A Review of

Road Safety Governance

in Western Australia

Peter Browne Consulting
March 2014
The information contained in this document accurately reflects research undertaken and information provided to the Review, and is presented here in good faith and without prejudice.

Acknowledgement: Cover photos provided from the Office of Road Safety library.
Hon Liza Harvey MLA
Minister for Road Safety

Dear Minister

I am pleased to forward to you this report which contains findings and recommendations arising from my Review of road safety governance in Western Australia. Also part of the Review’s focus, was the Road Trauma Trust Account.

Although Western Australia is well regarded on the national road safety scene for initiatives established in recent years, such as the 100% hypothecation of speed camera fines, progress in reducing road fatalities has been slow compared to that of the benchmark states, Victoria and New South Wales.

As you would be aware, on the basis of fatalities per 100,000 population, Western Australia’s ranking amongst the states and territories has fallen from second best in the early 1990s to second last in 2012, behind all jurisdictions but the Northern Territory. Provisional indications for 2013 place Western Australia third last, ahead of only Tasmania and the Northern Territory. Although there is a pattern of decreasing fatalities over recent years, and 2013 had the fewest fatalities since 1961, the rate of reduction in Western Australia is substantially less than that of most other jurisdictions.

Despite these figures, acknowledgement must be made of the work done by the Office of Road Safety, the Road Safety Council and stakeholder organisations to make travel on the roads safer. Their dedication, commitment and passion for road safety has limited the number of fatalities despite increasing numbers of drivers and vehicles.

The main focus of the Review has been on issues of governance and administrative process. There has been no attempt made to evaluate or make recommendations concerning the effectiveness of particular road safety strategies and initiatives.

A key finding of the Review is that the community, economic and road safety landscape has changed considerably in the years since the present governance arrangements were established. Major features of the new landscape are the legislated 100% hypothecation of speed and red light camera fines producing a road safety fund of approximately $90 million annually and the embracing of the Safe System approach which underpins Towards Zero, Western Australia’s road safety strategy.

For these and other reasons, it has become clear that the 1997 structure is not addressing today’s circumstances, and its shortcomings as described in the Report indicate that a new governance model is required. Amongst a number of recommendations regarding governance matters, the most significant is the recommendation to establish the position of a Commissioner for Road Safety.
It is recognised that governance structures alone do not necessarily lead to improved outcomes. However, they do have the capacity to facilitate or impede the achievement of desired outcomes, especially where lines of reporting, responsibility and accountability are diffuse or dysfunctional.

In the course of the Review, seventy-one interviews were conducted. Included were Members of State Parliament, past and present Chairs of the Road Safety Council, heads and senior officers of a number of State Government agencies, the Royal Automobile Club of Western Australia, all members of the Road Safety Council, Ministerial advisors, a range of present and past employees of the Office of Road Safety, senior officers in road safety agencies in Victoria and New South Wales, State and national road safety experts, vulnerable road user groups and the WA Local Government Association.

I wish to acknowledge the assistance of those who were consulted during the Review. That so many people were willing to give time to be interviewed was much appreciated. In answering questions and volunteering ideas they were honest, thoughtful and extremely helpful in explaining and clarifying issues confronting the Review. They also showed intense concern, knowledge about road safety and also, at times, extreme frustration. Their desire to limit death and trauma on the roads was powerfully communicated.

I would also like to acknowledge the support and cooperation of the Executive Director of the Office of Road Safety and the Chair of the Road Safety Council. Both put aside considerable amounts of time to assist the Review and were unfailingly helpful, courteous and informative.

My thanks also go to senior managers with road safety responsibilities in other jurisdictions for providing information and agreeing to be interviewed either in person or via teleconference.

Finally, I would like to express my appreciation to officers in the Department of the Premier and Cabinet who provided invaluable support. Similarly, I express my appreciation to my colleague Justin Edmiston for his contribution to the Review and to the writing of the report.

I commend this report to you.

