speed camera was there. Can you comment on the choice of locations because some people are quite baffled about why a mobile speed camera might be in the location it is when it has not had a history of fatalities or heavy crash rates? Mr Carlon, would you like to comment first?

Mr CARLON: Absolutely. So what I can say about the 2500 sites where we currently operate the current locations, is that 99 per cent of those locations have at least had one casualty crash within the 12-month period prior and 92 per cent have had a fatality crash. I support Jeremy Woolley's evidence as well, which was provided, so we currently have a situation where by far the majority, 99 per cent of those locations are in locations where there have been trauma-related crashes. Look, the community, many people may see particular locations and not be aware that there have been trauma-related crashes in those locations, but that is currently the case.

Ms PRESTON: Can I ask, just touching on that, sorry to interrupt, is that data known to the public? Is there an access where they could see those pinch points if there were speed cameras? Can they go to the websites and find that data and that information as you are telling me now?

Mr CARLON: Yes, we publish the locations of the operations of the mobile speed camera program on our website, so yes, that is available to the community. I think it is important as well to note that in terms of where crashes occur, if you look at last year, 276 fatal crashes, only 21 of those fatal crashes actually overlapped with a previous fatal crash in the last five years. So the predictability of where a fatal crash might happen being based on simply where a fatal crash has happened in the past, it is not a strong correlation and so you do want to be putting your enforcement activity across the network.

So that is why the selection of locations includes not just the criteria for where there previously has been trauma-related crashes, but also locations which are high risk, locations which are nominated by New South Wales Police and as you heard earlier, locations which are nominated by the public and we do have a website where people can nominate. In 2020, we received 1333 community nominations for locations for speed camera operations and this was 54 per cent higher than the 2019 requests and in 2021, so far this year, we have had 1391 community nominations for speed cameras, have been received via that web portal. So it is a combination of those factors and the requests that come from the community.

In terms of the removal of the signage, and I know there is some concern for local government about allowing mobile speed cameras to be used on local roads and there are local roads which currently are on that list of sites where we do conduct mobile speed camera operations and with the removal of signage, some of those locations on local roads, which were not conducive to operation of the cameras because of the constraints on local roads and the type of environment, mean that there is potential for us to work with local government and have significantly more of those locations actually on local roads as well.

The CHAIR: Thank you.

Ms PRESTON: Thank you.

The CHAIR: Mr Nick Lalich.

Mr LALICH: Mr Chairman, to Mr Carlon. Yesterday we had Duncan Gay here with us and he was a minister who brought in the signs being placed before the cameras and he indicated, with respect, that he felt that the wrong information was given to the new, if you want to call it after him, Minister for Transport, to remove the signs and he said he felt that was totally wrong. What is your opinion on the fact that he says that and was it the Transport for NSW that gave that information to, I think it was Andrew Constance?

Mr CARLON: I think—I enjoyed working with Minister Gay, he was a champion of many road safety initiatives, including the largest speed camera strategy that New South Wales had actually ever implemented, which made a significant contribution to the reduction in fatalities and serious injuries. He also championed the pilot of the minimum passing distance for bicycle riders and started the increase and established the Safer Roads program, which now has a significant investment, as I have mentioned, of these funds directly back into saving lives on country roads.

But in regard to the information that was provided to the Government, so some years after Minister Gay had left the position, in 2018 the Auditor-General conducted a comprehensive review of the mobile speed camera program in New South Wales. The Auditor-General recommended that Transport for NSW review the programs operating, best practice programs that were operating in other jurisdictions and publish a document about the outcomes of those programs, which you will find on our website. Subsequent to that, there was then detailed analysis done on options to improve the performance of the mobile speed camera program in New South Wales, based on the evaluations of those programs in other jurisdictions. You will see that information is in the Government's submission to the Staysafe inquiry, including valuations that clearly indicated a 28 per cent reduction in fatalities and serious injuries in both Queensland and Victoria, specifically in relation to the operation of their programs. We disclosed that analysis to the Government and the Government made policy decisions about changing the program.

The CHAIR: How long have you been in your role, how many years have you been in there now?

Mr CARLON: So I have been working with Centre for Road Safety for around 10 years now.

The CHAIR: About 10 years, okay, thank you.

Mr LALICH: Mr Carlon, I might follow on from that. Would not it be fairer by the Transport for NSW, instead of in the country and regional and rural areas, where drivers have got open road and they are doing 80 or whatever, 100, whatever is allowed, but if they are booked on the low range speeding, that they are given say if you want to call it, two strikes? That they get caught a couple of times, you send them a note saying you have been caught on such-and-such a day going six Ks over the limit, please do not do it again because next time we are going to book you. At least it gives a much fairer—the person says, okay, look I better start slowing down, these cameras are everywhere. Do you not think that is fairer than just hitting the person every time they go five or six kilometres over the speed, which really does not make any difference out there whatsoever?

Mr CARLON: So what I would say in response to that particular question is that 70 per cent of the fatalities that occur are happening in our regional areas. The trauma impact on local communities in the regions is significant and any measures to reduce that trauma impact on communities in the regions I think we should consider and implement. The Parliament has put in place a set of laws that says that these are the speed limits on particular roads and that exceeding those limits has penalties attached, including fines and very importantly, demerit points. What I would say in that context is that then there is an appeals process that through Revenue New South Wales, people are able to appeal penalties, particularly if they have had a long record of good behaviour in terms of their driving record, then they are able to, under those guidelines, appeal for leniency around that. So there are mechanisms in place already to take into consideration those considerations.

But I would say that even at—the research is very clear. For every kilometre over or additional kilometre that you travel, you increase your risk of a crash and you increase the impact on the human body in terms of the impact that a crash would have on the individual. At 60-kilometre-an-hour limits, if you are travelling at 65 kilometres, over the limit, you double your risk of being involved in a casualty crash that would take someone's life or see them seriously injured. So this, I think, is really a critical point. More than 40 per cent of our fatal crashes actually have speed as a contributing factor to those and every crash that people are involved in, the speed at which you travel determines whether you live or whether you are seriously injured.

