

PARLIAMENT OF NEW SOUTH WALES



## STAYSAFE Committee

### INQUIRY INTO ROAD SAFETY ADMINISTRATION AND MID-TERM REVIEW OF THE NEW SOUTH WALES ROAD SAFETY 2010 STRATEGY

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Report of an inquiry into actions undertaken  
in the Police portfolio to address the  
road safety situation in New South Wales, 2000-2005

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# Table of Contents

|                                                                         |  |
|-------------------------------------------------------------------------|--|
| Membership & Staff .....                                                |  |
| Terms of reference .....                                                |  |
| Chairman's Foreword .....                                               |  |
| Executive Summary .....                                                 |  |
| Recommendations .....                                                   |  |
| Chapter One – Introduction .....                                        |  |
| Chapter Two – .....                                                     |  |
| Chapter Three – .....                                                   |  |
| Chapter Four – .....                                                    |  |
| Witnesses appearing before the STAYSAFE Committee .....                 |  |
| Submissions received by the STAYSAFE Committee .....                    |  |
| Appendix A—Extracts from the minutes<br>of the STAYSAFE Committee ..... |  |
| Appendix B—Reprots of the STAYSAFE Committee, 1982-2006                 |  |



# Membership & Staff

|                 |                                                                                                       |
|-----------------|-------------------------------------------------------------------------------------------------------|
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# Terms of Reference

## The STAYSAFE Committee

The general terms of reference of the STAYSAFE Committee are as follows:

- (1) As an ongoing task, the Committee is to-
  - (a) monitor, investigate and report on the road safety situation in New South Wales; and
  - (b) review and report on counter measures aimed at reducing deaths, injuries, and the social and economic costs to the community arising from road accidents.

Without restricting the generality of the foregoing, the following are to be given urgent consideration -

- (i) countermeasures aimed at traffic accidents associated with alcohol and other drugs.
- (ii) traffic law enforcement measures and their effectiveness.
- (iii) a review of human factors affecting traffic accidents, especially those relating to driver and rider licensing requirements and standards.
- (iv) the social and economic impact of deaths and serious debilitating injuries resulting from traffic accidents.
- (v) heavy vehicle safety.



# CHAIRMAN'S FOREWORD

Paul Gibson MP  
Chairman, STAYSAFE Committee

This inquiry by the STAYSAFE Committee documents the actions undertaken by New South Wales Police to address the road safety situation in New South Wales, 2000-2005, and also examines issues associated with road safety administration in New South Wales and progress in implementing the Road Safety 2010 strategy.

At the commencement of the 53rd Parliament in early 2003, the STAYSAFE Committee resolved to continue its past practice of reviews of the road safety situation in New South Wales. The New South Wales government's Road Safety 2010 strategy identifies and endorses the need for ongoing review of programs. The government has established targets for a 40% reduction in road trauma arising from road crashes by the year 2010. The achievement of this target requires a sustained effort that addresses road safety and the reduction of road trauma across the full complexity of a dynamic and constantly evolving road transport system in New South Wales.

The review process conducted by the STAYSAFE Committee enables a periodic 'snapshot' of the road safety situation, and is of valuable assistance in the development of a road transport system in New South Wales that provides for safer roads, safer vehicles, and safer road users.

In fulfilment of the STAYSAFE Committee's terms of reference to monitor, investigate and report on the road safety situation in New South Wales, the Committee has conducted annual reviews of road safety, with Questions on Notice submitted to Ministers with portfolio responsibilities in the road transport area or in areas involving the use of roads or motor vehicles, and a public hearing to examine specific aspects of road safety arising from the answers received. The review process has been a successful device to obtain and maintain a detailed record of road safety-related activities in New South Wales.

The STAYSAFE Committee conducted six formal reviews of the annual road safety situation in New South Wales to date (1994-1999). The Committee had commenced a review of the 2000 road safety situation in New South Wales when the then Minister for Roads, the Hon. Carl Scully MP, announced that he was establishing a Ministerial Road Safety Task Force. In January 2001, the Road Safety Task Force was established to examine issues relating to an increase in road fatalities during the 15-day Christmas/New Year holiday period, and annual increases in the road toll in 1999 and 2000. The Task Force was specifically convened to:

- bring individual views, experience, knowledge and skills to this examination from a group of road safety experts, and
- make recommendations for improving the effectiveness of road safety interventions and initiatives in reducing the road toll over time and in avoiding a further rise in the toll.

The Ministerial Road Safety Task Force reported in May 2001, and released a series of recommendations for action.

The STAYSAFE Committee decided to defer its examination of the road safety situation to allow the implementation of the Ministerial Road Safety Task Force recommendations, and to report on the road safety situation in New South Wales over the period 2000-2005, which covers the period from the commencement to the mid-term of the Road Safety 2010 strategy as well as the implementation period for the Task Force recommendations.

The inquiry commenced in mid 2006. The terms of reference established for the inquiry into the road safety situation in New South Wales, 2000-2005, were:

The STAYSAFE Committee has written to relevant portfolios requesting advice regarding activities over the period 2000-2005 to improve road safety in New South Wales. Questions on notice have been forwarded to:

- Roads
- Police
- Health
- Education and Training
- Transport
- Special Minister of State (Motor Accidents Authority)
- Minister for Commerce (WorkCover Authority)
- Attorney General
- Environment (Environment Protection Authority)

As well, a general query letter will be forwarded to:

- Agriculture
- Fair Trading

The inquiry will review, where relevant to findings and recommendations arising from the reports released in the 52nd Parliament (STAYSAFE51 - STAYSAFE 60).

The inquiry will not be advertised generally.

Concurrently, in 2004 the STAYSAFE Committee commenced an inquiry into the Roads and Traffic Authority and road safety administration in New South Wales. The inquiry examined:

- The role of the Roads and Traffic Authority in road safety activities in New South Wales
- The responsibilities of government agencies, other than the Roads and Traffic Authority, and non-governmental organisations in improving the road safety situation in New South Wales
- The relationships between the Roads and Traffic Authority and other government agencies and non-governmental organisations involved in road safety activities
- and any other related matters

Over 2004-2006, the STAYSAFE Committee has taken evidence relating to several program areas within the overall road safety effort in New South Wales, including:

- Road trauma and road safety statistics and information;;
- Traffic enforcement activities;
- Road safety education;
- Heavy vehicle safety;
- Local government road safety; and
- Young drivers

These inquiries are now merged, with the release of a series of portfolio reports assessing the road safety situation in New South Wales over the 2000-2005 period, a mid-term review of the Road Safety 2010 strategy, and aspects of road safety administration in New South Wales.

This report of the examination of the Police portfolio will be valuable in allowing the community to gain a better appreciation of the New South Wales government's priorities for road safety programs and policies.

## **Acknowledgments**

As the end of the 53rd Parliament approaches, I am mindful of the care and diligence of my colleagues on the STAYSAFE Committee in conducting one of the most important of tasks faced by a Member of Parliament in New South Wales—addressing the unnecessary (and, in my view, avoidable) tragedy of road trauma associated with the operation of our State's road transport network.

Finally, on behalf of the Members of the STAYSAFE Committee, I wish to thank my Committee Manager, Mr Ian Faulks, for the exemplary manner in which he has conducted the administrative, procedural and research activities required of this inquiry, and for the way he, assisted by, has prepared this review report. I thank also Mr Jim Jefferis, Senior Committee Officer, Ms Elayne Jay, Senior Committee Officer, Ms Annette Phelps, Committee Officer, and Ms Millie Yeoh, Assistant Committee Officer, for their administrative assistance. Ms Ashika Cyril, previously Assistant Committee Officer also provided assistance during 2005.



# EXECUTIVE SUMMARY

In this report, STAYSAFE has examined the actions undertaken by the Police portfolio to address the road safety situation in New South Wales.

Since 1994, systematic reviews of the road safety situation in New South Wales have satisfied the STAYSAFE Committee's terms of reference to monitor review and investigate road safety matters. In keeping with these requirements, STAYSAFE reports have focused on the themes that underpin the work of the Committee: transparency, accessibility, and accountability.

The review process involves examining the road safety activities of selected agencies and organisations. STAYSAFE conducted its monitoring and review procedures by first asking the agencies a series of questions. Formal written briefs were provided in response from the Minister. Formal hearings were then held where agency representatives had the opportunity to respond in more detail regarding the Police portfolio's road safety activities and initiatives between 2000 and 2005.

The Police portfolio aims to continue to reduce road fatalities and trauma through enforcing compliance with road safety and the development and implementation of innovative projects and programs. This process is working effectively. 2004 and 2005 saw the lowest road tolls recorded.

The Fundamental Response to Traffic was introduced, which sets a minimum standard for local area commands to meet. Operation Compliance was another initiative. One day per month, Police target a traffic safety offence across the whole State. For example, for one Wednesday in August it may be school zones; the next month it may be mobile phones, or numberplate offences, or offences that we regard as safety-related offences. 2005 saw the introduction of zero tolerance for P-plates, an initiative that certainly has made some inroads into the culture of drinking and driving in this State.

There has been a significant reduction in the number of alcohol crashes on average across the State. The breath-testing regime has stayed steady or increased since September 2004. With regard to highway patrol trends, you can see that from January 2004 until the present time there have been significant increases in highway patrol actions taken against motorists in this State.

Other programs being implemented include the Traffic Enforcement Operations program targeting excessive, illegal speeds and drink and drug driving. NSW Police uses high visibility enforcement techniques, deploying fully marked highway patrol vehicles on major thoroughfares which provide a visual deterrent to speeding motorists and other instances of aberrant driver behaviour.

NSW Police stringently enforce the road rules through enhanced enforcement activities and by addressing issues such as the introduction of new red light camera technology, Police pursuits and car chases, road safety around schools, and unrestrained motor vehicle passengers. New technology relating to red light cameras

will be introduced in the next several and will become the province of the Roads and Traffic Authority. The Roads and Traffic Authority provided funding during the period 2000-2005 of \$37 million for the Enhanced Enforcement Program.



# Chapter One—

## INTRODUCTION

1.1 The STAYSAFE Committee's terms of reference require that:

"as an ongoing task, the Committee is to—

- (a) monitor, investigate and report on the road safety situation in New South Wales; and
- (b) review and report on countermeasures aimed at reducing deaths, injuries, and the social and economic costs to the community arising from road accidents."

1.2 In reports issued over the past decade, STAYSAFE has discussed the strong themes that underpin the work of the STAYSAFE Committee: transparency, accessibility, and accountability. Systematic reviews of the road safety situation in New South Wales both satisfy the terms of reference from Parliament for STAYSAFE to monitor, review and investigate road safety matters, and serve to address the themes of transparency, accessibility, and accountability identified by STAYSAFE.

1.3 Commencing with an examination of the road safety situation in New South Wales in 1994, STAYSAFE has conducted reviews on a regular basis. The review process involves examining the road safety activities of selected agencies and organisations, and, in particular, examining the road safety activities of the Roads and Traffic Authority. The Roads and Traffic Authority is the lead agency for road safety in New South Wales.

1.4 STAYSAFE conducted annual reviews of the road safety situation in New South Wales, covering the years 1994-1999, issuing six reports:

|                                             |                    |
|---------------------------------------------|--------------------|
| Review of the road safety situation in 1994 | STAYSAFE 31 (1996) |
| Review of the road safety situation in 1995 | STAYSAFE 41 (1996) |
| Review of the road safety situation in 1996 | STAYSAFE 42 (1996) |
| Review of the road safety situation in 1997 | STAYSAFE 47 (1996) |
| Review of the road safety situation in 1998 | STAYSAFE 51 (1996) |
| Review of the road safety situation in 1999 | STAYSAFE 55 (1996) |

1.5 A review of the reviews of the road safety situation in New South Wales in 2000 was commenced, but was discontinued. The end of 2000 saw what was widely perceived as a 'road safety crisis. The road toll during the Christmas-New Year holiday period in New South Wales was 38 deaths. This was the worst holiday road toll in New South Wales for a decade, and comprised just under half of the 80 road deaths nationally for the 2000 holiday period.

1.6 Moreover, the total number of road deaths in New South Wales for the 2000 calendar year was 603, exceeding 600 for the first time since 1995. This was a

serious failure of the Road Safety 2000 strategy, as the then Premier, the Hon. Bob Carr MP, had committed to a target of less than 500 road deaths. And the shorter term trend was ominous, as road deaths in New South Wales had increased by around 4% each year since 1998.

1.7 The then Minister for Roads, the Hon. Carl Scully MP, announced in early January 2001 that he had established a Ministerial Road Safety Task Force.

1.8 The Ministerial Road Safety Task Force (2001) clearly placed its work in the context of the Road Safety 2010 road safety strategy for New South Wales:

The comments, perceptions and conclusions in this report reflect the intent and framework of Road Safety 2010 and recognised strategies being developed internationally. (p.9)

1.9 The Ministerial Road Safety Task Force (2001) formulated 31 recommendations across four broad areas: driver and rider education and behaviour; technology; enforcement and deterrence; and, monitoring and evaluation.

## **Review activities of the STAYSAFE Committee**

1.10 This section describes the process whereby STAYSAFE conducts a systematic review of the road safety situation in New South Wales, and indicates the presentation format of the outcomes of the review. STAYSAFE conducts its monitoring and review activities by first asking a number of agencies involved in road safety a series of general questions about their calendar year activities, with the responses requested as formal written briefings from the responsible Minister or chief executive. STAYSAFE then holds a public hearing where representatives of these agencies can answer further, more specific questions related to the matters raised in the written briefings. The general questions address such issues as the nature of any research projects concerning road safety or traffic management; details of community surveys; details of published research, standards, codes of practice, and guidelines; details of speeches given by officials on road safety and traffic management topics; summaries of road safety curriculum development activities; summaries of road safety community awareness activities; and details of advertising, publicity and community relations activities. The further questions asked in public hearings relate to specific issues raised in the written briefings, to questions of clarification, or to relevant matters arising from previous inquiries and other research activity undertaken by STAYSAFE.

1.11 This report addresses both general and specific aspects of the road safety situation in New South Wales over the period 2000-2005 as it pertained to the Police portfolio. The following chapter and appendices of the report document the information forwarded to STAYSAFE through written responses from the Minister for Police and the testimony of representatives of New South Wales Police in public hearings to gather further specific information.

1.12 STAYSAFE forwarded a series of questions to the Minister for Police, requesting written briefings. Subsequently, representatives of New South Wales Police attended a public hearing where more specific questions relating to matters raised in the written briefings are canvassed. The following chapter contains an edited record of both the written and verbal responses. The material is organised as follows:

- The general subject being examined is indicated, for example:  
**Provision of advice concerning road safety legislation**
- The written questions (if any) asked by STAYSAFE are indicated with the prefix: **QUESTION**
- The Minister's written briefings received in answer to the questions are prefixed: **RESPONSE**
- Specific questions asked in the hearings seeking a verbal responses are indicated by prefixing them with the name of the STAYSAFE Member asking the question, for example, **Mr GIBSON (CHAIRMAN)**
- Answers to the specific questions asked in the hearings are indicated by prefixing them with the name of the witness answering the question, for example, **Mr HARTLEY**.



## Chapter Two—

# ROAD SAFETY ACTIVITIES BY THE POLICE PORTFOLIO, 2000-2005

### Introductory remarks

The following Police portfolio witnesses appeared before STAYSAFE on Monday 25 September 2006, representing the Honourable Carl Scully MP, in his capacity as then Minister for Police:

Chief Superintendent John Hartley, Traffic Service Branch, New South Wales Police

Senior Sergeant Ronald Dorrough, Traffic Service Branch, New South Wales Police

### Traffic Situation in NSW 2000-2005

**Mr GIBSON MP (CHAIRMAN):** Would you review the traffic situation faced in NSW Police over the past five to six years?

**Chief Superintendent HARTLEY:** Yes. Based on statistics, 2004 and 2005 saw the lowest road tolls recorded. We saw some major advances in technology, such as the automatic numberplate recognition technology and in-car videos, which were fitted to our highway patrol vehicles. The Fundamental Response to Traffic was introduced, which sets a minimum standard for local area commands to meet, which is a great milestone for us. There has been a general reduction in road trauma, particularly over the last three years, and I have a graph for the benefit of the Committee.

We introduced Operation Compliance, in which, on one day per month, we target a traffic safety offence across the whole State. For example, for one Wednesday in August it may be school zones; the next month it may be mobile phones, or numberplate offences, or offences that we regard as safety-related offences. Bull bars come up occasionally from the Pedestrian Council of Australia; we target bull bars that tend to create a danger to pedestrians because of sharp edges.

Operation Vikings was mobile, so we are using Vikings funding for traffic reduction and road safety. We have increased the use of enhanced enforcement funding from the Roads and Traffic Authority, from about \$4 million in the past to about \$7.6 million last year, and around the same or more this year. 2005 saw the introduction of zero tolerance for P-platers, which was fantastic initiative that certainly has made some inroads into the culture of drinking and driving in this State.

I have some statistics here, which I am happy to share with the Committee. I believe a submission was put forward to the Minister but, I am told, that has been lost in transit somewhere, so I cannot help you on that one. The chart on the first page shows that major crashes, which are two away crashes, have seen a significant reduction from 2004 to 2006. The second page shows a reduction in injury crashes, averaging from about 1,700 per month down to about 1,650 per month in recent times.

There has been a significant reduction in the number of alcohol crashes on average across the State. This shows a good trend, but it is still way too many. You will see that our breath-testing regime has stayed steady or increased since September 2004. We are maintaining that, and our new equipment, which I will talk about later, will allow us to target RBT more so. The numbers will probably drop, but they will be targeted to where the equipment tells us to go.

With regard to highway patrol trends, you can see that from January 2004 until the present time there have been significant increases in highway patrol actions taken against motorists in this State. So we are not reducing our capacity to enforce laws of the State. The figures show some promising trends. I must say that this morning our road toll showed that nine people died over the weekend. One was on a motorised scooter. I not sure what the motor content was; I am getting more information on that.

So far this year, 387 people have died on the roads, which is eight above the figure for last year. Two months ago we were 36 above the limit, so we are coming down. About 15 deaths have to be taken off that figure because of conditions and other factors that will come before the Coroner, and we will then have the information taken off our database. So we are not looking as bad as we were two months ago, but again there are still way too many deaths on the roads.

