

SUBMISSION FROM BERNIE MASTERS

Inquiry into the methods employed by WA Police to evaluate performance

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I wish to make the following points in my submission:

1. POLICING

Police have an undisputed and important role in all aspects of enforcing traffic law and in relevant road safety initiatives. Police enforce the law, provide a physical presence on our roads to deter illegal and dangerous driving, and they educate and inform drivers (and passengers) involved in less serious transgressions of traffic law. They should be left with considerable ability to decide while conducting their policing duties whether to formally issue an infringement notice (or take more serious action if necessary) or to issue a warning for less serious breaches of the law.

However, they perform a vast range of policing duties such that enforcing traffic laws and applying road safety initiatives should not usurp the duties and responsibilities which the community of WA see as being more important, such as prevention of serious crimes against people and property and apprehension of suspects, etc. In spite of currently rising death and serious injury crashes, especially on country roads, my belief is that the community wants police to spend more time attending to the serious offenses of burglary, assault, rape, property theft and so on. The decision as to how much of the Police Service's time and resources are allocated to road traffic matters versus all other policing matters must be left with the Commissioner of Police and his senior staff, unencumbered by political directions from the government of the day.

As a consequence, I do not agree with recent calls from at least one member of the Road Safety Council that the police should be spending more time on our roads apprehending drivers who break the law and deterring others from doing so. While more police having a visible presence on our roads is certain to cause an immediate reduction in fatal and serious crashes, the reduction will only be temporary, lasting only as long as the increase physical presence of police on our roads is maintained. Unless the state government is prepared to increase the size of the Police Service specifically to allow more police officers to attend to traffic law enforcement and implementation of road traffic initiatives, an unlikely outcome considering the current difficult budgetary issues facing the government, then the community's attempts to reduce traffic crashes must include becoming smarter in the things we do rather than just spending more money or diverting police away from equally important policing duties.

2. COMMUNITY EDUCATION

I refer to the attached 2008 Sunday Times article reporting on selected fatal crash statistics. Assuming that these statistics generally reflect the fatal crash data of more recent years, it can be concluded that:

- * most fatalities are of males
- * most fatalities occur in country areas
- * contrary to most public perceptions, the vast majority of fatalities and of drivers and riders are aged 25 to 49 years
- * while speed was a major contributor of fatalities, the causal factors of fatal crashes were somewhat evenly spread between six different factors (speed, fatigue, inattention, carelessness, alcohol and speed, alcohol)
- * many fatalities involved the non-wearing of safety belts
- * single vehicle crashes were 3 times as frequent as multiple vehicle crashes
- * sealed roads in dry weather conditions dominated the incidences of fatalities
- * most fatalities occurred on weekends

My assessment of this data suggests that policing efforts which target speed and young drivers are poorly directed. Accordingly, the state government's focus on red light cameras and young 'hoon' drivers is misdirected. Instead of achieving the hoped for reduction in fatal and serious injury crashes, the focus on speed limit enforcement and young drivers is creating tens of thousands of drivers who have lost their licenses due to demerit points earned from minor and mostly speed-related offenses, with many (most?) of these drivers continuing to drive because of the economic necessity to do so, while antagonising young, mostly male drivers who are losing respect for police and traffic laws.

The police should move their attention away from speeding to include all activities which suggest poor driving skills or attitudes. They should also work more with young drivers in the application of road safety initiatives rather than having mostly an enforcement focus on young drivers.

The government should gather statistics similar to those published in the 2008 Sunday Times article and promote them widely through the media so that the general public have a better understanding of the complexity of the issues involved and be more aware of what types of drivers are likely to be more involved in fatal and serious injury crashes.

3. GETTING INTO THE HEAD-SPACE OF DRIVERS

The articles which I now cannot find are, regretfully, the most important references which I had hoped to supply to this enquiry. Similar to the attached 2008 article entitled 'The Spreading of Disorder', the missing articles highlighted the need to understand the psychology of the people whose behaviour is being targeted for change and the need to develop programs and actions designed to be meaningful and influential to these people. Simply trying to scare people into doing the right thing by threatening to impose a severe penalty is now seen to be insufficient (although see item 4 below for more comment on this topic). Instead, advertising and enforcement campaigns need to understand the psychology of the middle-aged, male, unseatbelted, rural drivers and to send messages and apply enforcement techniques which will resonate inside the minds of such drivers.

4. PENALTIES

It is my belief that the current penalties for poor driving behaviour are not been seen by poor drivers as being fair or reasonable or of sufficient deterrence value as to be effective. The threat of losing one's license through accumulated demerit points because of, say, 6 speeding offenses involving being over the speed limit by 11kph on each occasion is not targeting the potential fatal or serious injury driver (nor is it seen as a serious deterrent since many/most such drivers simply keep driving). Instead, penalties need to be seen and accepted by the wider community as being serious and highly undesirable if they are to have the intended impact on driver behaviour. For example, since inattention is a major cause of fatal crashes, people found using their mobile phones while driving should have their phones confiscated immediately at the time of the first offence, to be returned after 28 days and confiscated permanently after a second offence. Drivers apprehended with a blood alcohol level above 0.08% should be put into jail for 24 or 48 hours immediately after their apprehension as happens in at least one European country (Finland?).