Yours sincerely

Peter J Browne JP
March 2014
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1. Terms of reference

The scope of this Review has been determined by the following terms of reference:

1. To examine the effectiveness and appropriateness of the Office of Road Safety to promote and coordinate road safety strategies in Western Australia, including its capacity to:
   (a) provide strategic and proactive advice to the relevant Ministers;
   (b) provide support to the Road Safety Council;
   (c) effectively and appropriately manage the Road Trauma Trust Account;
   (d) monitor and evaluate the Road Trauma Trust Account funded programs, and in a timely manner; and
   (e) manage relevant road safety programs.

2. To examine the appropriateness and effectiveness of the Road Safety Council with a view to identifying any alternative and improved forms of delivery of the functions of either or both the Road Safety Council and the Office of Road Safety, and in particular the Council's:
   (a) structure, including its membership, processes and procedures;
   (b) capacity to make recommendations to the Minister about the strategic use of the Road Trauma Trust Account including projects to be funded in order to improve road safety in Western Australia; and
   (c) capacity, in conjunction with the Office of Road Safety, to provide leadership in road safety in Western Australia.

2. Executive Summary

In motorized societies, road crashes are the single most common cause of unintentional death in the first five decades of human life, making road trauma one of the major public health problems of the 21st century. The real story is told not by rates, but by the actual number of debilitating injuries and deaths among a nation’s citizens.¹

In 1990 and on a basis of road fatalities per 100,000 population, Western Australia was ranked second safest of all Australian jurisdictions. By 2012, WA had deteriorated to the second worst position, and although 2013 was hailed as the best year since 1961 improvements in other jurisdictions mean that WA’s ranking improved by one only. Victoria and New South Wales are the benchmark states whilst the Northern Territory and Tasmania have the least impressive records.

The focus of the Review was the appropriateness and effectiveness of the road safety governance structures in this State. The Review found that the governance structure was in significant need of change in order to bring about a challenge to current thinking towards road safety, and to revitalise the current environment into one in which all road safety

related agencies work collaboratively with an increased sense of commitment and accountability.

The expertise and enthusiasm within the Office of Road Safety was found to be of high order. However, the Review found that the Office did not have the capacity to meet the many increased challenges of road safety, not the least being the management of the 100% hypothecation of all speed and red light camera fines revenue and the management of the many projects flowing from the Road Trauma Trust Account funding. There is clearly an urgent need for greatly improved Office of Road Safety processes in executing, monitoring, evaluating and acquitting Trust Account-funded projects.

Feedback to the Review has repeatedly indicated that the current structure of both the Office of Road Safety and the Road Safety Council is fraught with conflicts of interest. In the case of the former, its location within Main Roads WA alone is a major concern. The processes of both groups in determining the ranking of submissions need attention so as to avoid criticisms of cronyism and conflicts of interest. Further the Review found that notwithstanding the revitalisation of the Road Safety Council under its current leadership, the effectiveness and balance of the Council was limited by the lack of representation of rural and vulnerable road users and the input of external road safety experts.

The thinking of the Review has been largely dictated by the fact that WA is one of the only jurisdictions in which the Minister for Transport is not the Minister responsible for road safety. The current structure means that the Minister for Road Safety does not have direct and unimpeded control of the Office of Road Safety, nor a performance management agreement with the head of that Office.

In consideration of the inadequacies of the current structure and associated processes, the Review is strongly of the view that a Commissioner for Road Safety reporting directly to the Minister should be appointed; that a smaller Office of Road Safety called the Office of the Commissioner for Road Safety, should act as the Commissioner’s secretariat; that a Road Safety Experts Panel be appointed and that membership of the Road Safety Council be modified to include rural and vulnerable road user representatives. The Road Safety Council should be renamed the Road Safety Advisory Council and should meet no more than four times a year and be chaired by the Commissioner with the Road Safety Experts Panel in attendance.

While a non-statutory Commissioner is the preferred model, amendments should be made to the Road Safety Council Act 2002 to accommodate recommended changes to the Council’s membership and to address various anomalies noted during the Review, and referred to elsewhere in this document.