## **Challenging Areas for NSW Police in Road Safety 2000-2005**

**Mr GIBSON MP (CHAIRMAN):** What have been the problematic areas, or the least challenging for NSW Police in addressing road trauma and illegal behaviour in the past five or six years?

**Chief Superintendent HARTLEY:** A major issue was our WorkCover prosecution, which commenced in 2000 and was finalised in 2004. The Industrial Court determined that a roadway was a workplace and that for want of a better term police officers should not step on the roadway to do their duty. That was the broad interpretation. That caused a contraction of policing operations and required a revision of our operating procedures, which we have undertaken. We now have some strong, strict guidelines. However, it has reduced the locations for a standard random breath-testing site.

**The Hon. ROBERT BROWN MLC (STAYSAFE):** This is topical because it was on the news this morning. Responsibility for parking enforcement was transferred from NSW Police to local councils and other authorities during the period under review. Given the co-ordination of traffic policing and enforcement across New South Wales, what have been the issues faced subsequent to this transfer of responsibility? For example,

have you had an increase in the availability of the officer hours to do other policing, or is there no benefit?

**Chief Superintendent HARTLEY:** We have found that police officers not attending to domestic parking complaints have given us increased policing hours to patrol the streets. I am very pleased that police officers are not doing general parking duties—that is, meter parking. However, they still deal with parking complaints relating to danger or safety issues, such as no-stopping zones, pedestrian crossings, school zones and so on. It is a benefit to us that we are not doing the general domestic part of it. We still do the after-hours policing when councils are not available:

### **Research projects involving the Police portfolio**

**QUESTION:** The research projects commenced, completed or otherwise in progress over the period 2000-2005 commissioned by or involving agencies with the Police portfolio which concern or which have major implications for road safety, organised under subcategories of:

- the terms of reference of the research project;
- brief background notes to inform the STAYSAFE Committee of the information or events which led to the research project;
- a status report of the current position and any proposed actions so that the STAYSAFE Committee is aware of the intended direction of the research project;
- the resources required for the research project;
- the project manager, and consultant (if any).

**RESPONSE:** NSW Police advised the Committee that NSW Police conducts ongoing projects concerning heavy vehicle safety issues, illegal street racing and modified vehicle events, and major traffic crash analysis.

Examples of intelligence gathering by the Traffic Research and Intelligence Unit within Traffic Services on these issues were included in their submission.

## **CASE STUDY OF INTELLIGENCE GATHERING:**

### **ILLEGAL STREET RACING AND MODIFIED VEHICLE EVENTS INFORMATION & INTELLIGENCE SOURCES**

Information on persons, vehicles involved in Street Racing and Modified Vehicle Events is currently being sourced through a number of locations:

1. COPS - (Computerised Operational Policing System);
2. NSW Police's Operational Information Agency;
3. Other State and Territory Law Enforcement Agencies;
4. NSW Roads & Traffic Authority;
5. Media
6. Internet

Of the three main sources of information, the internet is proving to be the major supply of data. At present the TRIU is monitoring in excess of 30 internet sites and forums, with new sites being located every week.

Information collected through monitoring internet sites can include;

- Cruise & Event Times, Dates, Locations including meeting points and destinations, routes to be taken, maps of routes, and descriptions of intended routes.
- Personal information on site members. This may just be user handles, but can include names, phone numbers, residential suburbs, dates of birth, photos of individuals and/or their motor vehicles, including registration plates.

### **Current intelligence Products**

The TRIU is currently providing intelligence on the following basis;

Intelligence gathering of Street Racing & Modified Vehicle Events within New South Wales.

1. Weekly Situation Reports (SITREPS) (Refer to Annexure 1.) The weekly SitRep includes;

- a. Information on reported incidents;
- b. A copy of the Street Racing Planning Calendar for known cruises and events in the upcoming months;
- c. Statistical data identifying the TOP 5 Local Area Commands and TOP 5 Suburbs with the highest reported incidence of Street Racing offences in the past 5 weeks; and
- d. The TOP 10 known offenders for the past 3 months

SitReps are disseminated to the Region Traffic, Operations and Intelligence Managers weekly. These managers then forward to the Traffic, Crime and Intelligence staff at the Local Area Commands within their Regions. These are displayed upon the Traffic Services intranet Site.

2. Street Racing Notices. (Refer to Annexure 2.) These are supplied as information becomes available. They contain as much information as can be ascertained through the internet, COPS, and RTA databases. They typically include;

- a. Meet Time;
- b. Departure Time;
- c. Date;
- d. Meeting Point;
- e. Destination;
- f. Route;
- g. Approximate number of vehicles; and
- h. A list of known vehicles, pictures where available, registration status, and driver details and licence status.

### **Future Intelligence Products**

It is the aim of the 1RIU to progress the intelligence products supplied by the unit to include;

1. Identification of Vehicle Modification. This information will be based on identifying common modification to various makes and models of vehicles, which are generally illegal. The information aims to have photographs of the modifications to assist front line police with identifying illegal modifications.

2. Comprehensive Intranet site including;

- a. Standard Operating Procedures for Street Racing & Modified Vehicle Events;
- b. Weekly SitReps;
- c. Ongoing statistical data and hotspot locations;
- d. Illegal Vehicle Modification 1-lints & Tips.

### **Traffic Research & Intelligence Unit**

The TRIU has classified Street Racing and Modified Vehicle Events into three main categories:

1. Shows & Events - Pre-organised events such as Dyno days, Car Shows, swap meets
1. and off street racing (e.g. Western Sydney International Dragway)
2. Pre-Organised Street Racing & Cruises Generally organised through car club or group, predominantly over the internet. Details will include information such as when, where, who.
3. Impromptu Street Racing - usually occurs around known hangouts. Typically involves bumout offences.

## **CASE STUDY OF INTELLIGENCE GATHERING:**

### **MAJOR TRAFFIC CRASH ANALYSIS**

#### **Information & Data Sources**

Information on crashes is currently separated into 2 areas;

1. Fataals - Information is sourced through COPS (Computerised Operational Policing System) on a daily basis and data entered into a database held at the TRIU.
2. Major Traffic Crashes -
  - a. Statistical data is sourced through COPS for use in mapping, general statistical purposes, and trend identification;
  - b. RTA Traffic Accident Data System through individual requests to the RTA Road Safety Section, for crash data once trends have been identified.

#### **Current Intelligence Products**

The TRIU is currently providing intelligence on the following basis;

1. Daily Fatal Resume - Outlines State Road Death Toll and Fatal Crash information, 3 year trend etc;
2. Top 5 Local Area Commands for Fatal and Injury crashes per quarter. Comprehensive analysis of crash data with identification of trends and issues, mapping of crashes according to various attributes to highlight trends i.e. by time, age of driver, day of week, type of road etc;
3. Statistical reports for the Commander Traffic Services, Deputy Commissioners Office, Commissioners Office, Police Ministry, Regions and Local Area Commands for Fatal crashes.

#### **Future Intelligence Products**

It is the Aim of the TRIU to progress the abilities of the Unit to provide greater analysis and information on crashes. A number of projects and initiatives are currently underway to increase the ability of the unit in these aspects. They are;

1. Real time access to the RTA's new CrashLink database to enable the querying of significantly greater scope of crash data, similar in quality and array of data to our current Fataals Database;
2. Mapping of crash data onto aerial photography to enable greater crash analysis due to environmental concerns such as traffic lights, crossings, obstruction to view etc;
3. Ongoing analysis of Tops 5 Local Area Commands and sections of road, identified through crash trends and anomalies.

#### **Traffic Research and Intelligence Unit**

The Traffic Research and Intelligence Unit (TRIU) have been tasked with the collection and provision of Information and Intelligence relating to Fatal and Injury Major Traffic Crashes for the New South Wales Police. Major Traffic Crash Analysis is just one of many portfolios assigned to the TRIU. The TRIU has classified Major

Traffic Crash's portfolio into three main categories: Fataals - Including the NSW Police records for the State Road Death Toll.

Analysis of Fatalities and trends to aide in the reduction of road trauma through enforcement strategies; Injury Crashes - Analysis of injury crashes and trends to aide in the reduction of road trauma through enforcement strategies; Crash Statistics - Provision of crash statistics (Both Fataals and MTCs for Regions, Local Area Commands, External Agencies such as RTA, Local Government, and Universities).

## **CASE STUDY OF INTELLIGENCE GATHERING:**

### **HEAVY VEHICLE PORTFOLIO**

Information on persons, vehicles and organisations associated with the heavy vehicles industry is currently being sourced through a number of locations:

1. COPS - (Computerised Operational Policing System);
2. NSW Police's Operational Information Agency;
3. Other State and Territory Law Enforcement Agencies;
4. NSW Roads & Traffic Authority;
5. Media
6. Internet

Of these sources of information, information from COPS is crucial to identifying recidivist offenders (persons &/ or organisations) within the heavy vehicle industry. The internet is proving to be a worthwhile supply of data in respect of organisation information and pictures of vehicles.

Information collected from COPS includes:

- Legal Action data of Offenders detected for heavy vehicle speeding, fatigue management, and mass & dimension offences, with cross referencing to vehicles and organisations;
- Information reports on persons, vehicles and organisations;
- Identified links between individuals, other individuals and organisations.
- The Traffic Research and Intelligence Unit (TRIU) have been tasked with providing Information and Intelligence relating to Street Racing and Modified Vehicle Events for the New South Wales Police.

### **Current Intelligence Products**

The TRIU is currently providing intelligence on the following basis:

1. Monthly profiles on heavy vehicle recidivist offenders, both persons and organisations. The profiles include:
  - a. Basic information on the person or organisation;
  - b. Summary of offences;
  - c. Intelligence assessment including identification of routes; time, day, and location trends/patterns; and
  - d. Photographs/images of individuals and/ or vehicles.

Dissemination of current profiles to;

- a. Region Traffic Co-ordinators for dissemination to Local Area Commands of relevance;
- b. Interstate Law Enforcement Agencies.

### **Future Intelligence Products**

It is the aim of the TRIU to progress the intelligence products supplied by the unit to include:

1. Greater use of RTA sourced information to develop route analysis and trends in relation to particular organisations and vehicles;
2. Enhancements to the Intranet to include:
  - a. Standard Operating Procedures for Heavy Vehicles;
  - b. Statistically based information;
  - c. information on log books; and
  - d. illegal Vehicle Modification Hints & Tips.

### **Traffic Research and Intelligence Unit**

The Traffic Research and Intelligence Unit (TRIO) have been tasked with providing Information and Intelligence relating to Heavy Vehicle Offences for the New South Wales Police.

The Unit is based within NSW Police Traffic Services, Level 9 Ferguson Centre, Parramatta.

Heavy Vehicles is just one of many portfolios assigned to the TRIU. The TRIO has classified Heavy Vehicles into three main categories:

1. Recidivist Drivers - Drivers originating from New South Wales or Interstate who drive Heavy Vehicles within the State of New South Wales who are repeatedly detected by NSW Police or RTA Inspectors with offences of Speeding, Fatigue Management and Mass and Dimension.
2. Recidivist Organisations - Companies from New South Wales or Interstate who's vehicles are repeatedly detected by NSW Police or RTA Inspectors with offences of Speeding, Fatigue Management and Mass and Dimension.
3. Route Analysis - The identification of major heavy vehicle transportation routes, and possible detour routes to avoid detection of offences.

## **Relevant training or rehabilitation programs involving the Police portfolio**

QUESTION: Details of any training or rehabilitative programs conducted, sponsored or supported by agencies within the Police portfolio, over the period 2000-2005 that explicitly targeted attitudes, knowledge or beliefs about road safety.

RESPONSE:

### **Traffic Services**

During the periods of 1997 - 2005, the Traffic Services Branch provided support to the following programs:

- *Handbrake Turn Program* (Juvenile Offender Rehabilitation) was a referral program for young drivers that exposed them to new skills involving vehicle smash and mechanical repair. During the program, the participants were involved in road safety presentations delivered by road safety stakeholders such as the NRMA and the NSW Police which was provided by The Traffic Support Group (Traffic Services Branch) staff attended the program on 11 occasions totalling 84 hours (2004-2005).
- Transport Policy Unit (Traffic Services Branch), with the assistance of the City Central Commuter Crime Unit (formally known as the City Central Transit Police) provided presentations at State Transit Authority (bus) and Taxi Industry Council driver induction programs. The presentations covered such issues as the police and drivers roll within transit policing, the drivers rolls and responsibilities including road and personal safety issues including driver fatigue and alcohol (drink driving) related issues. The bus driver induction training was run over the period of 1997-2004. Taxi driver induction presentations were performed during the 2004 period.
- The Transport Policy Unit is currently providing assistance to the Silver Seminar for taxi drivers, which is conducted once every month. Issues presented during the seminar cover areas relating to driver (safety) and passenger behaviours, transport related crime relating to the taxi industry and road safety.

### **Transport Policy Unit and City Central Commuter Crime Unit (formally known as the City Central Transit Police)**

- Annual Business Planning Workshop conducted 2/3/4 April 2002 and the 2002/2003 TSB Business Plan formulated.
- Questionnaire developed to survey stakeholders.
- Regular meetings held with Region Traffic Co-ordinators
- Develop education package for HWP Education Program and Traffic Services Course on Role of TMC and benefits to police. (Oct-Dec 02).

- Sleepy Driver Legislation State-wide education program for police has been developed, delivered to RTC's for wider dissemination.
- Compliance and enforcement legislation (Oct-Dec 02)
- Handbrake Turn Program (Juvenile Offender Rehabilitation) Traffic Support Group staff attended on 11 occasions totalling 84 hrs.
- CIU presentation made to Fairfield Council regarding Traffic Awareness Program, and Austrama Conference, Road Safety Program Camden LAC, Morot Traders Association presentation, Defence Forces Police Training Course, Westmead Hospital Nurses Development Day, two appearances during 'Trauma Week' at public schools.

## **POLICE REGION CASE STUDIES:**

Advice provided by individual Regions and Highway Patrol Areas was also included in the NSW Police submission. Some examples include:

### **Central Metropolitan Region**

The Traffic Offenders Program is heavily supported within the Central Metro Region. Currently, the Traffic Offenders Program is conducted at three (3) Police Community Youth Clubs (PCYC) within the Region, being Redfern, St George and Sutherland PCYCs.

### **South West Metropolitan Region**

Macquarie Fields HWP have recently conducted:

Road Why (Joint RTAINSWP initiative) and U-Turn the Wheel (Rotary/Local Council/NSWP initiative). Both are driver education/awareness packages presented to driving age students.

Traffic Offenders Program - driver education/awareness package presented to traffic offenders referred by courts. A joint NSW/Courts initiative.

En-lite-En, a driver awareness initiative presented by Local council and NSW at licensed premises, such as RSL Clubs etc, aimed at increasing driver awareness of drink driving.

Fairfield HWP conducted in 2002/3 a street racing/burnout strategy in conjunction with Fairfield City Council.

Burwood HWP currently conduct a Traffic Offenders Program facilitated by Burwood PCYC, involving a presentation every 6 weeks, delivered to traffic offenders who have undertaken a 3 month course rehabilitative program.

Ashfield HWP, in 2002 and 2003, were been involved in drink drive campaigns called 'Enlighten', attending clubs in LACs, with BAS machines and Alcometers to promote awareness as to the amounts of alcohol present in peoples blood. Ashfield HWP also regularly attend secondary schools educating and advising of the risks of drink driving. North West metropolitan Police region Program One is run by the Penrith City Council RSO Sharon MADDON. This is a local program run over six weeks. Participants are

referred by the Court system and pay \$150.00. Each course is restricted to 25 persons.

Program Two is run by Graham Symes in conjunction with Blacktown Rotary and is sponsored by Blacktown City Worker Club. participants are referred by Court System Program is run over six weeks numbers are not restricted and each nights lectures can accommodate up to 200 persons. Entry to the course is free.

Another program is currently under construction in the Hornsby area based on similar program to both program one and two.

### **Lake Illawarra Highway Patrol Project**

"Energy" is a rehabilitative program introduced by the Lake Illawarra Youth Liaison Officer that targets juvenile high-risk offenders who are involved in the theft of motor vehicles and other criminal activities associated with the use of these vehicles. This program focuses on education and encouragement of these young persons in an attempt to reduce crime.

### **Northern Region**

Police in Northern Region have been active in supporting training and rehabilitative programs since their inception. In the initial stages, Police were active in the "ROAD WHYS" program which targeted directly to the Schools. As this program began to decline, local initiatives began such as the pedestrian safety program "LOOK" which was directed at the young and elderly members of the community. Other programs were "EN-LITE-EN" which was directed at drink driving. Police assisted with Local Councils and Kids Safe in promoting Seat Belt and Child Restraint awareness.

Continuing on today is the TRAFFIC OFFENDERS PROGRAM, "TOP". Police throughout the Region regularly attend and present lectures at this initiative for persons who are directed by Courts to complete this program.

Further initiatives that Police are involved in are Inter Agency meetings with RTA and Local Council Road Safety Officers, RSO's. These meetings are generally held biannually and are focussed on key road user behaviours where Police and the RSO's consolidate information and objectives with the intention to raise awareness through all media outlets on the target audience. One example of this is the Council RSO's and Police are working side by side in detection and education of motorists targeting drink driving in the Hunter area. The Council RSO's go out on site with the Police at Stationary Random Breath Testing Stations, speak and provide educational material to the motorists who are stopped for a Breath Test. This initiative has been in place for a number of years and the positive feedback from the community has been overwhelming.

### **Albury Local Area Command**

Albury LAC, through the YLO and CSO, attend local schools in relation to young driver education similar to the 'ROAD WHYS' program.

HWP staff, in conjunction with the local PCYC, conducts lectures on 'Driver Education' usually targeted at PCA and other traffic offenders referred by courts.

### **Community awareness activities involving the Police portfolio**

QUESTION: Road safety community awareness activities undertaken by officers employed by the agencies within the Police portfolio, or consultants contracted to the agencies, over the period 2000-2005, including policy and campaign launches, speaking engagements, etc.