The CHAIR: It is a good point. I am just going to interrupt just for a moment. Obviously if there was signage and somebody saw that signage, it would in theory by right, it would decrease the possibility of having an accident because it has actually brought to their attention, how fast am I going. Rather than someone just drive

straight past, do not see the mobile speed camera there and keep driving and actually have an accident, because it would bring back to their attention of their driving habits. Anyhow, can I pass the next question to—

Mr CARLON: I am happy to respond, Chair, to that.

Ms PRESTON: Let him respond.

Mr CARLON: Chair, I am happy to respond to that and to say, look, the way in which our program is currently designed, the new way in which it is being operated, has operated in Queensland for around 15 years and in Victoria for almost 30 years. There is no indication that those outcomes have happened in my discussions with my colleagues in those states. To the contrary, and you will see in the information in the submission and in the MUARC report, very clearly a significant reduction in the fatalities and serious injuries in both those jurisdictions, specifically from the evaluations of the mobile speed camera programs.

Mr BROMHEAD: Mr Chair. I just have got a question. You said before that 40 per cent of fatalities, speed is a factor in those fatalities, is that correct?

Mr CARLON: Yes, on average, and that varies from different locations and times. As I mentioned, during the first lockdown period of COVID, that fatality rate went up to around more than 70 per cent of the fatalities had a speed factor.

Mr BROMHEAD: So out of those 40 per cent where speed is a factor, are we able to break down how many of those fatalities where alcohol was a factor, where drugs was a factor, where other issues were a factor?

Mr CARLON: Yes, absolutely and that information is published in our annual statistical report in great detail around the other contributing factors and as you are alluding to, very rarely is there only one factor that actually results in somebody losing control of their vehicle and having a crash. So yes, that information is published on a regular basis.

Mr BROMHEAD: Out of the 40 per cent where speed is a factor, do you know what percentage of those, alcohol is a factor?

Mr CARLON: Of the specific, both combined, not off the top of my head, but yes, that data is available and we can make it available to the Committee.

Mr BROMHEAD: And it is similarly, of the 40 per cent where speed is a factor, what percentage is alcohol a factor, what percentage is drugs a factor, what percentage are other issues a factor? I think it would be valuable for us to see those conditions.

The Hon. SHAOQUETT MOSELMANE: When you publish those figures for the broader information of the public, do they know that if 40 per cent is speeding, do they know what is related to alcohol, what is related to drugs, what is related to other family matters or other things? So that way, we would all of us understand what is in fact related to speeding.

Mr CARLON: Yes, look that information is provided in our reports, in the detailed statistical analysis and of course we provide that information to all of our stakeholder groups, in particular I sit on the Road Safety Advisory Council, so we are continuously providing very detailed information, or heavy vehicle crashes, for example, we update that information daily and I provide a report regularly on the contributing factors to crashes involving heavy vehicles across the network to district council meetings on a regular basis as well.

The Hon. SHAOQUETT MOSELMANE: Just following up on what you have just said, Mr Carlon, how many of those—for example, I have got the road toll update for New South Wales, Thursday 25 November and it says 2021, the driver fatalities were preliminary 121. How many of that 121 driver fatalities are, for example, related to speed? Because on this document, it does not say how many are related to speed, how many are related to alcohol.

Ms PRESTON: Could the Committee have a breakdown of those figures?

The Hon. SHAOQUETT MOSELMANE: Yes, my colleague assisting me here, could the Committee have a breakdown of those figures? And how would the public know, given that, my immediate impression when I read that, 121 drivers killed as a result of—as a toll on the road, I do not know whether 20 per cent of that is to do with alcohol, or 10 per cent to do with drugs, or 15 per cent to do with family matters and other matters. Can we have that breakdown please?

Mr CARLON: Yes of course and look, that information is actually published on our website on a regular basis as well.

Ms PRESTON: I would rather that we have that directly sent to us, if that would be fine, rather than us searching websites.

Mr CARLON: We can provide that.

Ms PRESTON: Thank you very much.

Mr BUTLER: Mr Chairman.

The CHAIR: I will just pass you over to Mr Roy Butler.

Mr BUTLER: Thank you Mr Chair. Good morning folks. I am not sure if you, Mr Carlon, or you, Ms Parker, are best placed to answer this. It is in relation to some of the evidence that we have received and also some of the submissions where people have talked about a police officer being able to (a) correct behaviour in the moment by pulling someone over and issuing an infringement, but also being able to apply discretion and that led into other discussions about the calibration and I know you have also spoken to that, Ms Parker, as Mr Wardrop did earlier on. Just in terms of the sensitivity of these devices, I have had anecdotally people contact my office saying that they have been sent an infringement notice for very small numbers of kilometres over the limit, like 53 in a 50 zone, that sort of thing. Can you speak to the sensitivity and the calibration and just what would constitute an offence?

Mr CARLON: Look, that is a policy matter that I should probably respond to. Since the introduction of camera enforcement in the late 1980s, early 1990s, it has been a matter of government policy that we do not actually reveal the tolerance. There is a technical tolerance supplied in the camera systems. New South Wales is in general alignment with the other jurisdictions in Australia in relation to that. The rationale for not revealing that is that we do not wish to set a false speed limit in the community. There is a speed limit, it is on the sign, within that red annulus and that is the legal limit at which people are meant to be travelling at. Within that context, I would indicate as well that within that tolerance, people are advised that they should stay under the speed limit at all times.

Within the mobile speed camera program, I think it is useful to understand that more than 80 per cent of the fines that are being issued by the camera program are actually people travelling at eight kilometres or more over the speed limit. And in the last 12 months, more than 1200 people were detected travelling at more than 30 or 45 over the limit.

The CHAIR: How many people detected doing, say, one or two kilometres an hour over?

The Hon. SHAOQUETT MOSELMANE: And do they get fined?