Another key finding of the Review is the need for an overhaul of the Road Trauma Trust Account funding submission process. The Review found the current process complex, time consuming and often resulting in a high level of submission rejection at Ministerial level. The Review has recommended that at the outset of the funding round the Minister and or Ministerial Council should outline the funding quantum and the priorities and parameters for funding for the ensuing period. Further the Review has recommended that draft submissions should be tested at Ministerial level for their alignment with Towards Zero,
their cost benefit and the adequacy of the evidence that underpins the respective submissions.

The Review found that the Office of Road Safety and the Road Safety Council have overseen a great number of innovative road safety strategies. However there is evidence that greater consideration needs to be given to the particular environment in which strategies are to be implemented.

Western Australia has many unique characteristics such as its demography, topography, areas of remoteness, economic activity and also the greater distance driven by Indigenous people in areas of poor roads. A particular challenge is mounting effective public education programs in rural and remote areas. It should be noted that the death of a road user is 3 to 4.5 times more likely after a serious crash if it occurs in regional or remote WA, rather than in the metropolitan area.

Finally, the Review has found that while there is widespread support for the Safe System approach to road safety and its underpinning of Towards Zero, after five years of operation it is time for the State’s road safety strategy to be re-considered, progress to be assessed and adjustments made to ensure the strategy is addressing current and emerging road safety issues.

3. Recommendations

Recommendation 1. That an alternative model of road safety governance be established to address the escalating workload caused by the increased hypothecation of speed and red light camera fines; the existing conflicts of interest; the many governance shortcomings; and also to challenge current road safety thinking in Western Australia. (See recommendations 34, 35 and 36.)

Recommendation 2. That the Office of Road Safety develop a comprehensive and detailed strategic plan for the implementation of Towards Zero and that such a document contain clear milestones by which progress towards the objectives can be assessed.

Recommendation 3. That the provision of advice on road safety strategies in Western Australia needs to occur with increased regard and relevance to the context of the State’s unique demographic and topographical characteristics, areas of remoteness, Indigenous factors and economic activity.

Recommendation 4. That the Office of Road Safety ensures that current, timely and meaningful inter-agency road safety data be made available to meet Ministerial and other requests.

Recommendation 5. That every effort be made to support the Data Linkage and Road Safety Analysis Project being developed within the Department of Health.
**Recommendation 6.** That effectiveness of communications between the Office of Road Safety and the Office of the Minister for Road Safety be enhanced.

**Recommendation 7.** That a review of Towards Zero be undertaken that re-considers the strategy’s focus areas, initiatives and performance indicators in the light of progress to date; unique factors of the Western Australian environment; and the need to accommodate additional concerns such as cyclists, motor bike riders and rural, aged, Indigenous, heavy haulage and aberrant high risk drivers.

**Recommendation 8.** That the long-term strategy for road safety be supplemented by three year Action Plans that provide a sharper focus on priorities, initiatives and programs to address the priorities, and targets that enable progress to be judged.

**Recommendation 9.** That notwithstanding the significant increase in workload, the effectiveness of the logistical support to the Road Safety Council afforded by the Office of Road Safety needs to be recognised.

**Recommendation 10.** That to achieve better governance and more effective support to the Council, the Office of Road Safety should not be a member of the Road Safety Council but rather focus on its role as the Council’s secretariat.

**Recommendation 11.** That the Master Action Plan be further refined and developed into a clear reference that documents progress on Towards Zero targets and provides comparative fatalities per 100,000 data with other jurisdictions.

**Recommendation 12.** That whatever the future road safety governance structure, the role and function of the Office of Road Safety be clearly defined.

**Recommendation 13.** That it be recognised that the Office of Road Safety does not have the resourcing or expertise to manage the quantum of Road Trauma Trust Account funding now available, and that a senior finance officer with appropriate knowledge and experience be appointed.

**Recommendation 14.** That consideration be given to a more measurable, formula driven allocation of Trust Account funds in the areas of infrastructure, enforcement, research and public education, in association with greater Ministerial direction regarding the year’s road safety priorities and parameters.