RESPONSE:

#### **POLICE REGION CASE STUDIES:**

Advice provided by individual Regions was also included in the NSW Police submission. Some examples include:

##### **Central Metropolitan Region**

In relation to Road Safety community awareness activities undertaken within the Region, the Region Traffic Coordinators support Chief Superintendent HARTLEY by attending the various Road Safety launches prior to the StateWide traffic enforcement Operations. In addition, prior to a Local enforcement operation called 'Adrenalin Kills', run from approximately 2001-2005, Police and the Sutherland Council Road Safety Officer conducted awareness campaigns within the Royal National Park in relation to the dangers of speeding through the Park.

Most recently, Police from the Region supported RAADD (Recoding Artists and Athletes against Drink Driving) by attending an awareness campaign / media launch prior to Operation Safe Arrival.

##### **South West Metropolitan Region**

Macquarie Fields HWP consults with other agencies such as RTA, local Councils and schools, liquor industry representatives etc, in relation to improving police road safety strategies.

Fairfield HWP: in 2004, in conjunction with Fairfield Council, had a number of school zones identified and certified as Camera car locations.

Ashfield HWP has conducted, and continues to conduct, numerous local operations aimed at increasing road safety and increasing public awareness of road safety issues. The launching of these operations often involves a media launch.

**North West Metropolitan Region**

Police have supported at Local and Regional Level a Motorcycle Rider Awareness program initiated by RSO Blacktown City Council and Motor Cycle Riders Association. Patron of this program is Tim Webster from Channel Ten

**Albury Local Area Command**

Albury LAC staff conducts regular radio and television interviews promoting road user safety. These are more predominant at critical periods and holiday times. Liaison with local RSO's to promote and deliver road safety messages. Local media campaigns in conjunction with the RTA that coincides with ongoing operations such as 'Southroads' and particular strikeforce initiatives.

**Northern Region**

Police in the Northern Region have been running successful Community Awareness Activities which have been supported by major Police Operations. The inception of Operation "COAST ROADS" in 1999 continued through to 2002 when Operation "NORTH ROADS" commenced. Throughout these Operations conception, Police have been working closely with the RTA RSO's who provide valuable support in education and advertising packages. These include media advertisement through print and radio which as also supported by Road side banners, Variable Message Boards and specific road signage. Operation "COASTROADS" and "NORTH ROADS" target the major key road user behaviours on the Pacific Highway, F3 Freeway, New England Highway and all major arterial roads that carry motorists during all School Holiday periods.

In addition to "NORTHROADS" Police in the 12 Local Area Commands regularly conduct local Operations which are also support by Council RSO's media campaigns. The majority of these Operations have been given a media launch in one form. These launches range from an article in the Local newspaper to full media launch involving Television, Radio and Newspaper with Senior Police and Politicians speaking at road side areas. During State Operations media launches are conducted utilising High Ranking Police Officers and celebrities such as those aligned with "RMD " , Recording Artists and Athletes against Drink Driving.

During the RTA and Council RSO's Inter-agency meetings Police give presentations to the group which focus on key road user behaviours and provide information on any area that is of concern. This information is provided so as to allow the Council RSO's to attend other community and focus groups throughout the Region to pass on relevant information. One example of this was in March 2006 Northern Region Traffic Police attended the Inter-agency meeting and gave a presentation on the rising trend of Fatal Deaths of persons over the age of 60. Police told the group that this age group accounted for 22% of all deaths in 2004 and 2005, totalling 66 deaths. Police provided information on the days of the week, times of the day, that the deaths occurred near their place of residence and other relevant information. From this presentation the Council RSO's attended Senior Citizen Groups in the Region and forwarded the information on as an awareness campaign.

Police are also actively involved in the Road Freight Group. This group comprises of Owners, Drivers and interested parties that are involved in the heavy vehicle industry. The group meets bi-monthly where any issues are discussed along with presentations

made by the Police, RTA and other industry members on changes that are directed to the Heavy Vehicle Industry.

### **Traffic Enforcement Operations scheduled by NSW Police**

QUESTION: Please provide a summary for the regular traffic enforcement operations scheduled by NSW Police over the course of a year.

RESPONSE:

The operations focus on key road safety issues and are enforced on a state wide basis. The Roads and Traffic Authority, local governments and the Motor Accidents Authority strongly support these road safety campaigns with the contribution of additional funding, media advertisements and the operation of roadside 'Driver Reviver' locations, for example.

The performance indicator of any traffic enforcement operation is a reduction in road trauma during the period of the campaign.

All state-wide traffic operations conducted over holiday long weekends and other extended holiday periods aim at providing a high police profile on NSW roads with police activities focussing on the four major causal factors associated with road trauma i.e. excessive speed, alcohol/drug impaired driving, non-wearing of occupant restraints and driver fatigue.

## NSW Police calendar of regularly scheduled traffic enforcement operations

| TRAFFIC OPERATION | TARGETING                                                                                                                                                                                                                                                                                                                                                                                                            | DATES                                                                                                                                                                |
|-------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| AUSTRANS          | Heavy vehicle compliance with road transport legislation                                                                                                                                                                                                                                                                                                                                                             | 20/02/2000 to 26/02/2000<br>18/02/2001 to 24/02/2001<br>01/05/2002 to 31/05/2002<br>01/05/2004 to 31/05/2004<br>01/05/2005 to 31/05/2005                             |
| DRINK DRIVE 1     | Operation 'Drink Drive 1' is an annual State-wide traffic enforcement aimed at heightening public awareness to the dangers of drink driving.                                                                                                                                                                                                                                                                         | 02/03/2000 to 04/03/2000<br>15/03/2001 to 17/03/2001<br>14/03/2002 to 16/03/2002<br>13/03/2003 to 15/03/2003<br>11/03/2004 to 13/03/2004<br>10/03/2005 to 12/03/2005 |
| GO SLOW           | Coordinated state-wide traffic enforcement operation to manage increased traffic movements on the State's major road network over the Anzac holiday long weekend period as holiday makers return home at the end of the autumn school vacation and other motorists take advantage to travel over the extended weekend. Operation designed to address the potential for increased road trauma levels over the period. | 23/04/2004 to 26/04/2004<br>22/04/2005 to 25/04/2005                                                                                                                 |
| TORTOISE          | Operation 'TORTOISE' is an annual state-wide traffic enforcement conducted over the Easter holiday long weekend, traditionally one of the busiest on NSW roads.                                                                                                                                                                                                                                                      | 20/04/2000 to 25/04/2000<br>12/04/2001 to 16/04/2001<br>28/03/2002 to 01/04/2002<br>17/04/2003 to 21/04/2003<br>08/04/2004 to 12/04/2004<br>24/03/2005 to 28/03/2005 |
| STAY ALERT        | Operation 'Stay Alert' is an annual state-wide traffic enforcement conducted over the Queen's Birthday long weekend. The Queen's Birthday long weekend coincides with the official opening of the NSW snow season and increased traffic movements can be expected on the                                                                                                                                             | 09/06/2000 to 12/06/2000<br>08/06/2001 to 11/06/2001<br>07/06/2002 to 10/06/2002<br>06/06/2003 to 09/06/2003                                                         |

|                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                      |
|----------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                | State's major road network over this period.                                                                                                                                                                                                                                                                                                                                                                                                                                                          | 11/06/2004 to 14/06/2004<br>10/06/2005 to 13/06/2005                                                                                                                 |
| COMPLIANCE I   | 'Compliance' Operations are a series of one day State-wide traffic enforcement operations aimed at detecting non-compliance in specific areas of road safety legislation, e.g. mobile telephones, school zones, occupant restraints, heavy vehicle compliance, bull bar protrusions etc.                                                                                                                                                                                                              | 11/08/2004<br>09/02/2005                                                                                                                                             |
| COMPLIANCE II  | As above.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | 08/09/2004<br>06/04/2005                                                                                                                                             |
| COMPLIANCE III | As above.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | 01/12/2004<br>29/06/2005                                                                                                                                             |
| COMPLIANCE IV  | As above.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | 10/08/2005                                                                                                                                                           |
| COMPLIANCE V   | As above.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | 15/09/2005                                                                                                                                                           |
| COMPLIANCE VI  | As above.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | 07/12/2005                                                                                                                                                           |
| SLOW DOWN      | Operation 'SLOWDOWN' is an annual state-wide traffic enforcement operation conducted over the Labour Day long weekend. The Labour Day long weekend falls midway through the NSW Spring school vacation and coincides with the official closing of the NSW snow season and the running of the Deniliquin Ute Muster. Accordingly, increased traffic movements can be expected on the State's major road system over this period, particularly those leading to and from Deniliquin and the snowfields. | 29/09/2000 to 02/10/2000<br>28/09/2001 to 01/10/2001<br>04/10/2002 to 07/10/2002<br>02/10.2003 to 06/10/2003<br>01/10/2004 to 04/10/2004<br>30/09/2005 to 03/10/2005 |
| DRINK DRIVE II | Operation 'Drink Drive II' is an annual State-wide traffic enforcement aimed at heightening public awareness to the dangers of drink driving.                                                                                                                                                                                                                                                                                                                                                         | 16/11/2000 to 18/11/2000<br>15/11/2001 to 17/11/2001<br>14/11/2002 to 16/11/2002<br>13/11/2003 to 15/11/2003<br>11/11/2004 to 13/11/2004<br>10/11/2005 to 12/11/2005 |
| SAFE ARRIVAL   | Operation 'Safe Arrival' is an annual State-wide traffic enforcement conducted over the Christmas/New Year holiday period. This operation supports the Service Delivery Program (Traffic) in the NSW Police                                                                                                                                                                                                                                                                                           | 22/12/2000 to 05/01/2001<br>21/12/2001 to 04/01/2002<br>20/12/2002 to 03/01/2003                                                                                     |

|             |                                                                                                                                                                                                                                                                                                                                                      |                                                                                  |
|-------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------|
|             | Corporate Plan by specifically targeting the major causal factors contributing to road trauma i.e. excessive speed, alcohol/drug impaired driving, driver fatigue, non wearing of occupant restraints. The NSW Police activities will be supported by a high profile road safety advertising campaign funded by the NSW Roads and Traffic Authority. | 19/12/2003 to 02/01/2004<br>24/12/2004 to 07/01/2005<br>23/12/2005 to 06/01/2006 |
| SAFE RETURN |                                                                                                                                                                                                                                                                                                                                                      | 25/01/2002 to 28/01/2002<br>24/01/2003 to 27/01/2003<br>23/01/2004 to 26/01/2004 |

## **TRAFFIC ENFORCEMENT OPERATION CASE STUDY:**

### **OPERATION WESTSAFE**

NSW Police provided the Annual Report for Operation WestSafe as an example of a traffic enforcement operation. The following is an excerpt from the report:

#### **Background**

Operation WestSafe is an alliance between the NSW Police Service, the Motor Accidents Authority and the NSW Roads and Traffic Authority, supported by local government, to address road safety issues in Western Sydney.

Operation WestSafe targets a population base of nearly 1.5 million people in Sydney's Western Suburbs.

The aim has been to develop a dedicated, integrated 12 month program to impact on injury accidents in Western Sydney. The intended output was a high profile enforcement operation, supported by a public education, media and community communication strategy.

The Minister for Roads, Carl Scully MP, successfully launched Operation Westsafe on 31 July 2001, at Penrith. The 2004 Launch by the minister was held on 23 February and co-hosted by the Greater Metropolitan Police Region at Wetherill Park. (NSW Police 2004, p. 2)

#### **Outcomes**

The results for the twelve months have been positive, with significant rates of detection for traffic infringements and criminal behaviour, good reach of the branding "Operation WestSafe" in the community and strong support by all stakeholders involved.

The campaign has been highly successful in producing highly visible enforcement by public education with good reach to the community at the regional and local level.

In the last twelve months during WestSafe operations there were:

43, 861 Stationary RBT and 6,989 Mobile RBT tests conducted by Police – an increase of 8% on the previous 12 month period

2,221 speeding offences – an increase of almost 10% of the previous 12 months.

A brief overview of key issues targeted during the 2003-04 Operation WestSafe campaign period shows the following:

## **Fatalities**

For the FY03/04 there were 92 fatalities in Western Sydney. This represents a decrease of 2 (2%) compared to the previous 3-year average (FY00/01 – FY02/03) for the corresponding period.

## **Injuries**

Injuries in Western Sydney decreased by 3% to 5782 in FY03/04 compared to the previous 3-year average (FY00/01 – FY02/03) of 5967.

## **Alcohol**

The involvement of Alcohol in Fatal accidents in Western Sydney decreased from 14 (12%) for the previous 3-year average (FY00/01 – FY02/03) of 257 to 240 (2%) in FY03/04.

## **Speeding**

The involvement of Speed in Fatal accidents in Western Sydney decreased from 35 (31%) for the previous 3-year average (FY00/01 – FY02/03) to 24 for FY03/04. The involvement of Speed in injury crashes in FY03/04 was 651 which is 4% less than the average of 677 for the previous 3 years.

## **Occupant restraints and other safety devices**

The percentage of Road Vehicle Fatalities that did not use Safety Device (Seatbelt or Helmet) decreased by \*2% from the previous 3-year average (FY00/01 – FY02/03) of 7 to 7 in FY03/04. Similarly, the percentage of Injuries not using a Safety Device decreased by 14% from 212 (FY00/01 – FY02/03) to 182 in FY03/04.

## **Fatigue**

The number of injury crashes involving Fatigue in Western Sydney in FY03/04 (317) was 8% lower than the average for the previous 3 years. The involvement of Fatigue in Fatal crashes increased from 9 (50%) in FY00/01 – FY02/03 to 14 in FY03/04

\*Figures rounded to whole numbers. Provisional and incomplete data, as at 6 December 2004 (Data used is in reporting years).

## **LOCAL POLICE REGION TRAFFIC ENFORCEMENT OPERATION CASE STUDIES:**

Examples from individual Police Regions were also provided to STAYSAFE:

### **CENTRAL METROPOLITAN REGION**

Central Metropolitan Region Regular traffic enforcement operations (excluding State-wide Operations addressed by the Traffic Services Branch).

#### **Operation Payload (run 2004 to present)**

Planned and conducted by the Botany Bay HWP targeting heavy vehicle compliance, alcohol/drug impaired heavy vehicle drivers and fatigue. Conducted in phases at varying times during the year to avoid predictability of enforcement and maximize high profile of heavy vehicle enforcement in and around Port Botany.

#### **Operation RoadSafe (2003 to present)**

Planned and coordinated at a Region level, using HWP resources throughout the region and supported by the Roads and Traffic Authority with enhanced funding. Conducted at varying times throughout the year, targeting road safety areas such as Speed, Schools Zone Safety, Alcohol and heavy vehicles and are intelligence driven enforcement activities.

#### **Operations Rush Hour and Drinksafe (2005 to present)**

Planned and conducted by the Hurstville HWP, targeting Speeding and Drink Driving. Again, conducted at varying times/dates as intelligence and crash data are used to identify problem areas where enforcement can be used to reduce road trauma. Supported by the RTA with enhanced funding.

#### **Operation Adrenalin Kills (2001-2005)**

Planned and coordinated by the Sutherland HWP in conjunction with the Sutherland Council Road Safety Officer. Conducted annually during the summer months, targeting Speeding vehicles (mostly motor cycles) in the Royal National Park south of Sydney.

#### **Operation ALCOI & 2 (2004-2005)**

Planned and coordinated by the Sutherland HWP, with enhanced funding support from the RTA targeting PCA, drink driving offences. Again, intelligence based tasking dictating areas/times for enforcement in line with identified problem locations and times.

Reportable outcomes for Operations may include but are not restricted to the number of TINS issued, man hours spent on the operation, vehicles stopped, persons charged / charges preferred and % decrease of Major Traffic Crashes.

## **NORTH WEST METROPOLITAN**

### **Operation Roadsafe**

Six Week Cycle Twice a year involving sixty HWP and GO Police daily over twenty days. Speed, Drink Driving, Unlicensed Drivers, Unregistered Vehicle, Anti-Social Behaviour Police, RTA and MAA.

### **Operation Trifecta**

3 days a month over six month period. Thirty GO and HWP Police on North Shore Drink Driving Police, RTA. No analysis at this time as operation is only in its third phase.

From 2000 to 2002, Police in the Region conducted Operation "COASTROADS". This Operation was conducted during every School Holiday period during each year and was supported by Police in the Metropolitan area. The major focus of these Operations was the key road user behaviours, being Speeding Drink Driving, Occupant Restraint and Fatigue on the Pacific Highway on the North Coast.

In 2002 Operation "COAST ROADS" was changed into "NORTH ROADS" and included Police throughout the entire Northern Region. Again this Operation was, and still is continuing today, on all School Holiday periods in both New South Wales and Queensland holiday periods. The focus remained the same as "COASTROADS" targeting Speed, Drink Driving, Occupant Restraint and Fatigue. The Operation is targeted on the F3 Freeway, the entire length of the Pacific Highway, the New England Highway, Golden Highway, Bruxner Highway and all other major arterial roads that experience an increase in traffic movements of the Holiday periods.

Further to "NORTHROADS" Northern Region Police commenced Operation "NIGHTSAFE" in October 2003. This Operation was directed at the F3 Freeway and Pacific Highway during the hours of darkness and its focus was on the Heavy Vehicle Industry and those vehicles who regularly travel at night. This Operation also continues on in its present format today.

In addition to "NORTHROADS" and "NIGHTSAFE" each of the 12 Local Area Commands in the Region conducts additional Operations throughout the year. These Operations are directed around other State Operations such as the Drink Drive Operations and other Regional calendar events focussing on the key road user behaviours. Additional Operations throughout the Region have included Officers from the EPA, RTA Heavy Vehicle Inspectors, Tow Truck Authority, Customs and Federal Police. The latter is particular to border Operations in the Tweed Byron Command involving the heavy vehicle industry.

The increase in Operations from 2000 to 2005 has seen a significant increase in the Operations budget. In 2000/1 Financial Year the budget for the former Northern Region was \$910 000. With this increase the fatal crash rate has dropped throughout the Region. See Chart:

| Year | Operational Expenditure | Deaths – Northern Region | Deaths – Pacific Highway (Hexham to Qld Border) |
|------|-------------------------|--------------------------|-------------------------------------------------|
| 2000 | Not Available           | 180                      | Not Available                                   |
| 2001 | Not Available           | 169                      | 45                                              |
| 2002 | Not Available           | 171                      | 46                                              |
| 2003 | \$1 790 000             | 180                      | 54                                              |
| 2004 | \$2 440 000             | 146                      | 31                                              |
| 2005 | \$2 290 000             | 150                      | 34                                              |

All this Operational expenditure is supplied through the RTA Enhanced Enforcement Program, (EEP). The RTA along with the Council RSO's also support these Operations in the form of media advertisements.