Mr CARLON: So as I have said, it is a matter of government policy that the tolerance is not discussed. There is and so from that perspective, that is a very unlikely outcome because there is a tolerance. We do not publicly discuss it because we do not wish to have set a speed limit in the community which is based on that tolerance. People should stay under the speed limit which is on the sign, or download our speed adviser app, which is available, which more than 100,000 people have downloaded, which tells you what speed zone you are in and also gives you warnings if you are travelling over the speed limit.

The CHAIR: Okay, so when it comes to the position of cameras then, who is making those decisions? And are road surfaces, conditions, has all that been taken into consideration? Park downhill?

Mr CARLON: So I think your question is where are the cameras, how the cameras are actually located?

The CHAIR: Yes and how is the decision process?

Mr CARLON: So the decision process is to validate that the information recorded by the cameras is an accurate assessment of the speed and then that is—clearly people are able to, when they receive the infringement, are able to have it reviewed free of charge by the Revenue New South Wales. If they feel that it is not a portrayal of their speeding behaviour, and then of course, depending on that outcome, they are actually also able to appeal the infringement that might be issued. With regard to the locations, the locations are, there is a set of criteria for the locations which include, you mentioned downhill, there is only—we avoid placing cameras in a location where a vehicle may actually accelerate going downhill, unless it is a location which has had significant trauma-related crashes at that location.

The CHAIR: Thank you. The Hon. Fred Nile.

Reverend the Hon. FRED NILE: Just following up that question about the mobile speed cameras. How many mobile speed camera sites are there, sites are there now in comparison to before the changes were made to the program?

Mr CARLON: So there are currently 2500 sites and as part of the increase in the hours of operation, there will be an increase in the number of locations in order to ensure that there is sufficient number of sites to get network-wide deterrent effects or demagnification across the network of the 21,000 hours of enforcement each month.

Reverend the Hon. FRED NILE: From how many sites to how many, again?

Mr CARLON: So 2500 sites currently.

Reverend the Hon. FRED NILE: Two thousand five hundred, is that right?

Ms PRESTON: Yes.

The Hon. SHAOQUETT MOSELMANE: Just a couple of questions. Mr Carlon and Ms Parker if you would like to answer as well. We heard earlier yesterday from local government that they are eager to assist and prevent crashes and fatalities on their roads, particularly local governments that we heard from were Cootamundra, Wollongong and another council. They were eager, as I said, to collect data that would assist them in preventing deaths on roads or managing their roads and ensuring that their constituency follow the rules on the roads. But they did complain or mention the fact that they do not get much information, much data, from the Government, from Transport for NSW to assist them in their project. Why is that and would it not be beneficial to your department and also to those local governments to assist in reducing the number of fatalities and crashes?

Mr CARLON: Yes, look, I am happy to respond to that question. We have a comprehensive set of data and information about crashes across New South Wales and we have a portal which has access to all of that data on the literally tens of thousands of incidents over the years that have occurred and we provide that data directly to local councils through a direct local council portal. That portal information, as information is verified and validated, is regularly updated, so if there is a fatality in a local government area, their information on that portal is updated daily. And that information is available to road safety officers and to engineers and a whole range of people within council. So again, I would be more than happy for those local government people who have given evidence, if they are not aware of the comprehensive access that we provide to local councils—and we also publicly publish maps and data on our public-facing website for the community to actually identify where all crashes, casualty crashes occur, including maps of local government roads and streets where those crashes have occurred. So that information is all publicly available but we do provide a specific portal for local government as well.

The Hon. SHAOQUETT MOSELMANE: Are they specific to each of the local government areas? I mean it is one broad brush, it is very hard for a specific local government area to work out what is relevant to them. Are they focused to each of the local government areas, or can they be broken?

Mr CARLON: They are focused on each local government area in New South Wales, right down to the street level.

The Hon. SHAOQUETT MOSELMANE: I will ask one more question if I may, before if you want to pass on. There has been some criticism of the current government policy on the mobile speed camera program. Do you believe that has undermined public confidence in the Government's decisions or the mobile speed camera program and what impact would that have on your outcomes when there is lack of public confidence?

Mr CARLON: Yes, look I think it is really critically important. Education is a key component of what we do and since the creation of a Community Road Safety Fund, we have invested close to \$300 million in community education programs. Certainly we have this last year, we have had a road safety campaign, so around \$20 million invested out of the Community Road Safety Fund and we do need for people to understand the rationale for the change and we need leaders in the community to actually look to the evidence and the facts and to, I think, support those areas where we actually need to bring the community with us by taking the evidence and communicating it effectively with their stakeholders and with the community at a broader level.

We have a Stop it...or Cop it speeding campaign currently that is focused on enforcement by New South Wales Police. We have a mobile speed camera campaign to talk about the impacts of speeding and the benefits of mobile speed cameras. And we have recently launched a new campaign to educate the community more broadly about the risks associated with speeding. As I mentioned, if you are travelling five kilometres over the limit in a 60-kilometre zone, you double your risk of a casualty crash. If you are travelling 50 in a 40 zone and you hit a pedestrian, you double the chance that that pedestrian will die. So we do need to continuously use our social media, we have more than a million people engaging in our road safety Facebook site on a weekly basis, we need to use all of these mechanisms, but as well have leaders pick up the evidence and the information that is available about the benefits and to support the evidence-based approach.

The CHAIR: Thank you. A question from Wendy Lindsay.

Ms LINDSAY: Yes, thank you, Chair. This is just in relation to what you were saying earlier in relation to the data on the Transport for NSW website in relation to local governments. Are they emailed the report every month relative to their LGC or their local government area? Does it get sent to them?

Mr CARLON: They get notifications, absolutely. But that portal, they have individual sign-ons at local

government, at each local council, with officers that have access directly to that data. The data is updated, if there is a fatality in their local area, then it is updated at that time. Otherwise, all the data systems are updated every quarter to provide an update of the information that is available at the local government level for every council.

Ms LINDSAY: So it would be fair to say then that as most local governments have a traffic committee that generally meets once a month or once every two months, at least, they should be able to have access to that data before they attend that traffic committee and that documentation could be circulated before that meeting.