**Recommendation 15.** That all Office of Road Safety inadequacies in the execution of agreements, their monitoring and acquittal processes be urgently addressed.

**Recommendation 16.** That a new funding submission process be introduced that enables parameters and priorities to be set at an early stage at Ministerial level, and that incorporates value for money assessments in its approval process, drawn from the Government’s Strategic Asset Management Framework approach.
Recommendation 17. That costs associated with the administration of the Road Trauma Trust Account, the management of fixed and red light cameras, and recovery of fines be taken from Trust Account funds.

Recommendation 18. That in the interests of transparency, explanations at both Council and Ministerial levels be published for unsuccessful Road Trauma Trust Account submissions, and that Trust Account funds be allocated to projects no later than twenty four months from the time they were raised.

Recommendation 19. That the Office of Road Safety develop a Road Trauma Trust Account operations manual that is consistent with other recommendations of this Review regarding the Account, and that incorporates all policy, administrative procedures, legislation, templates and other information governing the Trust’s functioning.

Recommendation 20. That every effort be made to eliminate cost shifting, in whatever form, by Road Safety Council agencies using Road Trauma Trust Account funds; and that where possible, baseline data be established so as to better determine demarcation between agency core business and Road Trauma Trust Account funded projects.

Recommendation 21. That consideration be given to non-Road Safety Council agencies and community organisations applying directly for Road Trauma Trust Account funding, provided that they can demonstrate close alignment to Towards Zero and capacity to meet the necessary management and acquittal requirements.

Recommendation 22. That despite having a Program Performance Officer position, it be recognised that the Office of Road Safety does not have the capacity to adequately monitor and evaluate the number of programs arising from the increased Trust Account funding and an alternative model is required. Further it needs to be recognised that without an end of line CEO the Office of Road Safety lacks authority in its dealings with other agencies in terms of leadership and carrying out of its responsibilities.

Recommendation 23. That it be recognised that some Road Trauma Trust Account programs have a necessary evaluation lag time of up to three years.

Recommendation 24. That all Trust Account programs managed by the Office of Road Safety be externally monitored and evaluated.

Recommendation 25. That it be recognised the management of road safety programs is inhibited by the lack of Towards Zero guidelines and milestones and the reluctance of some agencies to comply with monitoring and evaluation requirements.

Recommendation 26. That the Road Trauma Trust Account and its source of funds be acknowledged by signage or other means where any Trust-funded activity occurs; further that funding submissions and agreements provide information on how this requirement will be met.
**Recommendation 27.** That it be recognised there are significant philosophical differences in approaches to road safety in WA and the Office of Road Safety’s lack of authority limits its capacity to coordinate and align agencies in road safety strategies.

**Recommendation 28.** That the Office of Road Safety put in place more robust monitoring and evaluation of the RoadWise and School Drug Education and Road Aware programs.

**Recommendation 29.** That a greater emphasis be placed on strategies to deal with road safety associated with cyclists, motor bike riders and rural, aged, Indigenous, heavy haulage and the aberrant high risk drivers.

**Recommendation 30.** That the Road Safety Council work to expand the number of regional Industry Road Safety Alliances and assist in developing linkages between them and other relevant programs such as RoadWise.

**Recommendation 31.** That it be noted in comparison with some other states, certain proven effective road safety strategies such as alcohol interlocks and point to point speed cameras have not yet been implemented in WA.

**Recommendation 32.** That research projects by Western Australian agencies involved in Road Safety be reconciled and duplication reduced.

**Recommendation 33.** That it be recognised that road safety enforcement can be enhanced by more sophisticated cameras rather than more of the same current cameras.

**Recommendation 34.** That it be recognised in the context of Western Australia that the larger and the more remote the State the more difficult it is to achieve public education and awareness and that alternative strategies are required.