### **SOUTHERN REGION COMMAND**

Operation Southroads is the primary Police/RTA Enhanced Enforcement Operation conducted within Southern Region. During the winter months, the LAC's that surround the Alpine region also conduct Snowsafe.

Running since 2003, South roads phases are conducted monthly, with the exception of the Monaro LAC who solely focus on Snowsafe during winter. The results have seen a gradual but sustained reduction in Major, Injury and Alcohol crashes. 2005 Major Crashes were 8% lower than in 2002 (before South roads), Injury Crashes 9% lower and Alcohol crashes 5% lower.

Police and Regional RTA staff agree on a monthly South roads target, eg Drink Driving during August, and this is reflected on South roads road signage, RTA advertising, local RSO campaigns and Police taskings.

The main use of RTA funding is for HWP extended shifts however funding is also available for cancelled rest days for non-specialist staff as well as South roads Strikeforces where police can be deployed across LAC boundaries to target specific areas of concern.

R.A.I.D has been operating for ten years in the Murray River border areas with a high level of co-operation between Victoria and New South Wales. In 2001, South Australia made a commitment to this operation and in 2002, Victoria adopted the strategy Statewide. 2005 saw the official inclusion of the ACT Police into RAID, reinforcing this operation as Australia's largest drink driving operation.

The aim of the operation is focussed on a significant increase in the random breath testing profile. To reinforce the public's belief that Police are actively breath testing everywhere at all times of the day, it is essential that ALL police over this period are tasked to perform RBT during each shift. To achieve this marked increase in RBT profile and therefore the increased risk of detection, police should be tasked to conduct RBT duties at varied times and locations throughout the operation.

The issue of Drug impaired drivers is one of increasing concern to those who work in the field of road safety. Many states have introduced or are in the process of introducing "random" drug testing legislation. In light of this, the National RAID planning committee has decided that the focus of the operation should not be exclusively one of Alcohol impaired drivers, but that Drug impairment should also be targeted. Hence, RAID now stands for Remove All Impaired Drivers.

The aim of this Operation is to Remove All Impaired Drivers from our roads by both deterrence and detection through significantly increased Random Breath Testing activities.

RAID is conducted throughout the NSW Southern and Western Regions and it has long been held that RAID should be conducted statewide as a better lead in to the festive season, and in lieu of the 3-day Drink Drive II operation that is held in mid-Nov.

In 2005, over 42,000 breath tests were conducted by Southern Region police during the 3 weeks of RAID which resulted in over 200 drink driving charges. Further, 4 heavy vehicle drivers were subjected to Blood and Urine (drug) testing and 21 charges were laid for motorists possessing prohibited drugs.

## **Traffic Enforcement Operations**

**Mr MAGUIRE MP (STAYSAFE):** So when it comes to special programs, how long does it take you to formulate, for instance, if you are going to have a blitz over the Christmas period or perhaps in the first quarter of next year? Have you already started to formulate those proposals to put to the Roads and Traffic Authority?

**Chief Superintendent HARTLEY:** The statewide programs, we have an ongoing commitment with a four-year program in place now.

**Mr MAGUIRE MP (STAYSAFE):** So you have already programmed what you will do for the next four years?

**Chief Superintendent HARTLEY:** The major operations for the next four years.

**Mr MAGUIRE MP (STAYSAFE):** Have you applied for those funds?

**Chief Superintendent HARTLEY:** Not individually. What happens is that once those operations are coming up, eight or 10 weeks out, the local area commands use the master operation and then apply for their funds with what staff they have.

**Mr MAGUIRE MP (STAYSAFE):** To the Roads and Traffic Authority?

**Chief Superintendent HARTLEY:** To the Roads and Traffic Authority.

**Mr MAGUIRE MP (STAYSAFE):** So eight to 10 weeks out?

**Chief Superintendent HARTLEY:** It is normally 10 weeks out.

**Mr MAGUIRE MP (STAYSAFE):** And locally the Roads and Traffic Authority could respond much quicker with advertising campaigns to support what the police are doing.

**Chief Superintendent HARTLEY:** It needs to be a controlled environment. I have one officer full time who, from the New South Wales Police point of view, looks after enhanced funding so we know what is happening across the State, so I know what is happening across the State.

**Mr MAGUIRE MP (STAYSAFE):** So you know for years out what it is you will apply for, and the RTA knows as well.

**Chief Superintendent HARTLEY:** No, sorry, there are two parts to it. I know what operations I am planning for the next four years statewide, which everyone in the State must do. There is a calendar, which states, "Here are the operations and here are the dates for them", and we will provide police for that. That is policing. The extra hours are—I work a 10-hour shift. They will pay for two more hours at the end of my shift to give me 12 hours, two extra hours on the road, which is what the enhanced funding is about.

**Mr MAGUIRE MP (STAYSAFE):** But the Roads and Traffic Authority must have an indication out of what you are planning so that it can budget.

**Chief Superintendent HARTLEY:** It will know what operations we have and they are pretty well generic operations across the whole State. Then we start looking at snow safe, which is not a statewide operation, north roads, which targets school holidays in north roads. They are applied for individually by the commands or the regions through traffic services to the Roads and Traffic Authority.

**Mr MAGUIRE MP (STAYSAFE):** This is important to me. From January to the end of March next year does the Roads and Traffic Authority have an indication of what programs you will apply for funding for?

**Chief Superintendent HARTLEY:** It will have an indication of statewide operations that we will be operating, which are the big ones.

**Mr MAGUIRE MP (STAYSAFE):** And it has had them for quite some time.

**Chief Superintendent HARTLEY:** It has had access to our calendar for quite some time.

**Mr GIBSON MP (CHAIRMAN):** We have got on this "in confidence". Do you want this evidence to be treated in camera?

**Chief Superintendent HARTLEY:** Yes. We rely on figures from the Bureau of Crime Statistics and Research (BOSCAR); these are policing figures. If people say I am

trying to skew the figures if you use them, what I say is that they are the ones I get every day, and so from my people through our system. What will happen is that next week there will be four more prangs that go on the we—someone forgot to put it on the system—so it will come up somewhere. The Bureau of Crime Statistics and Research is the best data for that.

Later this discussion continued:

**Mr MAGUIRE MP (STAYSAFE):** Can I go back to the question you just answered? Last week the Roads and Traffic Authority told this Committee that it was not aware of any proposals that police have put to it for future funding, and I specifically asked about the first three months of next year. Are there any proposals on the books? Was there any application for funding, et cetera? We were told no. Can you take on notice the question of exactly what proposals your officer in charge of co-operation between the Roads and Traffic Authority and police has put to the Authority until, say, June next year, what major operations you have planned, what the Authority has been made aware of, and how much was asked for?

**Chief Superintendent HARTLEY:** I just need to clarify that the operations are generic operations. Every year we have Operation Slow Down, Operation Safe Arrival, all those ones over our holiday periods. They are all in place. We have not asked for any money for those operations at this stage.

**Mr MAGUIRE MP (STAYSAFE):** But the Roads and Traffic Authority is aware that those are in your calendar.

**Chief Superintendent HARTLEY:** Of course it would be because it publicises and gazettes the double demerit point weekend or period.

**Mr MAGUIRE MP (STAYSAFE):** We were told that it was not, so perhaps you could get back to us with what communications are there and what information is available to the Roads and Traffic Authority. I was very concerned that, having such a large organisation and all the operations planned, fact I was told that there were no applications and that the suggestion that if a local area command wanted to hold a particular blitz then the Roads and Traffic Authority could react very quickly, meaning that there was an ad hoc approach. I do not believe that for a second. There must be more planning to that and surely it would take at least, as you said, 10 weeks for a particular area commander to say we will have a blitz on X and put in the application and get the advertising campaign into place. The wheels of bureaucracy turn slowly.

**Chief Superintendent HARTLEY:** That is the ideal world and that is the proposal we need to have, both the mix of extra policing hours and advertising, which is an important part of it. There are some operations that we run that may be—say motorcycle safety was a concern on the Putty Road, which it is. They would be able to have a funded operation approved probably with two, three or four weeks, maybe less. If the Roads and Traffic Authority can see the problem occurring and needs enforcement straightaway, we will still throw the police there but the enhanced funding gives us a couple of more hours on it. It is not about not doing the policing there but the calendar for events—and the Roads and Traffic Authority would have the

calendar, maybe not the people you spoke to but at the operational level they would know when our major operations are coming up and they expect a peak in their work load for applications for funding.

**Mr MAGUIRE MP (STAYSAFE):** It just troubled me that we were having representations made by these people for the Roads and Traffic Authority and they appeared to be unaware.

**Senior Sergeant DORROUGH:** They might be unaware of any enhanced enforcement program (EEP) application for that period of time but obviously historic information shows that we put in enhanced enforcement program funding operations every time we have a statewide operation. We usually expand on that by enhanced enforcement program funding. For example, we are in September now. There is a drink driving statewide program to come up before Christmas. There will be enhanced enforcement program operations expanded upon that weekend as well already in the pipeline. Therefore, the police making application for this funding will wait until that operation or in the middle of that operation to put in funding for the new period.

**Mr MAGUIRE MP (STAYSAFE):** What operations will happen between 31 December 2006 or 1 January 2007 and the end of March 2007?

**Chief Superintendent HARTLEY:** We will have the long weekend in January. I do not know when Easter is. The Christmas operation continues through until January so that will be fairly major from Christmas Eve for 10 days and then the long weekend. I am not sure when Easter kicks in. This year it was early; it was in March.

**Mr MAGUIRE MP (STAYSAFE):** Would you provide the Committee with a brief in relation to that?

**Chief Superintendent HARTLEY:** Yes. We will send you a calendar of events.

### **Police enforcement activities targeting excessive/illegal speeds**

**QUESTION:** Please summarise the gamut of police enforcement activities targeting drivers who travel at excessive/illegal speeds

**RESPONSE:**

NSW Police uses high visibility enforcement techniques, deploying fully marked highway patrol vehicles on major thoroughfares (with an emphasis on 'black lengths'), which provide a visual deterrent to speeding motorists and other instances of aberrant driver behaviour. NSW Police traffic enforcement operations are based on intelligence, including causation factors, high crash history or other issues such as speeding in school zones.

NSW Police uses speed detection technologies such as radar, lidar (laser) and digital speedometers. These have resulted in over one million speeding infringements being issued by NSW Police from 2001-2005.

Drivers detected committing more serious instances of speeding may be issued a Court Attendance Notice (CAN) for the offence of driving in a speed/manner dangerous to the public. In the five years from 2000-2005, NSW Police issued over 15,000 CANs for this offence. Following the introduction of a provision to immediately suspend a driver licence, approximately 800 driver licences have also been suspended.

In addition, legislative amendments in September 2005 provided police with the power to immediately suspend driver licences for speeds over 45kph over the speed limit, resulting in over 770 suspensions.

Traffic Services is currently studying the feasibility of using covert police vehicles to specifically address heavy vehicle speeding. Traffic Services is also working with the Roads and Traffic Authority to finalise some matters in relation to designating certain areas on major freight routes within NSW as 'speed limiter enforcement zones'. This will provide NSW Police with the ability to instigate legal process against person/s responsible for a heavy vehicle with a non compliant speed limiter when detected speeding within these zones.

## **POLICE REGION CASE STUDIES**

Examples from individual Police Regions and Highway Patrol Areas were also provided to STAYSAFE:

### **Central Metropolitan Region**

The issue of speeding vehicles remains a Key Program Area for the NSW Police. Enforcement activities addressed in State-wide, Regional and Local Operations, as well as local speed complaint areas being tasked to individual HWP units for daily attention.

### **North West Metropolitan Region**

All HWP vehicles within Region carry out daily enforcement in areas identified by high collision rate and complaint. This includes School Zones main arterial roads, local roads and motorways, highways and freeways. Police utilise KR10 Silver eagle Radar, Pro Laser Lidar, Stationary Speed Camera Vehicles and mobile checks by both marked and unmarked HWP vehicles.

All local and state operations conducted within the North West Metropolitan Region combine speed enforcement activities with all other activities.  
(This all happens when my troops are actually carrying out HWP and have not been seconded to GO's to prop up first response policing, crime management activities and other duties.)

### **Northern Region**

As the Pacific Highway, F3 Freeway and New England Highway bisect the Region, Police have been conducting specific speed enforcement Operations since the inception of radar. Highway Patrol Police perform speed enforcement duties on the Regions roads on a daily basis. Since 2000 Operations have and still include the use of VMS Camera Car, slant radar and later L10AR and have continually used stationary and mobile radar from the Highway Patrol Vehicles. The Northern Region has a total of 8 VMS Camera Cars in Northern Region and the vehicles are used regularly as part of EEP Operations and normal duties.

The major focus of Region Operations "NORTHROAOS" and "NIGHTSAFE" is speed enforcement where the Police are tasked to perform stationary Radar/ LI OAR and mobile radar. Operation 'NORTHROAOS' alone recorded 45 459 exceed speed detections alone in the 2005/6 Financial Year over a period of 4 major Operations, approximately 19 weeks. The majority of the other Operations conducted in the Region have a speed enforcement component in it also. As an example Northern Region Police averaged 5 175 Speed Infringements in 2004.

## **Southern Region**

### ***Lake Illawarra Highway Patrol***

One of the main enforcement activities Highway Patrol Police utilise to target the problem of motorists exceeding the speed limit is the daily use of radar and lidar equipment.

Highway Patrol Police are tasked daily to enforce school zone speed limits as well as other areas identified as having an adverse speed history utilising this equipment. These duties are enhanced by regularly utilising Operation "Southroads" RTA enhanced funding to target this high priority, key road safety behaviour.

The regular use of the vehicle mounted speed camera has allowed Police to create a high profile deterrence throughout the Local Area Command especially targeting locations with an adverse speed history.

On a number of occasions Lake Illawarra Highway Patrol staff have performed specific operations targeting speeding motorists. Two of these operations are operation "Mougah" and "Alacrity". These operations have involved a number of Police effectively targeting adverse speed locations utilising speed detection equipment currently used by the NSW Police. These operations have also incorporated the use of Operation "Southroads" funding to increase the high profile.

### ***Albury Local Area Command***

Albury LAC speed enforcement is targeted according to traffic flow and volume identified by local intelligence and knowledge. Every effort is also maintained to ensure a presence at the many school zones within Albury city. The notion of 'High Visibility Policing' is used to enforce speed limits. The effort to promote a high visibility is supported by the enhanced enforcement program. All forms of speed

detection including mobile/stationary radar, lidar, VMSC and speed checks in marked and unmarked police vehicles are utilised within the LAC.

## Highway Patrol activity

**Mr MAGUIRE MP (STAYSAFE):** I asked you a question before about highway patrol hours driven, and you noted there were some statistics being photocopied. I have them but it does not actually have the figure. However, I note that highway patrol duty type legal actions have increased dramatically in March and July. Can you take on notice and provide to the Committee the amount of highway patrol hours driven or served in the same statistical period?

**Chief Superintendent HARTLEY:** All I can provide is the number of kilometres travelled.

**Mr MAGUIRE MP (STAYSAFE):** That is it.

**Chief Superintendent HARTLEY:** What I need to clarify is the fact that I do not go on kilometres travelled so much because we now have automatic number plate recognition (ANPR), which is a stationary activity. We now have light detecting and ranging laser speed enforcement (LIDAR). So to go back more than two years ago we did not have that equipment in those years so the police were mobile all the time. Now we have equipment that we are stationary.

**Mr MAGUIRE MP (STAYSAFE):** The reason I am asking is because on all the other statistics you have provided there is a decline and the infringements or the legal actions have increased. You are getting to the same point that I am: whether in fact police are being able to police more effectively using less time and different methods. That is the reason I wanted to clear it up.

**The Hon. ROBERT BROWN MLC (STAYSAFE):** That would actually support the use of the technology, would it not?

**Chief Superintendent HARTLEY:** I can just tell you that so far this year with the automatic number plate recognition—I have a little paper for you—it shows that with our project 7,000 more infringements issued for unregistered this year compared to the same period last year, which is about 22,000 number total so it is a fair increase, about a 25 per cent increase in detected unregistered vehicles on the road which are normally unsafe vehicles on the road. So that technology is there. It is very hour hungry and you are stationary and you might need six or eight police to operate it.

**Mr MAGUIRE MP (STAYSAFE):** You would not have an indication of how many hours are being spent. Have the policing hours increased even if the mileage has decreased? There must be some stuff here that supports what it is that you are trying to achieve.

**Chief Superintendent HARTLEY:** I can say that enhanced enforcement funding has increased significantly, from \$4 million to \$7.6 million, which is extra hours of police working on the street.

**Mr MAGUIRE MP (STAYSAFE):** This is funding from Roads and Traffic Authority?

**Chief Superintendent HARTLEY:** From the Roads and Traffic Authority.

**Mr MAGUIRE MP (STAYSAFE):** So \$4 million to \$7.6 million over the past three years.

**Chief Superintendent HARTLEY:** So from \$4 million annually to \$7.6 million annually. That is more policing hours targeting drink driving, speeding, those offences we need to.

### **Random breath testing activity by NSW Police**

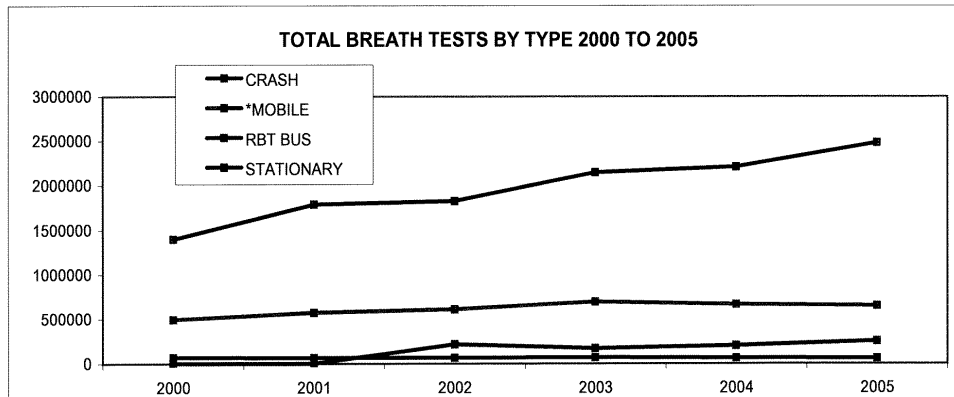
**QUESTION:** Summary data of random breath testing activity by NSW Police over the period 2000-2005, including:

- total number of tests conducted and number of drivers detected who tested with illegal BAC;
- number of stationary tests and number of drivers detected who tested with illegal BAC;
- number of mobile tests and number of drivers detected who tested with illegal BAC.