Mr CARLON: Those resources, information and data are available to every local council.

Ms LINDSAY: So that data is available but my point is, is it actually sent to them quarterly or do they have to go in and seek it themselves?

Mr CARLON: Their system, their information about their local government area, is updated whenever there is a fatality, or updated every quarter with a refreshed set of information about trauma in their local government area.

The CHAIR: What, with [TASR]?

Mr CARLON: Yes.

Ms LINDSAY: Okay, so it seems to be that there is a disconnect then between the data that we actually have and they have access to, and how they are receiving it. So perhaps that is something we may need to discuss at a granular level just in relation to that, because that has come up quite a number of times throughout this inquiry.

The CHAIR: Thank you. Robyn Preston, thank you.

Ms PRESTON: Can I ask, what consultation does Transport for NSW have with local councils before deploying a mobile speed camera in a specific area? Mr Carlon, would you like to answer and then Ms Parker, if you would like to add to that?

Mr CARLON: Yes, look the list of locations and the allocation of the enforcement is a process between Transport for NSW and the operators and it is done on a randomised basis in order to cover the state.

Ms PRESTON: So there is no consultation with local councils before that?

Mr CARLON: So my understanding is that there is direct consultation with police in relation to that. I do not believe that there is direct consultation with local government in advance of the allocation of those rosters.

Ms PRESTON: Because what I am hearing and Committee members have heard over the last two days from particularly local government input, is that mobile speed cameras are set up on local roads, in local government jurisdiction, without any consultation with the local council who has knowledge of traffic issues in that area, fatalities, the conditions of the area, traffic build up as well. They have all that knowledge, local council knowledge of those local roads and yet they do not have any buy-in at all with Transport for NSW. Is that true and do you think that is something that may change or could change please?

Mr CARLON: So the majority of the sites, as we have previously said, because of constraints previously with the signage on state roads, in terms of consultation specifically when a camera location is being considered on a local road and established, certainly I would have thought that they either make themselves available locally from our own offices at the regional location and their awareness and interaction with the local council could play a role there, but certainly I am happy to take that on notice and to clarify. But certainly in the establishment of locations where there are opportunities for local government input, of course we have an opportunity where anybody can nominate local sites via our web portal.

Ms PRESTON: But that is a bit distant. That is so impersonal. If there was regular, like members of Transport for NSW will attend councils' local traffic committee meetings, so they are at the table at each month or every second month, so that is the opportunity, I would have thought, where that transaction of conversation could happen.

Mr CARLON: Yes and look, I myself do not attend those meetings at a local level, but I would imagine that that conversation is happening at traffic committee where issues and concerns are being raised around speeding and that both police and the Transport representatives at those meetings would be engaging with the local council in terms of the options that are available either for additional police enforcement at a particular location, or consideration of a mobile speed camera site or fixed speed camera site, depending on the level of trauma at that area. So I think that is something certainly that we should, if that was a recommendation from Staysafe people, we were to formalise that process, then I think that probably would be a good outcome.

Ms PRESTON: Thank you.

Mr LALICH: Mr Carlon, could I just ask, following from that answer you just gave me, I am trying to

decipher what you said there. You do not negotiate with the council where you want to put them, but do you negotiate with the local area command, with the police department, with the police traffic department in the local area?

Mr CARLON: So we work with the New South Wales Police on a daily basis and certainly in terms of the operation of the mobile speed camera program, in order to ensure that the enforcement activity is coordinated between ourselves and police, we work closely with them.

Mr LALICH: That is coordination.

Mr CARLON: At the local level, yes.

Mr LALICH: But what about the placement of them? Mr Carlon, what about the placement of the cameras?

Mr CARLON: Certainly we have detailed conversations with police about the placement and police are regularly nominating locations where they believe we should be placing cameras, mobile speed cameras. They play a really critical role in the location of those camera sites.

Mr LALICH: Mr Chairman, just a quick one, if I may. We are talking about getting figures and facts and figures and breakdowns. On the massive amount of fines that people have got, have you got any breakdown on how many of those 20,000-odd fines or whatever it is, somewhere there, say the naught to 10 speed over, 10 to 20 speed over, 20 to 30 and so on, just so people can see what is the—is it the low range that is getting booked all the time and they are the ones that are adding to the coffer of the State Government, whatever government that may be?

Mr CARLON: Look I think it has been publicly debated about this. Certainly in the under 10 kilometre an hour over the limit, that is around 80 per cent of the fines, but I clarified earlier that more than 80 per cent of the fines are actually eight kilometres or more over the speed limit and that is not inadvertent or just over the speed limit, eight kilometres over and that is very risky and potentially puts people's lives at risk. I mentioned that around 1200 of the fines that were issued were in the over-35 or 35 and over 45 and that those fines led to those people having their licences suspended for three and six months. Yes, that information is available on the Revenue website, so Revenue do publish that information and so it is readily available to the community.

The CHAIR: Thank you. Question from the Honourable Reverend Fred Nile.

Reverend the Hon. FRED NILE: There was a question raised when Mr Duncan was giving evidence, he did not know the answer. Where does the revenue go to now from the mobile speed cameras revenue?

Mr CARLON: Yes, the revenue from mobile speed cameras goes directly via an instrument of legislation into the Community Road Safety Fund and the fund actually funds a whole range of programs and since it has been established, the fund has contributed more than \$36 million to the local government program, more than \$28 million to the Safer Driver course. We have had year-on-year increases in the allocation of the funds directly to safer roads and saving lives on country roads, right up from, well, from \$31 million back in 2013/2014, to \$217 million last year, which was invested in lifesaving treatments on our road network in order to reduce trauma. So the funds directly go into the school zone safety or education within schools, education campaigns, local government programs, as well as investing in things like ANCAP and creating opportunities for safer vehicles as well. So those programs are all funded from the Community Road Safety Fund.

Reverend the Hon. FRED NILE: Thank you.

The Hon. SHAOQUETT MOSELMANE: Just following up on that, just a quick question.