In our rich society, simply increasing the size of a fine attached to a traffic infringement is becoming of less and less of a deterrent, especially when some people choose to pay off their fines by spending time in jail at additional cost to the taxpayer. Simply increasing the number of demerit points for traffic infringements is proving to be ineffective at getting safe driving messages into the heads of poor drivers, with more of such drivers continuing to drive even after the loss or suspension of their licenses. The concept of 'let the penalty fit the crime' needs to be reassessed for our modern times such that suitable penalties have a strong psychological deterrence attached to them.

5. OTHER ISSUES

The issue of suicide is always a difficult one for a society like ours to discuss openly in a way that does not encourage or assist further suicides. Nonetheless, having lived close to the Ludlow tuart forest for several decades where large trees are positioned close to the road edge, it is clear that many historical fatal and serious injury accidents were in fact suicides or attempted suicides. The fact that many fatal crashes on rural roads involve drivers who are not wearing safety belts suggests to me that many of these are suicides. Accordingly, the government needs to address this issue and to have the police suitably trained to recognise mental health problems affecting drivers so that they can take appropriate action (although I have to admit I cannot suggest what this action might be).

Successive governments have made poor decisions relating to lower speed limits around schools. The available evidence does not show to my satisfaction that 40kph speed limits are justified, especially when enforcement of these limits is problematic. Accordingly, government should either remove the current 40kph limits or, if crashes involving school students are considered to be a serious issue, then permanent traffic limiting devices need to be installed so that police will not

generally be needed to enforce the speed limits as it will not be physically possible to speed as a result of the installation of speed humps or other road modifications.

For five months last year, my wife and I travelled in a leased car through Europe. We covered 22,400km through 19 countries, most of which have lower fatal crash rates than WA. Except in England, we rarely saw police on the roads. Instead, we were told by local people that penalties were severe and would be strongly applied if drivers were involved in crashes. There were flagrant abuses of traffic laws, yet we rarely saw the aftermath of crashes, suggesting that the crash rates were indeed lower than in WA. In attempting to analyse why crash statistics are generally better in Europe than in WA, it was clear that traffic congestion was much higher almost everywhere in Europe. While this did not result in lower vehicle speeds on freeways and highways, it certainly caused people to drive more attentively on such roads. As well, in densely populated urban areas, traffic speeds were much lower due to the physical presence of extremely high numbers of vehicles, presumably contributing to lower crash rates. At the same time, however, there was almost no enforcement of minor traffic rules by police, especially relating to parking restrictions, and there was a high level of courtesy shown by drivers to each other, similar to the attitudes shown by drivers in Japan, where everyone accepts they are driving in congested road conditions and hence must treat other drivers the same way they wish to be treated.

The state and federal governments should pay more attention to statistics showing that certain makes and models of cars are involved in crashes more frequently than others. The 1994 Royal Australasian College of Surgeons report referred to above needs to be produced and its messages understood and applied by governments and their police services around Australia. Such information is more widely available in the past, with the attached article from the January 2015 Weekend Australian again showing that certain makes and models of cars are more frequently involved in crashes. While the cause of these less safer vehicles may be a technical problems associated with their design, it is also likely that the reason for the high crash rates of certain models is the psychological attitude of the types of drivers of such vehicles.

CONCLUSION

The police do a commendable job of enforcing traffic laws and conducting road safety initiatives under difficult conditions. The recent increase in fatalities is unlikely to be the result of fewer police on our roads or less time spent by police on traffic duties. Instead, it is a realisation by drivers that the penalties, while expensive, are not a sufficient deterrent so as to require them to drive more safely. The solution to our increasing fatal accident statistics is to devise psychologically relevant messages and message delivery methods that are capable of being understood and accepted by targeted drivers. Simply putting more police on the roads is an old fashioned attitude that is not the only or even best solution in our times. We must get smarter and more targeted in the way in which we try to save lives and prevent serious injuries on our roads. I hope that this submissions provides some clues as to what the future of police involvement in traffic law enforcement and road safety initiatives might look like.

Yours sincerely

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I wish to make one final point in my submission.

There is no evidence that red light cameras or speed cameras by themselves reduce the road toll - absolutely none. The only time they work is when a red light or other camera campaign is run with significant media publicity about the running of that campaign. In other words, the community's cynicism about cameras being used primarily as revenue raising tools of government is well founded. If government is serious about continuing to use speed cameras as part of its actions to improve traffic safety, then it must have ongoing, high profile, innovative, informative and psychologically impacting media campaigns repetitively impacting on driver behaviour.

Yours sincerely

Bernie Masters