What trends are evident from these data?

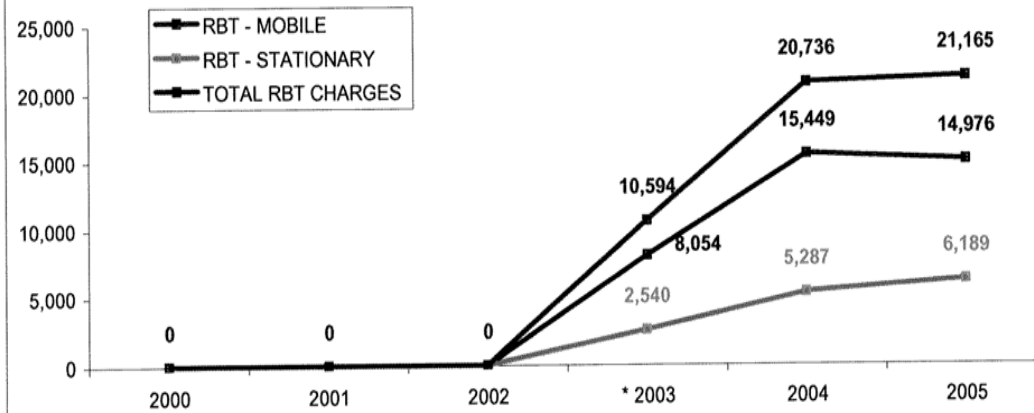
**RESPONSE:** NSW Police provided the following data

| TOTAL BREATH TESTS                                                                  | YEAR           |                |                |                |                |                |
|-------------------------------------------------------------------------------------|----------------|----------------|----------------|----------------|----------------|----------------|
| TYPE                                                                                | 2000           | 2001           | 2002           | 2003           | 2004           | 2005           |
| CRASH                                                                               | 69100          | 66629          | 64374          | 67515          | 61845          | 59275          |
| *MOBILE                                                                             | 493559         | 569654         | 607423         | 691250         | 658610         | 646092         |
| RBT BUS                                                                             | 0              | 0              | 215348         | 170232         | 200507         | 251053         |
| STATIONARY                                                                          | 1398789        | 1787047        | 1823719        | 2143702        | 2205935        | 2480475        |
| <b>Grand Total</b>                                                                  | <b>1961448</b> | <b>2423330</b> | <b>2710864</b> | <b>3072699</b> | <b>3126897</b> | <b>3436895</b> |
| * Mobile breath test include driving complaints from the public, street racing, etc |                |                |                |                |                |                |



| RBT CHARGES                          | 2000     | 2001     | 2002     | * 2003        | 2004          | 2005          |
|--------------------------------------|----------|----------|----------|---------------|---------------|---------------|
| RBT - MOBILE                         | 0        | 0        | 0        | 8,054         | 15,449        | 14,976        |
| RBT - STATIONARY                     | 0        | 0        | 0        | 2,540         | 5,287         | 6,189         |
| <b>TOTAL RBT CHARGES</b>             | <b>0</b> | <b>0</b> | <b>0</b> | <b>10,594</b> | <b>20,736</b> | <b>21,165</b> |
| * PCA charges commenced in July 2003 |          |          |          |               |               |               |

**RBT CHARGES FROM 2000 TO 2005**



|                   |                           | Year                                                         | 2000          | 2001          | 2002          | 2003          | 2004          | 2005          |
|-------------------|---------------------------|--------------------------------------------------------------|---------------|---------------|---------------|---------------|---------------|---------------|
| Incident Category | Incident Further Classif. | Law Part Title                                               | Offences - LA | Offences - LA | Offences - LA | Offences - LA | Offences - LA | Offences - LA |
| RBT - MOBILE      |                           |                                                              |               |               |               |               |               |               |
| TRAFFIC           | RBT - MOBILE              | Attempt to drive while under the influence of alcohol/drugs  |               |               |               | 1             |               |               |
|                   |                           | Attempt to drive with high range PCA                         |               |               |               | 4             | 11            | 15            |
|                   |                           | Attempt to drive with low range PCA                          |               |               |               | 2             | 5             | 3             |
|                   |                           | Attempt to drive with middle range PCA                       |               |               |               | 9             | 18            | 14            |
|                   |                           | Drive while under the influence of alcohol or other drugs    |               |               |               | 100           | 172           | 175           |
|                   |                           | Drive with high range PCA                                    |               |               |               | 1,563         | 2,788         | 2,474         |
|                   |                           | Drive with low range PCA                                     |               |               |               | 1,927         | 3,605         | 3,879         |
|                   |                           | Drive with middle range PCA                                  |               |               |               | 4,044         | 7,882         | 7,274         |
|                   |                           | Learner/provisional attempt drive-novice range PCA-1st off   |               |               |               |               |               | 1             |
|                   |                           | Learner/provisional drive with novice range PCA-1st offence  |               |               |               |               | 132           | 216           |
|                   |                           | Learner/provisional drive with novice range PCA-2nd+ offence |               |               |               |               | 4             | 11            |
|                   |                           | Licence holder with high range PCA sit next to learner       |               |               |               | 5             | 7             | 7             |
|                   |                           | Licence holder with low range PCA sit next to learner        |               |               |               | 5             | 13            | 5             |
|                   |                           | Licence holder with middle range PCA sit next to learner     |               |               |               | 13            | 21            | 18            |
|                   |                           | Special cat. supervisor with special PCA sit next to learner |               |               |               | 1             | 1             | 1             |
|                   |                           | Special category driver attempt drive with special range PCA |               |               |               |               | 1             | 6             |
|                   |                           | Special category driver drive with special range PCA         |               |               |               | 380           | 789           | 877           |
| <b>TOTAL</b>      |                           |                                                              |               |               |               | <b>8,054</b>  | <b>15,449</b> | <b>14,976</b> |
| RBT - STATIONARY  |                           |                                                              |               |               |               |               |               |               |
| TRAFFIC           | RBT - STATIONARY          | Attempt to drive with high range PCA                         |               |               |               | 1             | 3             | 3             |
|                   |                           | Attempt to drive with low range PCA                          |               |               |               | 1             |               | 2             |
|                   |                           | Attempt to drive with middle range PCA                       |               |               |               | 1             | 1             | 2             |
|                   |                           | Drive with high range PCA                                    |               |               |               | 246           | 431           | 422           |
|                   |                           | Drive with low range PCA                                     |               |               |               | 854           | 2,127         | 2,709         |
|                   |                           | Drive with middle range PCA                                  |               |               |               | 1,330         | 2,422         | 2,600         |
|                   |                           | Learner/provisional drive with novice range PCA-1st offence  |               |               |               |               | 31            | 117           |
|                   |                           | Learner/provisional drive with novice range PCA-2nd+ offence |               |               |               |               |               | 2             |
|                   |                           | Licence holder with high range PCA sit next to learner       |               |               |               | 1             | 3             |               |
|                   |                           | Licence holder with low range PCA sit next to learner        |               |               |               | 4             | 5             | 6             |
|                   |                           | Licence holder with middle range PCA sit next to learner     |               |               |               | 4             | 9             | 7             |
|                   |                           | Special category driver attempt drive with special range PCA |               |               |               |               | 2             |               |
|                   |                           | Special category driver drive with special range PCA         |               |               |               | 98            | 253           | 319           |
| <b>TOTAL</b>      |                           |                                                              |               |               |               | <b>2,540</b>  | <b>5,287</b>  | <b>6,189</b>  |

# NOTE: Individual data for PCA Charges allowing us to identify Breath Testing methods (Stationary or Mobile) was not available until July 2003

## Drink driving and responsible service of alcohol

**Mr BARR MP (STAYSAFE):** Do you have any link between responsible service of alcohol (RSA) and random breath testing (RBT)? Obviously if you have areas where there is a lot of social activity — I take Manly as an example because on the northern beaches it is a high area for people having drink driving problems. Do you link the two together?

**Chief Superintendent HARTLEY:** Yes.

**Mr BARR MP (STAYSAFE):** Do you say, "If we are getting higher prescribed concentration of alcohol drivers being caught under random breath testing we should be also doing more about responsible service of alcohol"? Is there any direct link between the two?

**Chief Superintendent HARTLEY:** Certainly, local area commands that deal with their liquor accords talk about 'pumpkin buses', trying to get better transport for people on the northern beaches. Tweed Heads is another area where the same issues occur. There is a high incidence of drink driving and drink driving practice. From my point of view I push the data back to the local area command, saying, "It is unacceptable that your crash rates are so high. You need more RBT." They need a new random breath testing bus, which we are now purchasing for them to help them out with their random breath testing part of it.

**Mr BARR MP (STAYSAFE):** And more enforcement of responsible service of alcohol surely.

**Chief Superintendent HARTLEY:** It is a two-part process. Obviously it is a local area command local issue about general behaviour, not just driving. It is antisocial behaviour. Traffic enforcement is not so much on that but it picks up the benefit of that.

## Police Enforcement Targeting Drug Driving

**QUESTION:** What is the current status of police enforcement targeting drug driving?

**RESPONSE:**

The *Road Transport (Safety and Traffic Management) Act 1999* provides police with the power to report drivers using or attempting to use a vehicle, or licence holders supervising learner drivers, under the influence of drugs.

In 2000, NSW Police conducted trials of drug detection technology (GC Ion scanning), with a particular emphasis on heavy vehicles, in an effort to target drug affected drivers. Results indicated this process was sufficiently robust.

### Random Drug Testing

A steering committee was convened in April 2004 involving representatives from:

- The Roads and Traffic Authority
- NSW Police
- Division of Analytical Laboratory
- Ministry for Police
- Cabinet
- Attorney Generals Department
- NSW Health Department

3 illicit drugs will be screened for on the roadside for the presence of:

- Speed
- Ecstasy
- THC (Cannabis)

These drugs were selected as toxicology results from persons involved in fatality crashes revealed that these were the most common illicit drugs detected.

The operational procedure will consist of a roadside testing device that will require the driver to provide a sample of their oral fluid. A result will take between 3-5 minutes.

If that result is positive the person is escorted to the purpose built Random Drug Testing Truck for a second screening test. If that result is positive the driver is prohibited from driving for 24 hours.

Sufficient oral fluid will also be collected and forwarded to The Division of Analytical Laboratory for confirmatory analysis. If these results are positive the person is then charged.

In the first 12 months of operation 5000 roadside tests will be conducted throughout NSW.

### **Drug Testing Following Fatal Crashes**

The draft Bill also includes the mandatory power for drivers involved in fatalities to be drug testing for the presence of illicit drugs in the following situations:

*Fatal/likely to be fatal, driver not injured:*

The driver is arrested and conveyed to hospital for the purpose of providing blood/urine samples.

*Fatal/likely to be fatal, driver injured:*

If the driver is conveyed to hospital the blood/alcohol sample taken as a result of the crash will be tested for the presence of illicit drugs.

When advice from the medical expert indicates that a person may die as a result of the crash, police will be able to obtain the sample and will have them analysed if a person dies within 30 days of the crash or after 30 but less than 12 months provided a medical expert advises that the death was caused as a direct result of the crash.

The power will also include the supervisor of a learner driver.

This power will remove the 'reasonable cause' currently restricting police to have the driver/learner supervisor drug tested.

## **Random drug testing and the trucking industry**

**Mr MAGUIRE MP (STAYSAFE):** What are your activities with the trucking industry?

**Chief Superintendent HARTLEY:** A lot of work has been done with regard to compliance enforcement legislation. Random drug testing will commence shortly. That will have a major impact on the heavy vehicle industry, which we know has a higher risk of drug use to keep drivers awake. We will be targeting that industry. We have conducted some major operations across the State. Operation Heavy Load was conducted in May across the entire State for a month. We targeted heavy vehicles, particularly safety equipment and safety equipment breaches.

**Mr MAGUIRE MP (STAYSAFE):** Is random drug testing utilising the new whiz-bang vehicle?

**Chief Superintendent HARTLEY:** A Winnebago has been purchased. The Victorian Police have purchased a purpose-built random drug-testing vehicle for \$800,000. I went to Victoria last year when they commenced their trial to look at the equipment. They said the biggest problem was getting to and from locations. If they want to go to the country, truck drivers know when they are going to any location. They either do not drive their trucks or they take alternate routes because they have time to plan. That is the reason for the Winnebago, which cost \$350,000. It is a fully equipped vehicle so that police officers can park at any location and have their meal onboard and use the toilet.

Therefore, they do not have to go back to a police station to have a nature break or a meal break. It is a purpose-built vehicle for random drug and breath testing. It also doubles as a police operational vehicle should we need something with that equipment. While it looks very flash and fancy, it blends in with traffic and truck drivers will not get the message that we are there. They will first know when they see the vehicle on the road with support vehicles, lights flashing stopping them and testing for drugs.

**MR GIBSON MP (CHAIRMAN):** So if they see a Winnebago they will go the other way.

**Chief Superintendent HARTLEY:** Yes. There are more and more on the road. So it works both ways.

**Mr MAGUIRE MP (STAYSAFE):** Can the big random breath testing buses you already have be utilised for drug testing?

**Chief Superintendent HARTLEY:** Yes, and they still will be. They will be converted for use in drug testing once we get this concept right. My demand of the Roads and Traffic Authority is that we not reduce our random breath testing capacity. To move a truck from random testing to drug testing reduces my capacity to conduct random breath tests.

**Mr MAGUIRE MP (STAYSAFE):** And you cannot do both at once.

**Chief Superintendent HARTLEY:** You can, but it is not as productive. It takes a lot longer to do drug testing and we have to train police. We need to ensure we do not reduce our RBT capacity. That is the reason for the conditions that I placed on this program. I said that we had to have a purpose-built vehicle that meant officers did not have to access a police station. It had to be a vehicle that we could park in the middle of Brocklehurst or wherever and perform our roles without impacting on other police operations.

**Mr MAGUIRE MP (STAYSAFE):** Your presentation is very energetic, which suggests that you think this is going to be successful.

**Chief Superintendent HARTLEY:** Yes.

**Mr MAGUIRE MP (STAYSAFE):** I suggest that perhaps there is a need for more, even before the program starts. I see from the way you are putting this to the Committee that you are very confident that this will prove beneficial.

**Chief Superintendent HARTLEY:** It will. We need to get our operation working correctly from the start. I was present for the first lot of random breath testing and I know that we have to learn and learn slowly. We will make mistakes, but we want to make them in a controlled environment to start with. When we are more confident with the police officers trained to do the job and the right equipment we will be able to expand it.

**Mr GIBSON MP (CHAIRMAN):** The procedure is that you do a saliva test. What happens after that?

**Chief Superintendent HARTLEY:** The first step is a roadside test. Like random breath testing, drivers are pulled over. With drug testing, the driver is handed a swab to wipe his or her tongue. The police officer places that into a device. It is similar to a pregnancy test. That gives an indication of the presence of cannabis, ecstasy or speed. They are the three drugs we are targeting. If that is positive, they go into the police truck, where they provide another sample of saliva, which is put into a small device. That sample is inserted into an instrument that analyses it. That will give a positive or a negative reading. If that is positive, the sample is sent to the Division of Analytical Laboratories [DAL] for confirmation. After the Division of Analytical Laboratories confirms the presence of a drug, we then proceed.

**Mr GIBSON MP (CHAIRMAN):** Does the driver still have the right to ask for a blood test, as is the case with random breath testing?

**Chief Superintendent HARTLEY:** They have the right to have the sample analysed independently. There is no right to a blood test or a blood sample at the scene. We are out in the street and that would be an impediment to the operation.

**Mr GIBSON MP (CHAIRMAN):** Once they are taken back to the station—

**Chief Superintendent HARTLEY:** They are not taken to the station. We do not proceed until the final test from the Division of Analytical Laboratories confirms the presence of drugs. If the second test in the truck is positive, the driver cannot drive for 24 hours. We are working with industry with that.

**The Hon. ROBERT BROWN MLC (STAYSAFE):** You do not let them drive off.

**Chief Superintendent HARTLEY:** No. If it involves a truck driver, we ring their operations manager and report that the driver has tested positive and that the truck will on the roadside for 24 hours unless they can organise another driver.

**Mr GIBSON MP (CHAIRMAN):** Can it pick up cocaine or heroin, or is the surveillance of the officer good enough to say that a person is driving—

**Chief Superintendent HARTLEY:** We had to pick these three drugs because codeine is in heroin and Sudafed. If people are affected but the instrument gives a negative reading, we send them to the hospital for a blood and urine sample. We already have legislation that allows that to be done.

**Senior Sergeant DORROUGH:** Chief Superintendent Hartley is saying that none of our practices will change with regard to drugs in a person's system. That legislation stays in place. That is a sobriety test and it relates to a person being affected by drugs or alcohol. This system relates only to the presence of a substance. This is the difference. If you have drugs in your system, that is the offence, not the fact that it is affecting your driving.

**Chief Superintendent HARTLEY:** Saliva is only in your system for a short period of time so it means really only immediate use. It is not a week later or the cannabis in your hair three months later. It is after some three or four hours after immediate use we imagine that that will pick it up.

**Mr BARR MP (STAYSAFE):** Is there a risk of drivers in finding something else to bypass the tests for these three?

**Chief Superintendent HARTLEY:** You just never know. I think that is the issue, we are always looking at ways that people try to mask the tests. We know that truck drivers will swig on mouth alcohol at present to try to get us to give them a breath test and not worry about taking them back for a drug and urine test to the hospital. They try to put us off the scent. Then when they go back, 15 minutes later that has gone

out of the system and the fact is that they are negative. We will have to work as smart as they are. And technology will advance as well—we do not have to worry about that.