**Recommendation 35.** That the position of Commissioner for Road Safety reporting directly to the Minister for Road Safety be established, with secretariat support provided by a restructured Office of Road Safety, to be known as the Office of the Commissioner for Road Safety; and further, that the Road Safety Council Act 2002 be reviewed to address inconsistencies noted in this Report and to reflect the new Road Safety Advisory Council membership.

**Recommendation 36.** That a Road Safety Experts Panel of three be appointed on a remunerated basis to judge the merits of Trust Account submissions, offer policy advice to the Commissioner and to serve on the Road Safety Council.

**Recommendation 37.** That the Road Safety Council be known as the Road Safety Advisory Council with a structure and membership such that:

- The Commissioner for Road Safety is the Chair;
- Government agencies are represented by the CEO or Deputy;
- The current Office of Road Safety is not a member of the Council;
- Vulnerable road users are represented;
- Rural and regional WA is represented by at least two members appointed by the Minister for Road Safety;
- The WA Local Government Association representative be an elected member with a sound knowledge of road safety matters;
- Three road safety experts external to any Government agency, are included as members; and
- Government agency representatives do not outnumber other members.

**Recommendation 38.** That in the event that Government does not move to adopt a Commissioner Model, the Embedded Model described elsewhere in this Report should be considered. To revert to a stand-alone Office of Road Safety avoids conflicts of interest but does not provide for a vitally needed end of line CEO.

**Recommendation 39.** That to resolve ongoing confusion and misinterpretation, the term ‘independent’ no longer be used in describing the role of the Road Safety Council, its Chair, or members of the Road Safety Experts Group, should they be appointed.

**Recommendation 40.** That notwithstanding the Office of Road Safety and the Road Safety Council responses to the Auditor General’s report, all road safety governance documents should be reviewed and a compilation document of Policies and Practices developed.

**Recommendation 41.** That the Road Safety Advisory Council meet every two to three months and agencies should be represented by either the CEO or Deputy.

**Recommendation 42.** That consideration be given to following the Victorian road safety model in which CEO commitment to road safety is secured by requiring relevant CEOs to collaborate to prepare and present to the Minister for Road Safety, six monthly reports on progress towards reducing road fatalities. In the Western Australian context it is recommended that the relevant CEOs be the Commissioner of Police, Director General of Transport, Director General of Planning and the Executive Director of the Office of Road Safety or alternatively a Commissioner for Road Safety.

**Recommendation 43.** That only Secretariat support staff attend Road Safety Advisory Council meetings so as to ensure formal lines of communication are adhered to and agency representatives are not inhibited in their contribution to debate and decision making.

**Recommendation 44.** That the Road Safety Advisory Council hold at least one meeting per annum in regional areas so as to increase its awareness of non-metropolitan road safety issues.

**Recommendation 45.** That the Chair of the Road Safety Advisory Council be enabled to attend meetings of the Ministerial Council on Road Safety as an observer, and when appropriate.

**Recommendation 46.** That consideration be given to allowing non-Road Safety Advisory Council agencies such as the Royal Flying Doctor Service, rural ambulance services and Fire and Emergency Services to apply for grants, given they can demonstrate a capacity to reduce country fatalities through the rapid provision of medical aid to crash victims.
Recommendation 47. That shortcomings in the structure, processes and procedures of the Road Safety Council cannot readily be overcome by modification; rather, road safety governance in Western Australia requires a new, inherently collaborative model that will challenge traditional road safety thinking and attitudes.

Recommendation 48. That Road Safety Advisory Council deliberations be guided by detailed planning for the implementation of Towards Zero and milestones that clearly measure achievement.

Recommendation 49. That the Road Safety Council coordinate the development of an annual cross-agency calendar of road safety activities.

Recommendation 50. That the comprehensive interagency data linkage system under development be completed so that the Road Safety Council will be better placed to provide the Minister with current, detailed and relevant information.

Recommendation 51. That it be recognised the Road Safety Council could provide better strategic road safety advice to the Minister if it had the capacity to optimise synergies between agencies.

Recommendation 52. That the channels of communication between the Office of Road Safety, the Road Safety Council and the Minister should be formalised and adhered to.