The CHAIR: We're over time.

The Hon. SHAOQUETT MOSELMANE: I just want to know how much money goes into the contracts from that money.

Ms PRESTON: Question on notice perhaps?

The Hon. SHAOQUETT MOSELMANE: Just a quick one, just following up from Reverend Nile's questions. Of the revenue raised from fines, you said basically it goes into road safety, does any of that money go back into contract with those private companies?

Mr CARLON: Yes, it also pays for the operation of those programs. I think it is important just to indicate there, not only are there lives saved, the 34 to 43 lives and 600 serious injuries that will be reduced as a result of that program, but it has a BCR of eight to one. So it is a very cost-effective program as well in reducing trauma on our roads.

The CHAIR: Well thank you for appearing before the Committee today. You both will be provided with

a copy of today's transcript received for corrections and any questions or notice taken today will be forwarded to you by Committee staff. Thank you both again for attending today.

(The witnesses withdrew.)

(Short adjournment)

ROBERT GILTINAN, Director of Policy & Public Affairs, National Roads and Motorists' Association, sworn and examined.

CHRISTOPHER BURNS, Secretary, Bullbar Council, affirmed and examined.

The CHAIR: I would like to welcome you both. Before we start, do you have any questions about the hearing process?

Mr GILTINAN: No.

The CHAIR: No, okay. Would you like to make a short opening statement before we begin the questions and could I also ask you to please provide an electronic copy of your opening statement to Committee staff. We might start with Mr Giltinan please, from NRMA.

Mr GILTINAN: Thank you, Chair. I am happy to pass on the opening statement. I do not think there is much I can provide in addition to the submission that the NRMA has already provided.

The CHAIR: You do not have any? Okay.

The CHAIR: All right, in that case I will go over to Mr Burns. Mr Burns.

Mr BURNS: I will keep mine very short. Essentially mobile speed cameras were brought in to reduce the road toll on essentially black spots. They have been proven to work with signage on them. It has an immediate effect on driver behaviour and as one of the MUARC reports mentioned, in the Victorian case it has an immediate effect on a 1.2-to-two-kilometre radius of where the camera and the signage is. Put the signs out, slow people down, reduce the road toll. I will leave it at that, thank you.

The CHAIR: Okay. Thank you very much. Questions from Members? Mr Butler.

Mr BUTLER: Good morning folks. Thank you very much for making the time to be here today. We have heard, we have obviously read a lot of submissions and heard from a lot of witnesses and both from representative groups and from individuals. Could you provide us with your thoughts about what, in addition to placing signage back on the speed cameras, which I understand is the position of both your organisations, what other measures do you think would be most effective in reducing speed and reducing fatalities and injuries on the road?

Mr BURNS: I am happy to go first, Mr Giltinan. My thoughts on what can reduce fatalities on the road. Motorcyclists—and I am a former chair of the Motorcycle Council—motorcyclists in New South Wales are the only motoring group who has not had the advantage of traction control, active suspension, we have had ABS, airbags, that kind of thing. Yet they have more than cut the fatality rate in half per 10,000 registered motorcycles in the past 13 years and the only difference between motorcyclists and car drivers is the fact that motorcyclists are professionally trained at the outset. I have presented those figures before in numerous Staysafe committees and I believe that is one answer.

The other answer I would also like to proffer is if we started ensuring that New South Wales Police were not only cracking down on speeding, but were also looking at some of the other root causes for collisions and crashes and injuries, which includes failure to pay attention, failure to give way at stop signs, give way signs, failure to red lights and the general swathe of road rules, one could reasonably assume that we would get a decrease in the road toll.

Mr BUTLER: Thank you. Just a follow up, we have just had Centre for Road Safety and Transport for NSW, two representatives, both of whom are citing evidence that says that not having the signage on the cars drives down speeding, well, bad behaviour of drivers, essentially accidents. In terms of evidence that you guys have relied on to form your position, what would you say to Centre for Road Safety and Transport for NSW?

Mr BURNS: I like Bernard, I like Bernard a lot, he is a very clever man. Look, you do not train your children by hiding behind a door and giving them a clip under the earhole two-and-a-half weeks later for something

that they have done. We are talking about people who need instant, immediate attention to what they have done wrong and signposting. It really is the simple way to do it.

Mr BUTLER: Thank you.

Ms PRESTON: Mr Burns, just looking at the operating procedures—I wanted to see if you can give me your thoughts on the operating procedures for mobile speed cameras in rural and regional areas and whether they should be set up differently to metropolitan locations. What are your thoughts on that?

Mr BURNS: My thoughts are they should be placed at known black spot areas. There is a history of mobile speed cameras being set up in areas where they have strong target acquisition. It takes a certain amount of time for the cameras and the technology to pick up the vehicle, therefore that used to define placement. A figure put out by a former New South Wales highway patrol officer was that 93 per cent of enforcement was done on the roads where only three per cent of the fatalities occurred. As a for instance, Hume Highway at Chullora, where you are heading down towards Bankstown, there is always a mobile speed camera there, sitting on the side of the road, the nice green grassy verge, plenty of area for target acquisition. There has not been a fatality there since 2014. Essentially all of the injury crashes and light injury crashes that happen along that stretch of road, which is about two kilometres long, with a 70 kilometre an hour speed limit, have been at intersections, yet they are putting a speed camera on there. Put them into black spots, put the signs up. ARRB have got an interactive crash map which is listed where all the serious crashes are. Let us use that data to ensure better placement of cameras.

Ms PRESTON: Thank you.

Mr GILTINAN: Apologies, I was obviously having some pretty significant connection issues.

The CHAIR: That is fine.

Ms PRESTON: I might just repeat my question, Chair, for Mr Giltinan, if he could respond to that as well. I asked the question to Mr Burns about operating procedures for mobile speed cameras in rural and regional areas and whether they should differ in metropolitan areas. What are your thoughts on that?