**Mr GIBSON MP (CHAIRMAN):** Have you been asked to participate in the task force that was announced yesterday?

**Chief Superintendent HARTLEY:** I did not read yesterday's paper. The fact is that my people are involved. Senior Sergeant Mark Stevens from my area is involved with the Roads and Traffic Authority and other Ministries looking at the drug testing legislation, the introduction, where it will operate, et cetera. I am not sure what the announcement was yesterday but it could encompass part of that.

## Quinlan Report

**The Hon. IAN WEST MLC (STAYSAFE):** Can I ask about the Quinlan report and the task force that was chaired by the general manager of the Motor Accidents Authority?

**Senior Sergeant DORROUGH:** I was involved in part of that task force. The flow on from that inquiry then went to WorkCover with regards to introducing a memorandum of understanding [MOU] between New South Wales Police and WorkCover in relation to any fatal or serious injury accident or where police detected any transport operator operating without any fatigue management program. That being the case, we now have a memorandum of understanding with WorkCover where we provide them with information regarding those drivers and companies. In fact, that WorkCover working party has a meeting next month I think.

## Police Pursuits and Car Chases

**Mr GIBSON MP (CHAIRMAN):** Can you bring us up to date with pursuits and police chases? Every time one occurs, it is in the media and there is a lot of attention to it. Can you give the Committee the up-to-date figures?

**Chief Superintendent HARTLEY:** Certainly. Senior Sergeant Dorrough will address those issues. We have also changed some of our driving processes to different driving categories, and Senior Sergeant Dorrough will explain them to you.

**Senior Sergeant DORROUGH:** The overall trend with regard to police pursuits is on a downward trend. There were about 2,500 pursuits per year. Bearing in mind the way New South Wales records pursuits under our pursuit policy, our definition is fairly encompassing. Many of the other States only recently decided to take on our definition, which was developed through New South Wales Police and the South Australian Police research unit.

**Mr GIBSON MP (CHAIRMAN):** Can you briefly to us what that is?

**Senior Sergeant DORROUGH:** It means that if a police officer signals a vehicle to stop and they fail to do so, we classify that as a pursuit in New South Wales, whereas

other States and other countries do not. Some countries only take it into account after more serious issues occur.

**Chief Superintendent HARTLEY:** May I clarify that. As a police officer, if in your mind a vehicle is not intending to stop, you must call a pursuit straightaway. That is why we have that number. If we made the criteria a bit different, we could certainly cut that figure down, for example, to where the speed reaches 10 above the limit or something. Most of our pursuits are less than one minute, and most certainly are not at low speeds.

**Senior Sergeant DORROUGH:** The pursuits up until 2005 have come down from 2,545 in 2000 to 2,078.

**Mr BARR MP (STAYSAFE):** That is where someone may be signalled to pull over?

**Senior Sergeant DORROUGH:** Yes. If they fail to pull over, that is a pursuit.

**Chief Superintendent HARTLEY:** A turn and burn, or turn and chase, is not a pursuit, because the police then catch up, hit the lights, pull the driver over, and 99.9 per cent of people stop and pull over. These are the ones where the drivers, after the lights and sirens come on, do not stop, but take off.

**Mr MAGUIRE MP (STAYSAFE):** In correlation to that, do you have a figure on the number of kilometres highway patrols are travelling now, when those pursuit figures were put together?

**Chief Superintendent HARTLEY:** Highway patrol kilometres travelled?

**Mr MAGUIRE MP (STAYSAFE):** Yes, for the same year as you have the number of pursuits that have declined.

**Chief Superintendent HARTLEY:** We will get those figures for you.

### **Road safety around schools**

**Mr MAGUIRE MP (STAYSAFE):** The STAYSAFE Committee conducted an investigation into school safety zones. Have any initiatives arisen with regard to traffic policing around schools?

**Chief Superintendent HARTLEY:** I have been involved in the Roads Minister's round table on school safety, and a package was delivered by the Roads Minister, but I will not elaborate on that. There are issues about more cameras around schools, better marking of pedestrian crossings around schools, flashing light trials and better signage around schools to highlight school zones. Those issues are being addressed. A substantial package has been developed with all players—the Department of Education and Training, Kidsafe, the Roads and Traffic Authority, and NSW Police—to make schools safer. Since July I have had police officers working at schools for an hour in the morning and an hour in the afternoon, every shift they work, to increase

the profile. The major crashes and injuries involving young children are occurring away from school zones, but we target those areas to highlight the issue of schools and school zone safety.

### **NSW Police enforcement of road rules**

**Mr GIBSON MP (CHAIRMAN):** There was a report this morning about a lady being booked for parking a car in a driveway. It was her own driveway but they still booked her.

**Chief Superintendent HARTLEY:** She may have been parked across the footpath.

**Senior Sergeant DORROUGH:** The Australian Road Rules state that you cannot block any driveway, whether or not it is your own. That is based on access for emergency services and where the driveway leads to units. If I were to park across the driveway of a 100-unit block and say that it is my driveway and I should be able to park there, what about the other 99 residents? That is why it was introduced.

### **Red light camera enforcement**

**Mr BARR MP (STAYSAFE):** Is red light camera enforcement still the domain of the police?

**Chief Superintendent HARTLEY:** There are proposals and it has been accepted by the Government that the Roads and Traffic Authority will take over the functions of red light cameras from NSW Police. That process will take a couple of years. We are still using wet film technology, which is old technology. It still works perfectly, but in two or three years the technology will not be sustainable.

**Mr MAGUIRE MP (STAYSAFE):** What about technology with red light cameras and being able to detect speed?

**Chief Superintendent HARTLEY:** That is an emerging technology and that issue will be addressed by the Roads and Traffic Authority once it takes over the scheme.

**Mr MAGUIRE MP (STAYSAFE):** Have you been receiving information, data or intelligence from Safe-T-Cam?

**Chief Superintendent HARTLEY:** In the past six months we have commenced dialogue with the Roads and Traffic Authority to stop duplication of data gathering. I have an intelligence unit of eight people who look at data and plot where police should be targeting operations. They are gathering information on fatal crashes and so on that the Roads and Traffic Authority also gathers. Unfortunately our computer systems do not talk to each other. A large and significant project is under way to get those systems to share the data more easily. That is one of many projects we are running with them. We are also looking at getting their heavy vehicle rating system sent to us electronically. It targets heavy vehicles at risk on our roads and we will be able to use that information straightaway.

**MR GIBSON MP (CHAIRMAN):** What about the information collated from insurances companies? Are there any shared resources?

**Chief Superintendent HARTLEY:** We look at the data published by companies. However, from a policing point of view, the only data I need to process is black spot locations, where, when and how, and what offences are occurring. I do not need the rest of the information to educate people. I simply need to be able to prevent more than catch. That is my ambition. However, catching is probably only the way to get people to modify their behaviour from an enforcement point of view.

### **Unrestrained motor vehicle passengers**

**Mr GIBSON MP (CHAIRMAN):** Was the law changed after the STAYSAFE Committee inquiry into car surfing?

**Chief Superintendent HARTLEY:** Yes, there were some changes made.

**Senior Sergeant DORROUGH:** Yes, it was.

**Mr GIBSON MP (CHAIRMAN):** Regarding the carriage of unrestrained passengers?

**Chief Superintendent HARTLEY:** Yes. I cannot tell you exactly what was changed but there were some changes.

**Senior Sergeant DORROUGH:** There were some changes made to New South Wales jurisdictional law with regard to where you are on the vehicle. That was implemented several years ago, but that was only a follow on from the legislation that is already retained in the Australian road rules about having any part of your body outside the vehicle. New South Wales jurisdictional legislation has just reinforced that.

**Mr GIBSON MP (CHAIRMAN):** I think it only referred to people in the boot, not car surfing.

**Chief Superintendent HARTLEY:** It would have been 2003, I think it was.

**Senior Sergeant DORROUGH:** But it has been changed.

**Chief Superintendent HARTLEY:** After that inquiry we did have a meeting and there were some changes made.

### **Right of way and merging traffic**

**Mr GIBSON MP (CHAIRMAN):** I attended a public forum a week or two where concern was expressed about right of way. I must admit that when the question was put to the audience, there were 4 or 5 different answers. We are seeing more accidents in merging traffic—traffic coming from the slip lane onto, say, the M4, the

M3 or the M7, and when traffic merges from three lanes into two. Some people believed that the car that had its nose in front had the right of way; some believed the traffic coming off the slipway onto the main road had the right of way; and others believed the through traffic had the right of way. No answer to that question came out of the meeting that night.

**Senior Sergeant DORROUGH:** The legislation states that if you are on the through road and the adjoining road has a broken line—which is a give way line—that traffic is to give way, no matter where your vehicle is placed.

**Mr GIBSON MP (CHAIRMAN):** What traffic is to give way?

**Senior Sergeant DORROUGH:** If you are on the through lane, the main road, the expressway or whatever and there is joining traffic, that joining traffic has to give way to the main traffic. If you see a marking on the road like a dotted line, that is a give way line. That means exactly that. That is nationally known. If there is no give way sign, it does not matter, that line still applies and, therefore, those vehicles have to give way to the through traffic—bearing in mind that people that motorists display occasional courtesy and allow other drivers to go in and out. That traffic entering onto the main road has to give way.

In merging traffic, for example, if it is a two-lane road with a broken centreline and you are both joining, if there is no give way line marking the vehicle that is in front has right of way. That new law was introduced to the Australian Road Rules back in 1999. We did not have that in New South Wales and, perhaps, it requires further education of motorists in regard to it. You do not come across many, although we have one in Parramatta. If it has a dotted marked line that is a give way line and you must give way, however, people put on their blinker and think they have right of way.

### Roundabouts and merging traffic

**The Hon. IAN WEST MLC (STAYSAFE):** My question relates to the merging rule at roundabouts and the constant irritation of motorists saying, "I am on the right. I have the right of way." They just come through at 60 km/h. I appreciate that is probably not the highest priority on your list of issues, but can you tell me whether or not you would have any difficulty when attending an accident, if there was no right of way—if there is an accident in a roundabout—in implementing the rule that both motorists are at fault?

**Senior Sergeant DORROUGH:** That would make life easier. However, considering the fact that it is a national ruling would have to be agreed upon by States.

**The Hon. IAN WEST MLC (STAYSAFE):** What is the rule?

**Senior Sergeant DORROUGH:** The rule is: if you are on the roundabout you have right of way.

**The Hon. IAN WEST MLC (STAYSAFE):** There is no give-way sign.

**Senior Sergeant DORROUGH:** Not giving way to the right. You have right of way.

**The Hon. IAN WEST MLC (STAYSAFE):** If you are on the roundabout you have right of way?

**Senior Sergeant DORROUGH:** If you are on the roundabout you have right of way—bearing in mind that many people do not signal their intention, as they are supposed to do.

**The Hon. IAN WEST MLC (STAYSAFE):** When you attend an accident at a roundabout, how do you determine who is at fault?

**Senior Sergeant DORROUGH:** We can only determine that on the statements given by motorists and/or witnesses. However, that is not to say that we do not have arguments in regard to that. If that is the case, we cannot determine who is at fault and we have to go with conflicting statements.

**The Hon. IAN WEST MLC (STAYSAFE):** Has an education process ever been put in place to the effect that the rule is not merely that you give way to your right?

**Senior Sergeant DORROUGH:** As far as I am aware, the Roads and Traffic Authority put out a pamphlet on roundabouts, and so did the NRMA, and there was an advertising campaign in regard to roundabouts and right of way.

## **NSW Police responses to representations from the Pedestrian Council**

**Mr MAGUIRE MP (STAYSAFE):** You mentioned the Pedestrian Council of Australia and that you had representations from the council about bull bars. How many people does the Pedestrian Council of Australia represent? It is a question no-one has been able to answer for me. NSW Police reacts to inquiries or representations. If I gathered half a dozen people together and called the group the Road Activists Group, would you respond to inquiries that I made?

**Chief Superintendent HARTLEY:** I have no idea about the membership.

**Mr MAGUIRE MP (STAYSAFE):** Can you find out?

**Chief Superintendent HARTLEY:** That is a question for the Pedestrian Council of Australia rather than the police. I do not react to a request until I see a legitimate question. The issue of bull bars was legitimate because it was getting out of hand in some areas, and we were able to target those areas, mainly in the city. We could say that if a bull bar has sharp edges or if a fishing rod holder is a problem, it should come off. We use it as an education tool and that is the way we processed it.

## **Legislative advice concerning road safety or the social and economic costs of road crashes by the Police portfolio**

QUESTION: General details of the circumstances where officers employed by agencies within the Police portfolio have provided advice on proposed legislation/ discussion papers, etc., on road safety over the period 2000-2005.

RESPONSE:

### **Traffic Services**

Traffic Services provides daily advice (on average 10 to 15 per day) to police officers in the field. In addition, Traffic Services: circulates memoranda to police on operational traffic matters;

- Develops Standard Operating Procedures and policy for NSW Police (for example, SOPs on RBT operations, and the NSW Police Traffic Policy Statement);
- reviews legislation (for example, definitions of 'impact' in relation to motor vehicle collisions, and the Road Transport (Vehicle Registration) Regulations);
- reviews external submissions to the Commissioner (for example, external agencies displaying and using emergency lights);
- reviews and provides advice on discussion papers (for example, in relation to the withdrawal of licences for drivers involved in serious traffic offences, and improving safety for young drivers);
- participates in summits (for example, the Country Road Safety Summit and the National Transport Commission Summit to combat speeding heavy trucks);
- participates in interagency working parties (for example, the Interlock Devices Working Party, and the Drug Driving Taskforce);
- liaises with other government agencies (for example, the Department of Sport and Recreation in relation to motor vehicle racing grounds);
- provides advice to government and non government agencies (for example, the RTA regarding enforcement of the Graduated Licensing Scheme, and the Pedestrian Safety Council).

### **Traffic Services Representation on Statutory Bodies**

Traffic Services is represented on the following statutory bodies:

- Roads and Traffic Advisory Council
- Tow Truck Industry Advisory Council

### **Traffic Services Representation on Inter-departmental Committees**

Traffic Services is represented on the following inter-departmental committees:

ATPF Legislative Working Group

- A national police traffic forum that evaluates/reviews traffic and transport legislation on behalf of the ATPF who report directly to the Conference of the Commissioner's of Police of Australasia and South West Pacific Region. (Traffic Police representatives from all States, Territories and New Zealand)

#### Australian Road Rules Maintenance

- This Group consists of transport/roads representatives and police from each State and Territory who review and develop legislation and recommends amendments if required. Reporting to the Australian Transport Council (ATC) comprising of the Ministers for Transport.

#### Legislative Advisory Panel

- This panel consists of representatives from transport/road agencies and police nationally. Was implemented to develop legislation through the National Transport Commission (NTC) formally the NRTC for the national Compliance and Enforcement Legislation. The Panel has been utilised in regards to other national legislative issues such as Intelligent Access Program for oversized heavy vehicles.

#### Heavy Vehicle Fatigue Management National Policy

- National Transport Commission (NTC) review of fatigue management alternatives for heavy vehicles. Proposals and draft legislation, reports to Transport Agency Chief Executives (TACE) and then to Ministers for Transport (TAC). (Committee consists of transport/road agencies/transport union representatives/police/health representatives)

#### Level Crossing Strategy Council

- Council address all rail crossing issues/reviews/upgrades/management and Safety issues relating to road and rail crossings. Reports to the Minister

#### Level Crossing Working Group

- Group consists of Rail Services/Local Government Shires Association/Roads and Traffic Authority/Transport NSW. Reports to the Level Crossing Strategy Council (LCSC).

#### Motor Sport Advisory Committee

- Committee as set out in legislation – Motor Vehicle Sports (Public Safety) Act Representatives from each of the controlling bodies of motor sport and police. Speedway/Motorcycling/Drag racing/Go Karting etc. Reports to the Director Department of Sport and Recreation then to the Minister.

#### Australian Standards Motor Sport Working Group

- Recently set up to develop a standard for risk assessment for motor sport nationally. Working Group consists of motor racing promoters/race track owners/managers/Workcover/Coroner's from Queensland, Tasmania and Victoria/NSW police ATPF representative/Motor Sport Controlling bodies, motorcycling Australia, Speedway etc. Upon completion of Standards each State will provide report to Ministers for introduction.

#### Public Safety Around Schools

- Provide the Chief Executive of the RTA concerning the delivery of the Safety Around Schools Program, and to resolve matters in disagreement between local school communities and the RTA.

## Road Freight Advisory Council

- The RFAC is to act as the road freight customer council to the RTA to advise the RTA on road freight policy, legislative and regulatory proposals and other major initiatives. Membership is by personal invitation by the Minister for Roads Long Haul Trucking Committee. WorkCover Committee to develop protocols for the heavy vehicle trucking industry. Reports to all Ministers concerned.

## Compliance and Enforcement Implementation Group

- This group developed the C&E Bill through LAP members who also work on other associated programs. Legislation will be introduced in 2005. Members as mentioned in LAP national group.

## Compliance and Enforcement Data Reference Group

- As above – similar issues different legislation issues nationally.

## Management of Dangerous Goods Steering Committee

- Explosives regulations meetings – Committee introduced to review dangerous goods legislation and access and availability to the community and the concerns raised regarding terrorism.

## Local Government Road Safety Officers Steering Committee

- Reviews the operations/projects together with joint stakeholders and develop plans for road safety initiatives for local government involvement in road safety.

Traffic Services is also represented on the following inter-departmental committees:

- Australasian Traffic Policing Forum
- Attorney Generals Working Party on Drink Driving Offences
- Road Safety Task Force
- Government Agencies Road Safety Council
- Saliva Drug Testing Committee
- Blood Sampling Committee
- Zero Tolerance Alcohol Committee
- National Standards Committee
- Roads and Traffic Advisory Council (RTAC)
- Road Safety Strategy Council
- Government Agencies Road Safety Council
- Quinlan Taskforce (Driver Fatigue-Heavy Vehicles)
- Australian Traffic Policing Forum
- ATPF Legislative Working Group
- Road Safety Task Force
- Australian Road Rules Maintenance
- Legislative Advisory Panel
- Heavy Vehicle Fatigue Management National Policy
- Level Crossing Strategy Council (Ministerial)

- Level Crossing Working Group
- Public Safety Around Schools
- Motor vehicle Sports and licensing Advisory Committee
- Australian Standards Motor Sport Working Group
- Public Safety Around Schools
- Road Freight Advisory Council
- Compliance and Enforcement Steering Committee
- Compliance and Enforcement Data Reference Group
- Management of Dangerous Goods Project Steering Committee
- Drug Driving – Random Road Side Drug Testing (oral fluid) Committee
- Zero Tolerance Alcohol
- National Standards/National Measurement Institute-Speed Detection pattern approval Committee
- Local Government Road Safety Officers Steering Committee
- MDT Phase II Steering Committee
- In Car Video Steering Committee
- In Car Digital Speed Camera Trial Evaluation Committee
- Asset Management And Audit Group Project Steering Committee
- Automatic Number Plate Recognition (ANPF) Project
- Evidential Breath Analysis Instrument Tender Committee
- Speed Detection Tender Committee
- Bus Driver Safety Committee
- Taxi Driver Safety Taskforce

## Ministry for Police

The role of the Ministry for Police is to develop policy for the portfolio within the context of the wider NSW Government policy agenda and consistent with the policy directions of the Minister. The Ministry also provides the Minister with an independent source of information and analysis on matters relevant to the portfolio.