Recommendation 53. That a Commissioner for Road Safety in Western Australia be appointed to significantly promote road safety in this State, provide an end of line and fully accountable CEO, as well as provide a direct reporting line to the Minister for Road Safety.

Recommendation 54. That Western Australia follow the lead of other benchmark states and appoint a set term ‘Thinker in Residence’ so as to evaluate current road safety attitudes and strategies in the context of Western Australia’s particular characteristics.

Recommendation 55. That the Victorian Transport Accident Commission model of road safety investment and promotion be given consideration.

Recommendation 56. That the significant benefits of public education and road safety awareness be recognised. Equally, the difficulty of mounting effective campaigns of the same nature in more remote parts of the State should be both recognised and addressed.
4. Introduction

As indicated by the terms of reference, the Office of Road Safety and the Road Safety Council are at the centre of this Review. Although they are separate entities, there are many formal and informal links between them that impact on their individual and joint functioning. One such, and probably the major link, is the Road Trauma Trust Account, in that the Road Safety Council makes recommendations to the Minister for Road Safety about how the funds should be used and the Office of Road Safety administers the Account.

This Report examines many topics and issues that flow across more than one term of reference or apply to both the Road Safety Council and the Office of Road Safety. For this reason, the three central chapters of the Report focus on the three major elements of the road safety environment: the Office of Road Safety; the Road Safety Council; and the Road Trauma Trust Account. This approach has allowed for a more complete operational road safety picture to emerge rather than addressing each term of reference as a discrete item.

The early chapters provide some national road safety context and then describe the main governance features of each jurisdiction, along with a brief background to the Safe System on which Australian road safety strategies and initiatives are based. Towards the end of the Report, options are presented for refreshing the governance of road safety in Western Australia and the various complex threads are drawn together in the final comment and recommendations section of the Report.

It should be noted that the actions arising out of some recommendations may differ depending on Government decisions made regarding the governance structure. Where this is the case, the spirit of the recommendations should guide future action.

Road safety governance in Western Australia is unique in that the Office of Road Safety sits within the Transport portfolio but reports to the Minister for Road Safety, who is also the Minister for Police. This important feature of WA’s road safety governance provides the backdrop to this Report and is pivotal to its main recommendations.

The Review’s focus is more on the governance structures and operating processes of road safety in WA than on road safety strategies per se. The Review does not have the expertise to suggest strategies to reduce the road toll or pass judgement on existing strategies. However, it is apparent that to varying degrees there are significant differences between WA and the benchmark states of Victoria and New South Wales with regard to road safety coordination, alcohol interlocks, point to point cameras and strategies that support vulnerable road users.

5. The Review process

The views expressed in this Report, the conclusions reached, and recommendations made have been informed by a comprehensive consultation and interview process and extensive research of State, national and international websites on road safety, along with documentation provided by the Road Safety Council and the Office of Road Safety.
The research element of this Review was greatly helped by cooperation from the Office of Road Safety in granting access to the members-only section of the Road Safety Council website. This opened the way to past minutes of the Council’s standard and budget meetings and a range of other documents.

Through the Office of Road Safety, a request was sent to other jurisdictions for information about their road safety governance and management structures. Responses were received from all but one jurisdiction, but subsequent research filled the gap.

The Office of Road Safety and the Road Safety Council responded promptly to numerous requests for documents and information relating to Road Safety Council meetings, funding submissions and monitoring processes, projects managed by the Office of Road Safety, funding and processes relating to research commissioned by the Office, and a range of other matters.

In all, 58 individuals were consulted, a number more than once, resulting in a total of 71 interviews. Included amongst those consulted were Members of State Parliament, Ministerial advisors, past and present Chairs of the Road Safety Council, heads and senior officers of a number of State Government agencies, the Royal Automobile Club of WA, all members of the Road Safety Council, a range of present and past employees of the Office of Road Safety, senior officers in road safety agencies in Victoria and New South Wales, State and national road safety experts, vulnerable road user groups and the WA Local Government Association.