Mr GILTINAN: I do not think we have a clear position on whether there should be a differential between the operation in an urban environment or a rural environment. Going back—and obviously given the constraints of the terms of reference, we could really only discuss the mobile speed camera program, but going back, suffice to say that when the changes were made, announced by the Minister to the program, we thought that that was a pretty poor policy outcome and we certainly did a significant amount of work with a large number of stakeholders to come to the position where we are now, which was the 1000 new permanent signs across the network.

The CHAIR: Actually, if I just add something to that please Robert. Your members, how do they feel about it? They are also upset about the removal of the signs?

Mr GILTINAN: From our perspective, we were not opposed to reforming the program because the previous policy, it is pretty clear from the evidence that that is not ultimately what you want to have in place to achieve a network-wide effect and so we absolutely acknowledge that we needed to change the program. What we were opposed to was taking away the signs altogether and making the program completely covert, because we knew previous to those changes that the support from our membership for a covert mobile program was the lowest of any road safety initiative. So our position was that when changes are made, we really need to bring the public along and inspire confidence in what we are doing from a holistic sense and we knew that a total covert operation was not the way to go, which is why we opposed the change at the time and worked closely with the Government, the Centre for Road Safety and other stakeholders to get to a position that we could more readily support.

The CHAIR: Thank you very much indeed. Questions? Reverend Fred Nile.

Reverend the Hon. FRED NILE: Just a quick one. We have had a lot of evidence that obviously drivers do break the speed limit and get a fine, but they do not get a fine for at least two weeks. Is there some way we could have that more instant reaction, a more instant evidence for that driver, whether it is on a motorcycle or a car, so then they can change their driving habits more quickly?

Mr GILTINAN: Yes, thanks Reverend, I am happy to take that as well. Obviously in terms of the procedure, I would have to refer you to the Government and Centre for Road Safety because I am not sure of the protocols that need to be followed in order to get those fines out and delivered to the recipient. But again, going back to the point of the covert operation which I think was a decision that was driven primarily by the previous minister, ultimately what we want to have on the network is awareness and education and by doing that, I am talking about awareness of the enforcement practices that are currently in place, which is signage, and then also awareness around education, which is signposting the speed limit, which is either done through traditional signs or also road marking. So ultimately, on the network at any point in time, we want the particular driver of a vehicle to know what the speed limit is and the fact that enforcement programs operate across the network.

The CHAIR: Thank you. Any other questions?

The Hon. SHAOQUETT MOSELMANE: Gentlemen, thank you so much for coming in and for your submissions. You make, in both submissions, whether it is in the Motorcycle Council New South Wales or the Bullbar Council, both submissions make the point that this is, to some extent, driven by maximising profit. That is what at least the Motorcycle Council of New South Wales made the point and also Mr Burns, Bullbar Council, make the point that it is taxed by stealth. But what we have heard from the companies was that they do not get extra profits for the work that they do and the Government spends all that money back into road safety, for educational purposes, line marking and other purposes. So it is not really profit driven, as you claim. Is that a fair assessment or am I wrong in interpreting what has been said?

Mr BURNS: If I may go first, Robert, what I have stated is the revenues, for instance the revenue has increased from \$2.3 million last year to \$23 million this year, just for speeding offences under 10 kilometres an hour. Yes, that does go into road safety, but then the New South Wales Government will not have to top up that road safety funding and as my statement said, those funds could then be diverted onto other programs like stadiums or that kind of infrastructure for the state.

The Hon. SHAOQUETT MOSELMANE: What about Robert?

Mr GILTINAN: Yes, happy to provide input to that question as well. I think the notion that these changes were driven to collect revenue could not be further from the truth. I mean if you have a look and kind of multiply out the worst month that we have seen to date, you are looking at somewhere around \$60 million in revenue. That is in a \$30 billion to \$35 billion annual Transport budget and so it is absolutely immaterial to kind of any project. All those funds do go to the Community Road Safety Fund, so I think the notion that it was done to raise revenue is absolutely incorrect. I have spoken personally with the Minister on several occasions and it is absolutely my belief that the changes were driven from the right place and they were supported by evidence at the time and I think he did it with the right intention. So I would absolutely reject the notion that it was done from a revenue perspective, that just does not cut it.

The CHAIR: Thank you.

The Hon. SHAOQUETT MOSELMANE: Thank you.

The CHAIR: Question from Roy Butler and then we will go to Wendy Lindsay.

Mr BUTLER: Thank you, Chair. Mr Giltinan, you were having some technical trouble earlier when I asked the question, how can an organisation like Centre for Road Safety and organisation like your own end up in such a different position from a policy perspective when I imagine both would be suggesting that they are using evidence to make a decision?

Mr GILTINAN: Yes, in terms of the mobile speed camera program are you talking about specifically?

Mr BUTLER: Yes and having the signage out, which I think as I said, both of the groups that are currently in the room are supportive of having the signage back out. Just curious about if you could make comment about how we could end up in such a different position.

Mr GILTINAN: Sure. I think we were in a different position when the changes to the program were announced by the Minister and again, it is my sense that that those changes were driven by the Minister. Post that announcement, we did work very—and we were not consulted on those changes, just for the Committee's information. Post that process we worked closely with the Government, with the Centre for Road Safety and other stakeholders because while we were not opposed to changes to the program, we did believe that there was a much better policy outcome and that running a totally covert operation was missing the opportunity to educate and make motorists aware that they need to slow down right across the network and particularly in black spots. We came out and supported the 1000 permanent signs that were put in place. That was about as far as the Government were willing to go at that point in time and we gave support on the proviso that a subsequent review was obviously conducted.

Now it is my understanding that the current signage program and those 1000 signs will be in place by the end of approximately February 2022. Ultimately I think if we were looking to improve the program, it could certainly be tinkered with. I think it can be expanded, that current signage policy, whether it is 1500 signs, 2000 signs, I think there should be some sort of correlation with the detection sites that are approved for use. So at the moment we have approximately 1000 stretches of road and 2500 detection sites that are approved for use. That is obviously going to increase as the intensity of the program increases and so I think if they wanted to expand on that 1000 signs, that would absolutely be something that we would support, because all of the evidence that came out of ARRB and what you can see in the MUARC report, is that co-locating signage with a mobile speed camera limits the area of influence around that program.