The Ministry is responsible for managing the Minister's legislative program. The Ministry fulfils this function by consulting and negotiating with portfolio, government and non-government stakeholders on legislative options; developing legislative proposals and assisting their passage through Cabinet and Parliament; and coordinating legislative reviews.

For example, this has included advice on the following legislative amendments and discussion papers/reports:

- Crimes Amendment (Road Accidents) (Brendan's Law) Act 2005
- *Road Transport (General) Amendment (Licence Suspension) Act 2004*
- *Road Transport Legislation (Speed Limiters) Amendment Act 2005*
- *Road Transport (Safety and Traffic Management) Amendment (Alcohol) Act 2004*
- Improving safety for young drivers [Roads and Traffic Authority discussion paper, November 2004]
- Report on Car Surfing and the Carriage of Unrestrained and Unprotected Passengers on Motor Vehicles [Staysafe Committee, September 2004]

## Crash Investigations Unit

- Evidence before the Victorian Parliamentary Committee on Victoria's vehicle road worthiness system - 2001 NSW State Parliament
- Evidence before NSW Staysafe Committee - Car Surfing incidents inquiry and new proposed legislation
- Proposed new mandatory drug testing legislation following fatal (or likely to be fatal) collisions

## Chapter XX—

# GOVERNANCE AND ADMINISTRATION ISSUES RELATING TO ROAD SAFETY FOR THE POLICE PORTFOLIO, 2000-2005

### Budgets of Traffic Services Branch in NSW Police

QUESTION: What were the budgets of the Traffic Services Branch over the period 2000-2005? Were there any significant variations that occurred in the Traffic Services Branch's budgets over this period and, if so, what were the reasons for these variations?

RESPONSE:

| Year  | Budget allocation                                                                         | Expenditure    |
|-------|-------------------------------------------------------------------------------------------|----------------|
| 2000  | The budget allocation for 2000 is unknown as the SAP download could not provide the same. | \$9, 520, 963  |
| 2001  | \$9, 403, 000                                                                             | \$9, 230, 169  |
| 2002  | \$13, 040, 574                                                                            | \$12, 894, 630 |
| 2003  | \$11, 818, 301                                                                            | \$13, 290, 868 |
| 2004* | \$14, 773, 123                                                                            | \$13, 465, 554 |
| 2005  | \$13, 998, 821                                                                            | \$13, 466, 073 |

\*In 2004 there was a significant increase in Police overtime. The budget allocation was \$3, 010,315 but expenditure was \$4, 548, 658 giving a variation (over expenditure) of \$1, 538, 343. The reason for this excess overtime is not known. A comparison of the number and frequency of Police traffic operations should be made

### Capital budgets

| Year  | Budget        |
|-------|---------------|
| 2000  | \$4, 999, 750 |
| 2001  | \$580, 000    |
| 2002  | \$1,945, 000  |
| 2003  | Nil           |
| 2004* | Nil           |
| 2005  | \$2, 038, 750 |

## **Funding provided by the RTA over the period 2000-2005 for enhanced enforcement activities by NSW Police**

QUESTION: What funding was provided by the Roads and Traffic Authority over the period 2000-2005 for enhanced enforcement activities by NSW Police? Please provide a summary of the audit controls put in place to ensure that these monies are expended on traffic enforcement activities rather than supplementing general policing budgets, and provide an example of such an audit return from a Local Area Command.

RESPONSE:

During the calendar years 2000-2005 the RTA provided a total of \$37,003,711. This information has been provided by the RTA.

The Enhanced Enforcement Program has listed within its guidelines a number of audit controls that relate to operations funded under this program.

The current version of the Enhanced Enforcement Guidelines stipulate that the Roads and Traffic Authority (RTA) together with the Traffic Services Branch (TSB) will carry out random audits on operations to confirm that the activities are being carried out as per the RTA/Police agreement.

These audits can be:

- Operational
- Tasking sheet related
- Roster download and tasking sheet related

Audits have, and are conducted by:

*Police:*

- Commander, Traffic Services whilst conducting duties throughout the state
- Region Traffic Coordinators
- Region traffic sponsors
- Duty officers from within the Local Area Commands
- Enhanced Enforcement Coordinator
- Local Area Command Highway Patrol

*RTA:*

- Manager, Enhanced Enforcement, Road Safety Branch
- Both Regional and local RTA staff connected with the program, (i.e. Road Safety Officers)

Also of note is that the Police and RTA have, and will continue to audit operations jointly, i.e. the RTA will accompany police during an operational audit, ensuring traffic enforcement activities are complied with.

## **Mechanisms for the coordination of traffic enforcement actions**

QUESTION: What, if any, mechanisms have been established by NSW Police to allow for the coordination of traffic enforcement actions by police, the Roads and Traffic Authority (speed cameras, heavy vehicle enforcement), local councils (parking), WorkCover Authority (occupational health and safety in the road transport sector), and the Environment Protection Authority (transport of dangerous goods, vehicle emissions, vehicle noise)?

RESPONSE:

### **Roads and Traffic Authority**

Traffic Services has specifically dedicated an officer to the role of Enhanced Enforcement Program Coordinator. The responsibilities of the role include quality control of submitted EEP funding applications and auditing measures to ensure that funding is allocated specifically to road safety operations.

### **Local councils**

Traffic and Highway Patrol Supervisors attached to each Command liaise directly with their respective Council Road Safety Officers in an effort to formulate and focus operations through media and education regarding road safety issues. Traffic Services also represents NSW Police on the Local Government Steering Committee for all Road Safety Officers within NSW.

Local Traffic Committees provide a venue for NSW Police, the Roads and Traffic Authority, local councils and local Members of Parliament to review and discuss local traffic related issues.

### **WorkCover**

Traffic Services has worked closely with WorkCover to consider occupational health and safety issues regarding 'on road' traffic enforcement activities. Relevant Standard Operating Procedures have been amended.

### **Environment Protection Authority**

Traffic Services has coordinated corporate enforcement objectives with the EPA. NSW Police Region Traffic Coordinators coordinate the movement of dangerous goods and all other wide load escorts requiring police involvement. Local Traffic and Highway Patrol Supervisors liaise directly with EPA officers to target local vehicle noise and emission issues.

## Transfer of Infringement Processing Bureau the Office of State Revenue

**Mr BARR MP (STAYSAFE):** The Infringement Processing Bureau [IPB] has been transferred to the Office of State Revenue. Have there been any issues or any problems related to that move?

**Chief Superintendent HARTLEY:** It depends at what level you speak, I suppose. Probably data sharing information, where they have cut off their old computer system. We did have access to that and now we do not have access to that.

**Senior Sergeant DORROUGH:** We have a booklet, which we use for enforcement purposes, which we call a P23D. We have had some significant problems there in relation to issues with the IPB since it has left our realm. However, we have tried to overcome most of those.

**Mr BARR MP (STAYSAFE):** Would you elaborate on that?

**Senior Sergeant DORROUGH:** Well, the difficulty we have is that they produce a booklet with all the infringement notices listed, which gives offence code and regulation code. That is important when we entered the data onto the Computer Operated Police System [COPS], because if you enter the wrong information it will tell you that you have the incorrect code. It is the same for charging. However, you have to understand that there are a number of players involved in this. The Roads and Traffic Authority provides information to the Infringement Processing Bureau, and the Infringement Processing Bureau provides information to the judiciary, who does the short titles, and then comes back to our legal services. I suppose what happens when sections like the Infringement Processing Bureau, which were once part of NSW Police, move away from the police. It becomes a little disjointed in regard to information flow and, yes, we have had a few problems in that regard.

**Mr BARR MP (STAYSAFE):** What should be done?

**Senior Sergeant DORROUGH:** We hope we have overcome most of them. We have had meetings with Infringement Processing Bureau and the judiciary, and our own legal service, and most of them have been overcome. But, yes, we still have the odd problem. I suppose it is no different to any other area now where they are using the Infringement Processing Bureau for information. Without the codes we actually come to a halt, because the whole system relies upon the codes.

**MR GIBSON MP (CHAIRMAN):** Can we help at all in regard to that?

**Senior Sergeant DORROUGH:** We would certainly like a smoother process of information flow backwards and forwards. It would certainly help at our end, because if the police do not have the right code and enter the incorrect code into system, the system will not accept the code. Yes, it does cause a problem.

## Chapter Four—

# ROAD SAFETY PUBLICATIONS, SPEECHES AND PRESENTATIONS BY THE POLICE PORTFOLIO, 2000-2005

### Road safety publications involving the Police portfolio

QUESTION: Bibliographic details of monographs, reports, chapters, journal articles, or pamphlets on road safety written by officers of agencies within the Police portfolio, or consultants contracted to these agencies, that were published over the period 2000-2005.

RESPONSE: NSW Police provided the following bibliographic details of internal publications relating to road safety:

#### Police Service Weekly Publications

The following list of reference were provide by Traffic Services with NSW Police:

Snr Cst Darren Williams, Coffs Harbour HWP, "Poker Bike Run (Trail Bike Safety)", *Police Service Weekly*, Vol.I2 No.11, 20 March 2000

NSW Police, "Computers for Police Vehicles", *Police Service Weekly*, Vol.I2 No.15, 17 April 2000

Rebecca Tilly, AMP, "Escorting the Torch", *Police Service Weekly*, Vol.I2 No.36, 11 September 2000

NSW Police, "Road Events (2000 Olympics)", *Police Service Weekly*, Vol.I2 No.36, 11 September 2000

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Road Transport Legislation Amendment (Interlock Devices) Act 2002, 10 November 2003.

Road Transport (Safety and Traffic Management) Amendment (Default Urban Speed Limit) Regulation 2003, 17 November 2003

Zero Blood Alcohol Limit for Novice Drivers From 3 May 2004, 3 May 2004.

### **Police Services Notices**

PSN 02/09, Investigating motor vehicle collisions, *Police Weekly*, Vol. 14, No.8, 4 March 2002, p.17.

PSN 05/30, Checking of driver licences when conducting RBT, *Police Weekly*, Vol. 17, No. 47, 19 December 2005, p. 22.

### **Memorandum to prosecutors**

Amendment to Roads Transport (Safety and Traffic Management) (Road Rules) Regulation 1999 - Security indicator on photographs for use as evidence of speeding offences, 6 January 2005.

### **Policing Issues Practice Journal**

Sergeant John Kelly, Investigations Manager Traffic Services Branch, "Investigation of major motor vehicle collisions Part 1", *Policing Issues Practice Journal*, Vol. 12. No: 2. April 2004.

## Road safety speeches and presentations involving the Police portfolio

QUESTION: Details of papers, seminars and speeches delivered over the period 2000-2005 by officers employed by agencies within the Police portfolio, or consultants contracted to these agencies, that addressed topics in road safety.

### RESPONSE:

Seminars and speeches delivered by Commander Hartley and the Traffic Management Centre Liaison Officer:

Over the periods of 2000 - 2005, Commander Sorrenson retired from the NSW Police in March 2003. Chief Superintendent John Hartley was promoted to the roll of Traffic Commander, and as the corporate spokes person for traffic and transport related issues, has made numerous media releases regarding issues pertaining to traffic enforcement and road safety. In addition to these duties, a precis of papers, seminars and speeches Commander Hartley delivered are listed below. It should be noted that information with regards to Commander Sorrenson's presentation schedule is not readily available at this time and has not been reported on within this response.

- Country Road Safety Summit, Port Macquarie (Commander - May 2004)
- Speaker at National Road Safety Forum held in Manly (Commander - Dec 04) with the ATPF.
- Australasian Traffic Policing Forum presentation on National Strategies for Street Racing-equipment offences & the use of the Northern Territory Drag Car ('Beat the Heat') in other jurisdictions (Darwin-June 05),
- Speaker for Driver Distraction Conference (Commander - June 05)
- Speaker New Zealand Local Traffic Authority Institute (TRFINZ) (Commander - August 05),
- Country Majors Association - Heavy Vehicle Enforcement Presentation (Commander - Aug 05)
- Australasian Traffic Policing Forum presentation/discussion paper on the strategic area of Heavy Vehicle enforcement and intelligence sharing to all jurisdictions and further discussion with regards to a national perspective on illegal street racing (Commander - Nov 05)

In addition to the above response, the Traffic Management Centre (TMC) liaison Officer has also been proactive within their roll through the creation of education training packages relating to the role of TMC and benefits to police, and in particular, resources available to assist in the free movement of traffic. This presentation has been provided, but not limited to the following areas:

- Inner and Greater Metro (now Central Metropolitan, South West
- Metropolitan and North West Metropolitan) Regions,
- State Protection Group teams,
- Highway Patrol Education Program,

- Probationary Constable training days,
- The NSW Fire Brigade (Jan-Mar 2004), and
- The NSW Ambulance Service (Jan-Mar 2004)

Senior Sergeant delivered the following papers and conference presentations  
Peter Jenkins Commander Crash Investigation Unit (metropolitan):

- 6<sup>th</sup> International Conference on Clinical Forensic Medicine of the World Police Medical Officers. *"Crash Investigation - the process of investigating a serious crash."* 17-22 March 2002 Sydney
- Local Government Road Safety Conference. *"Fatigue - is it a Criminal Act? And how is it detected."* 6-8 August 2002 Newcastle
- Westmead Hospital- professional development day. *"Crash Investigation & the dynamics of a crash"*: 6 December 2002 Sydney
- Austrama 2003 - *"Crash Investigation - the process of investigation & the medical profession."* 21 February 2003 Parramatta
- Austrama 2004 - *"Seatbelts, Speed Limits, Breath testing & Helmets. Have they worked?"* February 2004 Parramatta
- Austrama 2005 - *"But it's just an accident - a look at some of the CIU cases."* 25/2/04 Parramatta
- Sydney Motor Underwriters Group *"Crash Investigation"* 2 September 2003 Sydney
- World Health Organisation day, *"Crash Investigators perspective on the road side environment."* 7 April 2004 NSW Parliament Sydney
- World Health Organisation day, *"Crash Investigators perspective on the road side environment."* 7 April 2004 NSW Parliament Sydney
- Westmead Hospital Trauma Week (2 x presentations during School attendance days) *"Current issues on Road Trauma for Young Drivers"* 3 & 4 March 2005
- Youth Forum on Road Trauma - Westmead Hospital and the NRMA, *"Crash Investigation- the Reality & issues for young drivers"* March 2006 Homebush Bay
- Numerous other presentations on a regular basis to Community groups, Schools (mainly years 10,11 & 12) on crash investigation and road trauma issues. Local Government road safety programs (e.g. Traffic Awareness Program [TAP] Fairfield Council; Drivetrain -Penrith Council); Survive the Drive - Sutherland PCYC; work experience students and assist students undergoing the Bachelor of Forensics in relation to crash investigation case studies.
- Numerous presentations to Local Police at training days, Constable Development days, Investigators Course, HWP Course and Traffic Services

Course. Certificate IV in Crash Investigation and the development and deliverance of the 'Introduction to Crash Investigation' course.

- Total number of presentations provided would be around 100 over the five-year period.