Additional input to the Review was gained from attendance at five monthly and budget meetings of the Road Safety Council during 2013 and early 2014, and the School Drug Education and Road Aware Peak Governance Group meeting in October 2013.

6. Background: road safety in Australia

With approximately 1.3 million people worldwide dying as a result of vehicle crashes each year and up to 50 million sustaining various degrees of injury, road trauma strikes deep into families and communities around the world every day.

In Australia, keeping records of road deaths began in 1925. Since then, there have been more than 180,000 deaths on our roads. As well as the tragic human impact, estimates of the economic cost of road crashes now range between approximately $17-$27 billion per year.

Over the last four decades, however, despite substantial population increase and a trebling in the number of registered vehicles, road trauma levels have declined. During this time the number of deaths on the road has decreased from 3,798 in 1970 to 1,304 in 2012.²

This reduction can be attributed to a range of factors, but a major one is that successive Commonwealth and State Governments have shown strong leadership in legislating and making policy decisions on issues such as seat belts; speed limits and enforcement measures such as speed cameras and radar guns; alcohol levels; road safety funding; road design; and vehicle manufacturing requirements and standards.

Australia’s performance on road safety, however, is still well below that of many other countries. In June 2013, the Bureau of Infrastructure, Transport and Regional Economics released its *Statistical Report – International Road Safety Comparisons 2011*.

This report advises that in terms of annual deaths per 100,000 population, Australia ranked 14th out of 29 nations. The two nations with the lowest rates were the United Kingdom and the Netherlands. In terms of annual deaths per 10,000 registered vehicles, Australia’s rate was the 11th lowest out of 21 nations, and in terms of annual deaths per 100 million vehicle kilometers travelled in 2011, Australia’s rate was 7th lowest out of 14 nations with available data.

While the overall level of road trauma in Australia has been reduced in recent decades, individual states and territories have had varying degrees of success in contributing to this reduction. In Western Australia, after a maximum of 358 fatalities in 1973, the 2013 figure of 162 is the lowest since 1961. As substantial as this improvement is, most other jurisdictions have done better in reducing the rates of road death and serious injury (see Figure 1). By way of illustration, if WA had matched the Victorian fatality rate of 4.24 in 2013, then approximately 50 lives could have been saved in this State.4

![Figure 1 - Australian jurisdictions: Annual Road Deaths per 100,000 Population – 12 months to December 2013](image)

4 Australian Automobile Association, *Benchmarking the Performance of the National Road Safety Strategy*, December 2013
5 Australian Automobile Association, *Benchmarking the Performance of the National Road Safety Strategy* (NRSS), December 2013
In 1990, Western Australia was the second best jurisdiction in terms of road deaths per 100,000 population. However, between 1991 and 2000 road fatalities per 100,000 population were above the national average and WA dropped from second to seventh of the eight jurisdictions. In the early 2000s, Western Australian figures followed national trends, but since 2006 this State has lagged behind the national rate. To June 2013 it was second last, followed only by the Northern Territory. Figures for the whole of 2013 suggest a slight improvement with WA being third last for the year behind Tasmania and the Northern Territory.

The Royal Automobile Club of WA has calculated that to even match the national 2012 fatality rate of 5.7 per 100,000 population, Western Australia’s annual fatalities would need to drop to approximately 140, a figure that is 22 less than the fatalities figure for 2013.

Achieving this, and even more substantial reductions subsequently, would be a major breakthrough in reducing the tragedy associated with deaths and serious injury on the State’s roads.

Particularly relevant to Western Australia, are research results released in 2013 by the Curtin-Monash Accident Research Centre indicating a relationship between movements in the economy and road trauma. While the connection between economic factors and transport and road safety has been previously recognized, this is the first time such a study has been done for Western Australia.

The analysis period was from 1995 to 2009 and modelling found, in broad terms, a statistically significant correlation between reductions in the unemployment rate and increased road trauma. The report also indicates that during a period when Western Australia’s economy has been very strong, its fall in road death numbers has been the smallest of all jurisdictions.