So if you look at the ACT or what they use in Queensland on occasion, they will have one sign which is tied to the particular vehicle and what the evidence suggests is that you will get a much better road safety outcome by either having a totally covert operation or by having some signage across the network and potentially one sign located with a detection vehicle. You get a much, much better outcome from either of those two approaches, as opposed to making people absolutely aware that there is a vehicle ahead of them by having the previous policy in place, which was a sign at the 250-metre mark and the 50-metre mark and then a sign 50 metres past the mobile camera. Essentially that is designed to slow someone down at a particular location and that is appropriate for fixed cameras where you want to slow someone down or where there is a black spot, or where there is an increased perceived risk.

So I think saying that we have a different position to the Centre for Road Safety at the moment is probably not correct. I think we need to continue to monitor the program. I think it is in a better place now than it certainly was when the Minister made the decision to remove signage altogether. But I think as we go along, we need to continually review it. If it needs to be supported, bolstered with additional signage, that is fine, as long as it does not undermine the evidence that is in front of us.

The CHAIR: Thank you. A final question from Wendy Lindsay, Member for East Hills.

Ms LINDSAY: Look I just wanted to just put it on, just in relation to Mr Burns' earlier statement in relation to the Hume Highway at Chullora. My seat borders Bankstown and obviously people do slow down there now because of those cameras, so it has had the desired effect and people do know it is there and believe me, along that stretch of road we need to have that camera there because people are hoons and regularly do the wrong thing along that part. So to have fixed cameras, cameras that you know are going to be there every now and then, I think the best approach is to have a variety and obviously the statistics on that stretch alone would indicate that it is having the desired effect of what it was set there to achieve. And just that every dollar that is raised by fines does go back into road safety, so I just wanted to make that point in relation to page six of the Bullbar Council's submission.

Mr BURNS: Yes, fair call. It has worked [inaudible 188:48] past few years and with the signage up, people know it is there and they do slow down across that stretch, I agree.

The CHAIR: Thank you. Any more questions? No? I will just ask one final question before we wrap it up. Mr Burns, your organisation, there will be a lot of motorcycle riders.

Mr BURNS: No, sorry, I am the former chairman of the Motorcycle Council, sir.

The CHAIR: Sorry?

Mr BURNS: We're regional. I am the former chairman of the Motorcycle Council. The Bullbar Council is regional road safety advocacy for people out in the bush.

The CHAIR: Yes, okay. All right. Do you think not having the signs there increases a risk for a motorcyclist to have an accident?

Mr BURNS: I cannot really answer that. It is possible that there might be an increase in rear ends, which is one of the most common crashes around. I do not know if it would affect a motorcycle or not as far as increased propensity for an accident if the signs were removed.

The CHAIR: Okay, thank you. Well, that concludes us for today. I would like to thank both of you for appearing before the Committee today. You both will be provided with a copy of the transcript of today's proceedings for corrections and any questions on notice taken today will be forwarded to you by Committee staff. I would like to thank both of you again for attending. Sorry you could not make it yesterday, but at least you got on today.

Mr BURNS: Thank you for the opportunity, Chair, much appreciated.

Mr GILTINAN: Thank you Chair and thank you for accommodating the change to the schedule.

The CHAIR: You are very welcome. We will now have a break and we will be back at 1:20 to start the rural and regional learner driver inquiry.

(Luncheon adjournment)

IN-CAMERA PROCEEDINGS BEFORE

JOINT STANDING COMMITTEE ON ROAD SAFETY

**INQUIRY INTO MOBILE SPEED CAMERA ENFORCEMENT
PROGRAMS IN NSW**

Virtual Hearing via Videoconference on Tuesday 30 November 2021.

The Committee met in camera at 10:26

PRESENT

The Hon. Lou Amato
(Chair)

Legislative Council

The Hon. Shaoquett Moselmane
Reverend the Hon. Fred Nile

Legislative Assembly

Ms Robyn Preston (Deputy Chair)
Mr Stephen Bromhead
Mr Roy Butler
Mr Nick Lulich

PRESENT VIA VIDEOCONFERENCE

Legislative Assembly

Ms Wendy Lindsay
Mr Chris Gulaptis

Evidence in camera by **VICTOR WARDROP**, affirmed

The CHAIR: Thank you for your time, Mr Wardrop.

Mr WARDROP: Thank you.

The CHAIR: Just a couple of quick matters. Before we proceed with the questions, please know that the transcript of your in-camera evidence is a confidential document. If the Committee wishes to publish some or all of this evidence at a later date, it will consult with you first.

Mr WARDROP: Yes.

The CHAIR: The Committee takes this very seriously but please note it is ultimately up to the Committee regarding whether it will decide to publish. Members may now ask questions. Do we have any other questions? A couple here. Mr Wardrop, earlier on Mr Moselmane was asking about whether or not there was any, he used the term.

The Hon. SHAOQUETT MOSELMANE: Incentive schemes.

The CHAIR: Yes. Considering you are a private company employing private citizens actively engaged in law enforcement in New South Wales, do you agree that the offering of incentives to your employees to increase infringements would be unpalatable to the people of New South Wales?

Mr WARDROP: Yes it would and it would be unpalatable to myself.

The CHAIR: Okay, so I have a copy of your confidentiality agreement issued to all Redflex speed camera employees and I bring to your attention section 15 of the said agreement titled 'Incentive Scheme'. You are aware of that?

Mr WARDROP: Not off the top of my head, but I can find it.

The CHAIR: Yes. I am happy to read it if you want me to read it to you.

Mr WARDROP: Yes.

The CHAIR: What was handed to us in confidence, but since you cannot explain to the Committee, I will just give you a quick rundown.