# WITNESSES WHO TESTIFIED IN PUBLIC HEARINGS BEFORE THE STAYSAFE COMMITTEE FOR THE INQUIRY INTO ROAD SAFETY ADMINISTRATION AND MID-TERM REVIEW OF THE ROAD SAFETY 2010 STRATEGY

## Monday 18 September 2006

Mr Les Wielinga, Roads and Traffic Authority  
Mr Michael Bushby, Roads and Traffic Authority  
Dr Soames Job, Roads and Traffic Authority  
Mr Jim Glasson, Ministry of Transport  
Mr Roy Wakelin-King, Ministry of Transport  
Mr Robert Randall, Department of Education and Training  
Mr Paul Doorn, Department of Education and Training  
Ms Beryl Jamison, Department of Education and Training  
Ms Pam Albany, New South Wales Health

## Monday 25 September 2006

Kathy Hayes, Motor Accidents Authority Of New South Wales  
Gillian Browne, Motor Accidents Authority Of New South Wales  
Ronald Dorrough, Acting Commander of Traffic Policy, Traffic Service Branch, New South Wales Police  
John Hartley, Commander, Traffic Service Branch, New South Wales Police  
Leslie Blake, WorkCover Authority  
Jennifer Thomas, WorkCover Authority  
Craig Lamberton, Department Of Environment And Conservation  
Alan Ritchie, Department Of Environment And Conservation  
Geoffrey Mellor, Manager, Department Of Environment And Conservation  
Ernest Schmatt, Judicial Commission Of New South Wales  
Hugh Donnelly, Judicial Commission Of New South Wales  
Laura Wells, Criminal Law Review Division, New South Wales Attorney General's Department  
Jacqueline Fitzgerald, Deputy Director, Bureau Of Crime Statistics And Research

# SUBMISSIONS RECEIVED BY THE STAYSAFE COMMITTEE FOR THE INQUIRY INTO ROAD SAFETY ADMINISTRATION AND MID-TERM REVIEW OF THE ROAD SAFETY 2010 STRATEGY

- MTR 001 Hon. John Della Bosca MLC, Special Minister of State, Level 30, Governor Macquarie Tower, 1 Farrer Place, SYDNEY NSW 2000, regarding road safety activities by the Motor Accidents Authority over the period 2000-2005. (STC243, C06/2255, IF)
- MTR 002 Hon. John Watkins MP, Deputy Premier, Minister for Transport, Level 30, Governor Macquarie Tower, 1 Farrer Place, SYDNEY NSW 2000, regarding road safety situation in New South Wales over 2000-2005. (STC240, C06/2490, MY)
- MTR 003 Hon. Eric Roozendaal MLC, Minister for Roads, Level 30, Governor Macquarie Tower, 1 Farrer Place, SYDNEY NSW 2000, regarding road safety situation in New South Wales over 2000-2005. (STC238, C06/2493, IF)
- MTR 004 Hon. Carmel Tebbutt MP, Minister for Education and Training, Level 33, Governor Macquarie Tower, 1 Farrer Place, SYDNEY NSW 2000, regarding road safety situation in New South Wales over 2000-2005. (STC242, C06/2495, MY)
- MTR 005 Mr Matt Monahan, Office of the Director-General, NSW Health, Locked Mail Bag 961, NORTH SYDNEY NSW 2059, regarding road safety situation in New South Wales over 2000-2005. (STC241, C06/2496, MY)
- MTR 006 Mr Brendan Stone, Criminal Law Review Division, NSW Attorney General's Department, GO Box 6, SYDNEY NSW 2001, regarding road safety situation in New South Wales over 2000-2005. (STC241, C06/2532, AP)
- MTR 007 Hon. Carl Scully MP, Minister for Police, Level 36, Governor Macquarie Tower, 1 Farrer Place, SYDNEY 2000, regarding road safety situation in New South Wales over 2000-2005. (STC239, C06/2536, MY)
- MTR 008 Hon. Bob Debus MP, Minister for the Environment, Level 36, Governor Macquarie Tower, 1 Farrer Place, SYDNEY NSW 2000, regarding road safety situation in New South Wales over 2000-2005. (STC246, C06/2538, IF)
- MTR 009 Hon. John Della Bosca MLC, Special Minister of State, Level 30, Governor Macquarie Tower, 1 Farrer Place, SYDNEY NSW 2000, regarding road safety activities by the WorkCover Authority over the period 2000-2005. (STC247, C06/2560, MY)



## Appendix A –

### Extracts from the minutes of the STAYSAFE Committee regarding the inquiry into road safety administration and mid-term review of the Road Safety 2010 strategy

This appendix contains relevant extracts from the minutes of STAYSAFE Committee meetings of:

- Friday 15 December 2006

regarding the inquiry into road safety administration and mid-term review of the Road Safety 2010 strategy.

# STAYSAFE

## PROCEEDINGS OF THE JOINT STANDING COMMITTEE ON ROAD SAFETY

11:30 A.M., FRIDAY 15 DECEMBER 2006  
AT PARLIAMENT HOUSE, SYDNEY

### MEMBERS PRESENT

#### *Legislative Council*

Mr West  
Mr Colless

#### *Legislative Assembly*

Mr Gibson  
Mr Maguire  
Mr Barr

Also in attendance: Mr Faulks, Manager of the Committee, Ms Jay, Senior Committee Officer, and Ms Yeoh, Assistant Committee Officer

The Chairman presiding.

### 1. Apologies

Apologies were received from Mr Souris, Mr Bartlett, Mr Hunter, Ms Hay and Mr Brown.

### 2. Previous minutes

On the motion of Mr Colless, seconded Mr Barr, the minutes of Meeting No. 52 held on Monday 13 November 2006 was accepted as a true and accurate record.

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13. Consideration of Chairman's draft report: 'Inquiry into road safety administration and mid-term review of the New South Wales Road Safety 2010 strategy: Report on actions undertaken in the Police portfolio to address the road safety situation in New South Wales, 2000-2005'

The Chairman presented the draft report: 'Inquiry into road safety administration and mid-term review of the New South Wales Road Safety 2010 strategy: Report on actions undertaken in the Police portfolio to address the road safety situation in New South Wales, 2000-2005'.

The draft report was accepted as being read.

The Committee proceeded to deliberate on the draft report:

Chapter 1

Paras. 1.1 – 1.12: read and agreed to

Chapters 2-4: read and agreed to

Appendix 1-2: read and agreed to

On the motion of Mr Maguire, seconded Mr West:

That the draft report: 'Inquiry into road safety administration and mid-term review of the New South Wales Road Safety 2010 strategy: Report on actions undertaken in the Police portfolio to address the road safety situation in New South Wales, 2000-2005' be read and agreed to.

Passed unanimously.

On the motion of Mr Maguire, seconded Mr West:

That the draft report: 'Inquiry into road safety administration and mid-term review of the New South Wales Road Safety 2010 strategy: Report on actions undertaken in the Police portfolio to address the road safety situation in New South Wales, 2000-2005' be accepted as a report of the STAYSAFE Committee, and that it be signed by the Chairman and presented to the House.

Passed unanimously.

On the motion of Mr Maguire, seconded Mr West:

That the Chairman and Committee Manager be permitted to correct any stylistic, typographical and grammatical errors in the report.

Passed unanimously.

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## **17. General business**

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There being no further business, the Committee adjourned at 12:30 p.m..

Chairman

Committee Manager

## Appendix B—

### Reports of the STAYSAFE Committee 1982-2006

|                    |                                                                                                                                               |
|--------------------|-----------------------------------------------------------------------------------------------------------------------------------------------|
| STAYSAFE 1 (1982)  | Alcohol, drugs and road safety.                                                                                                               |
| STAYSAFE 2 (1984)  | Car driver licensing and road safety.                                                                                                         |
| STAYSAFE 3 (1984)  | Motorcycling safety.                                                                                                                          |
| STAYSAFE 4 (1985)  | Is there a police quota system?                                                                                                               |
| STAYSAFE 5 (1985)  | Traffic law enforcement.                                                                                                                      |
| STAYSAFE 6 (1985)  | The administration of random breath testing.                                                                                                  |
| STAYSAFE 7 (1986)  | Police hot pursuits.                                                                                                                          |
| STAYSAFE 8 (1986)  | Speed control.                                                                                                                                |
| STAYSAFE 9 (1986)  | Safe speed and overtaking on 100 km/h roads.                                                                                                  |
| STAYSAFE 10 (1986) | Radar detectors and jammers.                                                                                                                  |
| STAYSAFE 11 (1987) | Safety of 2-lane country roads.                                                                                                               |
| STAYSAFE 12 (1988) | Bicycle safety.                                                                                                                               |
| STAYSAFE 13 (1989) | Immediate and certain loss of licence for extreme drink-driving.                                                                              |
| STAYSAFE 14 (1989) | Malpractice in driver licence testing.                                                                                                        |
| STAYSAFE 15 (1989) | Alert drivers, and safe speeds for heavy vehicles.                                                                                            |
| STAYSAFE 16 (1990) | B-Doubles.                                                                                                                                    |
| STAYSAFE 17 (1990) | Novice drivers: the student's view.                                                                                                           |
| STAYSAFE 18 (1990) | Steering novice drivers towards safety.                                                                                                       |
| STAYSAFE 19 (1992) | Alcohol and other drugs on New South Wales roads. I. The problem and countermeasures.                                                         |
| STAYSAFE 20 (1993) | Alcohol and other drugs on New South Wales roads. II. Offences, penalties, and the management of convicted drivers.                           |
| STAYSAFE 21 (1992) | Culpable driving.                                                                                                                             |
| STAYSAFE 22 (1992) | Towing caravans and trailers safely.                                                                                                          |
| STAYSAFE 23 (1992) | A decade of the STAYSAFE Committee 1982-1992.                                                                                                 |
| STAYSAFE 24 (1992) | Livestock warning signs: Road safety implications of the draft Rural Lands Protection (Amendment) Bill 1992.                                  |
| STAYSAFE 25 (1994) | Death and serious injury on New South Wales roads: An examination of the provisions of the Crimes Act 1900 (NSW) regarding dangerous driving. |
| STAYSAFE 26 (1994) | Pedestrian safety. I. School children around buses.                                                                                           |
| STAYSAFE 27 (1994) | Traffic stops, police chases and police pursuits of motor vehicles.                                                                           |
| STAYSAFE 28 (1995) | Sleep disorders, driver fatigue and safe driving.                                                                                             |
| STAYSAFE 29 (1995) | Pedestrian safety. II. Cleaning windscreens and other itinerant commercial activities on or alongside the roadway.                            |
| STAYSAFE 30 (1996) | Pedestrian safety. III. Bicycle courier activities in the Sydney central business district.                                                   |
| STAYSAFE 31 (1996) | Review of the road safety situation in New South Wales in 1994.                                                                               |
| STAYSAFE 32 (1996) | Aspects of road safety administration in New South Wales.                                                                                     |
| STAYSAFE 33 (1996) | Responses to recommendations in STAYSAFE reports of the 50th Parliament.                                                                      |
| STAYSAFE 34 (1996) | A 50 km/h general urban speed limit for New South Wales.                                                                                      |
| STAYSAFE 35 (1997) | The Traffic Amendment (Street and Illegal Drag Racing) Act 1996 - A report into the sunset provision.                                         |

|                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|---------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| STAYSAFE 36 (1997)  | Drivers as workers, vehicles as workplaces: Issues in fleet management.                                                                                                                                                                                                                                                                                                                                                                                                              |
| STAYSAFE 37 (1997)  | Driver licensing in New South Wales: First entry into the driver licensing system.                                                                                                                                                                                                                                                                                                                                                                                                   |
| STAYSAFE 38 (1997)  | Report of the 2nd meeting of Australasian Parliamentary road safety committees and Ministerial nominees, Parliament House, Sydney, Wednesday 2 April 1997 and Thursday 3 April 1997.                                                                                                                                                                                                                                                                                                 |
| STAYSAFE 39 (1997)  | Young drivers - Proceedings of a seminar at Parliament House, Sydney, 30 April 1997.                                                                                                                                                                                                                                                                                                                                                                                                 |
| STAYSAFE 40 (1997)  | A 50 km/h general urban speed limit for New South Wales: Progress report and edited minutes of evidence.                                                                                                                                                                                                                                                                                                                                                                             |
| STAYSAFE 41 (1998)  | Review of the road safety situation in New South Wales in 1995.                                                                                                                                                                                                                                                                                                                                                                                                                      |
| STAYSAFE 42 (1998)  | Review of the road safety situation in New South Wales in 1996.                                                                                                                                                                                                                                                                                                                                                                                                                      |
| STAYSAFE 43 (1998)  | Electronic drivers licences.                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| STAYSAFE 44 (1998)  | Developing safer motor vehicles for Australia.                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| STAYSAFE 45 (1998)  | Injury prevention and infection control in the taking of blood samples from drivers suspected of alcohol or other drug impairment.                                                                                                                                                                                                                                                                                                                                                   |
| STAYSAFE 46 (1998)  | Falling asleep at the wheel C Legal and licensing implications of driver fatigue.                                                                                                                                                                                                                                                                                                                                                                                                    |
| STAYSAFE 47 (1998)  | Review of the road safety situation in New South Wales in 1997.                                                                                                                                                                                                                                                                                                                                                                                                                      |
| STAYSAFE 48 (1998). | Pedestrian safety. IV. Child pedestrian safety in New South Wales.                                                                                                                                                                                                                                                                                                                                                                                                                   |
| STAYSAFE 49 (1998). | Comments concerning the development of uniform traffic law in Australia—the Australian Road Rules.                                                                                                                                                                                                                                                                                                                                                                                   |
| STAYSAFE 50 (2000). | Speech by Grant McBride MP, STAYSAFE Chairman, in opening the 4th Local Government Road Safety Conference, Millennium Hotel, Kings Cross, 11-13 August 1999.                                                                                                                                                                                                                                                                                                                         |
| STAYSAFE 51 (2000)  | Review of the road safety situation in New South Wales in 1998.                                                                                                                                                                                                                                                                                                                                                                                                                      |
| STAYSAFE 52 (2001)  | Responses of Government agencies to recommendations in STAYSAFE reports of the 51st Parliament.                                                                                                                                                                                                                                                                                                                                                                                      |
| STAYSAFE 53 (2001)  | Traffic control and safety around schools - Part 1 - Major recommendations and summary.                                                                                                                                                                                                                                                                                                                                                                                              |
| STAYSAFE 53 (2002)  | Traffic control and safety around schools - Part 2 -Responses of government agencies to the major recommendations and summary.                                                                                                                                                                                                                                                                                                                                                       |
| STAYSAFE 53 (2002)  | Traffic control and safety around schools - Part 3 -The evidence.<br>VOLUME 1 – The testimony of school communities in 2000.<br>VOLUME 2 – The testimony of school communities in 2001.<br>VOLUME 3 – The testimony of representatives of government agencies.<br>VOLUME 4 – The testimony of representatives of local councils.<br>VOLUME 5 – The testimony of bus and taxi operators, representatives of non-government organisations, private citizens and Members of Parliament. |
| STAYSAFE 53 (2002)  | Traffic control and safety around schools - Part 4 - Summaries of submissions received from government agencies, non-government organisations, and the community.                                                                                                                                                                                                                                                                                                                    |
| STAYSAFE 54 (2002)  | Road safety and street design in town centres: Towards best practice in traffic control and safety for main streets in New South Wales: Proceedings of a conference held at Parliament House, Sydney, 31 July - 1 August 2000.                                                                                                                                                                                                                                                       |
| STAYSAFE 55 (2002)  | Review of the road safety situation in New South Wales in 1999.                                                                                                                                                                                                                                                                                                                                                                                                                      |
| STAYSAFE 56 (2004)  | Railway level crossings: Improving safety where railways and roads intersect at the same level.                                                                                                                                                                                                                                                                                                                                                                                      |

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|--------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| STAYSAFE 57 (2002) | Work-related road safety. Proceedings of a seminar held at Sydney, Thursday 8 February 2002.                                                                                                                                                                                                                                       |
| STAYSAFE 58 (2002) | Bullying, abuse, intimidation and assault on the road – selected Australasian research on ‘road rage’ and aggressive driving.                                                                                                                                                                                                      |
| STAYSAFE 59 (2002) | On strategic planning for road safety in New South Wales.                                                                                                                                                                                                                                                                          |
| STAYSAFE 60 (2002) | A decade of the STAYSAFE Committee, 1992-2002.                                                                                                                                                                                                                                                                                     |
| STAYSAFE 61 (2004) | Car surfing and the carriage of unrestrained and unprotected passengers on motor vehicles.                                                                                                                                                                                                                                         |
| STAYSAFE 62 (2004) | “Road safety is no accident”: Proceedings of a seminar for World Health Day, 7 April 2004.                                                                                                                                                                                                                                         |
| STAYSAFE 63 (2004) | Road crash statistics in 2002                                                                                                                                                                                                                                                                                                      |
| STAYSAFE 64 (2004) | Road crash statistics in 2003                                                                                                                                                                                                                                                                                                      |
| STAYSAFE 65 (2005) | Aspects of motorcycle safety in New South Wales—Proceedings of seminars on issues in motorcycle safety held at Sydney, Friday 3 December 2004 and Tuesday 4 May 2005, and other selected papers.                                                                                                                                   |
| STAYSAFE66 (2005)  | Repairing to a price, not a standard: Motor vehicle smash repairs under the Insurance Australia Group (NRMA Insurance) Preferred Repairer Scheme and its implications for roadworthiness, crashworthiness, and road safety.                                                                                                        |
| STAYSAFE 67 (2006) | Driver distraction: Proceedings of an international conference on distracted driving, Sydney, Australia, 2-3 June 2005                                                                                                                                                                                                             |
| STAYSAFE 68 (2006) | Improving the health of the motor vehicle insurance and smash repair industries: Shifting the focus to public safety—Report of a review of progress in implementing the findings and recommendations of an inquiry into motor vehicle smash repairs under the Insurance Australia Group (NRMA Insurance) Preferred Repairer Scheme |
| STAYSAFE 69 (2006) | Brief comments on organ and tissue donation                                                                                                                                                                                                                                                                                        |
| STAYSAFE 70 (2006) | Road safety: From local to global perspectives. Proceedings of the 4th meeting of Australasian Parliamentary road safety committees, together with supplementary papers, Monday 3 April 2006 and Tuesday 4 April 2006, Parliament House, Sydney.                                                                                   |
| STAYSAFE 71 (2006) | The crash testing of repaired motor vehicles: Further report of an inquiry into motor vehicle smash repairs under the Insurance Australia Group (NRMA Insurance) Preferred Repairer Scheme and its implications for roadworthiness, crashworthiness, and road safety.                                                              |
| STAYSAFE 72 (2006) | Inquiry into road safety administration and mid-term review of the New South Wales Road Safety 2010 strategy: Report on actions undertaken by the Motor Accidents Authority to address the road safety situation in New South Wales, 2000-2005.                                                                                    |
| STAYSAFE 73 (2006) | Inquiry into road safety administration and mid-term review of the New South Wales Road Safety 2010 strategy: Report on actions undertaken by the WorkCover Authority to address the road safety situation in New South Wales, 2000-2005.                                                                                          |
| STAYSAFE 74 (2006) | Inquiry into road safety administration and mid-term review of the New South Wales Road Safety 2010 strategy: Report on actions undertaken in the Environment portfolio to address the road safety situation in New South Wales, 2000-2005.                                                                                        |
| STAYSAFE 75 (2006) | Inquiry into road safety administration and mid-term review of the New South Wales Road Safety 2010 strategy: Report on actions undertaken in the Health portfolio to address the road safety situation in New South Wales, 2000-2005.                                                                                             |

- STAYSAFE 76 (2006) Inquiry into road safety administration and mid-term review of the New South Wales Road Safety 2010 strategy: Report on actions undertaken by agencies within the Transport portfolio to address the road safety situation in New South Wales, 2000-2005.
- STAYSAFE 77 (2006) Inquiry into road safety administration and mid-term review of the New South Wales Road Safety 2010 strategy: Report on actions undertaken in the Attorney General's portfolio to address the road safety situation in New South Wales, 2000-2005.
- STAYSAFE 78 (2006) Inquiry into road safety administration and mid-term review of the New South Wales Road Safety 2010 strategy: Report on actions undertaken in the Education and Training portfolio to address the road safety situation in New South Wales, 2000-2005.
- STAYSAFE 79 (2006) Inquiry into road safety administration and mid-term review of the New South Wales Road Safety 2010 strategy: Report on actions undertaken in the Police portfolio to address the road safety situation in New South Wales, 2000-2005.