It says: You may be eligible to participate in any Redflex incentive scheme that Redflex may offer to its casual employees incentive scheme. Redflex will give written notification to you or your eligibility or participation in any incentive scheme as applicable from time to time. If you do not receive any such written notification from Redflex, it would then be taken to be ineligible to receive any incentive payments under any incentive scheme.

We are just trying to get a better understanding of what that means.

Mr WARDROP: Okay, certainly.

The CHAIR: If I can just add, we know Redflex, what occurred in the US, right? So it sort of raised some red flags with the members here. So just for clarity, that is why we took it in camera, obviously to look after your company's interests.

Mr WARDROP: Thank you. So for our casual employees, we have that clause there for the opportunity to use that as an incentive if we wish. I have used that incentive scheme once. That was at the termination of the contract for the mobile speed camera program for 7000 hours. At that time we had a requirement to still continue to deliver hours of enforcement in the franchise that was lost to us and won by Acusensus. To encourage staff to remain in employment and not seek work elsewhere, as is the want if you are losing your job, we paid a retention bonus which was to essentially turn up and do your roster, not call in sick unless you were sick, or change shifts or drop shifts. It was an incentive bonus to attend work, in effect, equivalent to golden handcuffs. That was undertaken, the rules were clearly explained, there was no connection or link in any way to the number of infringements that were raised or generated through our camera systems. It was to ensure that we achieved the hours that we were contracted for and to avoid us paying service credit penalties to the client for failure to deliver service, the hours.

The CHAIR: Okay, thank you. As I said, it did raise a concern to us, as you can appreciate.

Mr WARDROP: Yes, I understand and yes, we have no remuneration in New South Wales linked to number of infringements.

The CHAIR: Yes and you are aware of what occurred in the US, don't you? Do you agree with the United States Department of Justice?

Mr WARDROP: I am.

The CHAIR: This is dated – and earlier on, sorry, earlier on you said it was over a decade ago, but the information we have here is 23 December 2016, that is the agreement that Redflex entered with the United States Department of Justice.

Mr WARDROP: Yes, I am aware.

The Hon. SHAOQUETT MOSELMANE: When I asked you a few times about the incentive scheme, you made no reference to what you are just now telling us. I put to you, you could have easily put what you just told us, it would not have had any impact on your company, if you had declared that in the public questions.

Mr WARDROP: I apologise. It was not a matter of trying to keep it secret. It was something that had slipped my mind until I was reminded by the Chair. So it was an oversight. I apologise for that. As you can imagine, it has been an extremely busy year and there has been a lot going on and that was just a minor activity that was done at a point in time.

The Hon. SHAOQUETT MOSELMANE: The reason I ask is, as the Chair has indicated, he has received that information, it was our duty to put that question to you to ensure that we are asking you the questions that could be aired in public unnecessarily and that is why we wanted to clear the air from you, on air, but you did not respond to that question. I was just curious as to why.

Mr WARDROP: I did not make the connection, so that was an oversight and the testimony that I did provide in public is still accurate. There is no remuneration or incentive linked to the number of infringements issued.

The Hon. SHAOQUETT MOSELMANE: And that is as far as you know?

Mr WARDROP: No, it is categorical. We do not pay our operators anything, we do not pay our management staff anything linked to number of infringements issued. We have no revenue linked to number of infringements issued and I can only echo Mr Jannink's comments regarding the fewer infringements, the better.

The Hon. SHAOQUETT MOSELMANE: And you indicated that you offered these incentives only to a few to encourage them, as a retention bonus and encourage them not to take shifts.

The CHAIR: Turn up to work, basically.

The Hon. SHAOQUETT MOSELMANE: Yes, turn up to work basically, that is the incentive.

Mr WARDROP: Yes, that is right.

Ms PRESTON: Chair, I think Mr Moselmane's questioning was related to incentives for more bookings and infringements.

The CHAIR: He did answer the question.

Ms PRESTON: This is actually a retention bonus, it is not to do with that, so that is why the connection was not there probably as well.

The CHAIR: He did answer the question.

The Hon. SHAOQUETT MOSELMANE: I did not ask anything at the beginning. All I asked was about any incentive scheme, I did not connect it to any other thing.

The CHAIR: All right.

The Hon. SHAOQUETT MOSELMANE: Thank you, thank you Mr Wardrop.

Mr WARDROP: I do apologise, it was an oversight. It was a minor thing in my mind.

The CHAIR: That is all right. Last question, your– Redflex, it was on the Australian Stock Exchange, correct?

Mr WARDROP: Correct.

The CHAIR: And I believe it has been sold off, been sold, another company has taken it?

Mr WARDROP: No, I would say acquired. As I said in my opening statement, we were acquired by Verra Mobility in June of 2021. The acquisition was closed, it was an indication of the strength of an Australian company and our technology that it garnered the interest of a large US company to acquire us.

The CHAIR: So that was in June 2021, this year?

Mr WARDROP: Correct, that is right.

The CHAIR: May I ask, when did you get the contract?

Mr WARDROP: For?

The CHAIR: When was the contract awarded to your company?

Mr WARDROP: I think it was in April 2021, off the top of my head, sometime in April. The award was, I think it was April and the execution may have been in May or early June. I cannot recall the exact dates.

The CHAIR: Thank you very much indeed, Mr Wardrop. Thank you for your time, sorry about some of the difficult questions, but that is what we are here for.

The Hon. SHAOQUETT MOSELMANE: Just one more question Mr Wardrop. Does your company have any connection or any contract with those who were charged in the US? Or do they provide them any service at all?

Mr WARDROP: No. The people that were involved have either been incarcerated or moved on. There is no involvement at all with any of the people that were involved in those events.

The Hon. SHAOQUETT MOSELMANE: Thank you so much, thank you.

The CHAIR: Thank you very much indeed and again, sorry to put you through some hard questions.

Mr WARDROP: That is okay.

The CHAIR: But we appreciate it very much indeed.

Mr WARDROP: It is fine, thank you very much for your time.

The CHAIR: Thank you for attending.

(Evidence in camera concluded.)

(Public hearing resumed.)