While the introduction of measures such as seat belts, speed cameras and the enforcement of strong drink driving legislation have seen significant reductions in the road toll, ongoing reductions will be hard won. Although increasing numbers of road users are behaving responsibly, there will continue to be drivers who have ‘just one more drink’. There will be road users who deliberately flaunt the road rules in the name of excitement. There will be that momentary lapse in concentration or the bad decision that results in tragedy. And there will always be that aberrant, hard core group of drivers for whom no amount of education or threat of enforcement will induce them to be responsible road users.

Increasingly sophisticated measures, many based around technology, improved road infrastructure and vehicle safety will be needed to ensure a decline in deaths and serious injury in the years to come.

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6 Australian Transport Safety Bureau, Road Fatalities Australia:2002 Statistical Summary, page 15
7 Fatal and Serious Injuries on WA Roads – 2012 Summary, RACWA 2013.
7. The Safe System approach to road safety

After extensive community and stakeholder consultation during 2007-2008, in March 2009, the Western Australian Parliament committed to a Safe Systems approach to road safety through its endorsement of the strategy titled Towards Zero.

The Safe System approach originated in Sweden and the Netherlands in the mid-1990s and now, in varying degrees, underpins road safety strategies in all Australian jurisdictions. The system was supported by Australian Road and Transport Ministers in 2003 and its principles have guided the 2011-2020 National Road Safety Strategy.

The cornerstones of the Safe System are:
- Safe road use – influencing road user behavior;
- Safe roads and roadsides – improving road infrastructure;
- Safe speeds – enhancing speed enforcement and reviewing speed limits; and
- Safe vehicles – promoting the uptake of safer vehicles and key safety features.

The target of WA’s Towards Zero strategy is to save 11,000 people from being killed or seriously injured between the adoption of the Strategy in 2009 and 2020.9

In the context of this Review, Towards Zero and the Safe System principles are important because they provide the framework of specific actions and projects for which funding is sought and allocated from the Road Trauma Trust Account.

8. Western Australia’s road safety governance framework

Western Australia has a Minister for Road Safety and a Ministerial Council on Road Safety. The governance structure also includes the Road Safety Council, the Office of Road Safety, and the range of government and non-government bodies represented on the Road Safety Council. (See Appendix 1.)

The origins of both the Road Safety Council and the Office of Road Safety lie in the recommendations of the 1995 fifth report of the Select Committee on Road Safety, chaired by Ross Ainsworth MLA. The report, which focussed on the administration and coordination of road safety in Western Australia, is largely responsible for WA’s current road safety governance framework.

That report proposed that there should be Ministerial responsibility for road safety; that there be a Ministerial Council, a Road Safety Board, and an organisation identifiable by the broad community as having primary responsibility for road safety ... that would ... quickly provide the answers and solutions and generally coordinate road safety efforts of organisations.10

9 Towards Zero – Road Safety Strategy, Government of Western Australia 2009, page 9
10 Ainsworth, R A. Administration and Coordination of Road Safety in Western Australia, Select Committee on Road Safety, Fifth Report, March 1995, page 31.
Out of these recommendations came the Ministerial portfolio of Road Safety, the Ministerial Council on Road Safety, the Road Safety Council and although not in the form envisaged under the Select Committee’s recommendations, the Office of Road Safety.

The early years of Ministerial responsibility for road safety fell under the mantle of the Minister for Transport. In 2001 road safety became the responsibility of the Minister for Planning and Infrastructure within the portfolio of Community Safety. From later that year until 2008, the Minister for Police was responsible for the Community Safety portfolio. With the change of Government in 2008, Road Safety became a named portfolio in its own right and has continued to be the responsibility of the Minister for Police.

The Ministerial Council on Road Safety was established in December 1995. To improve coordination at Ministerial level, it brought together all Ministers with agencies responsible for road safety outcomes. The current membership includes Ministers with responsibility for Police, Road Safety, Health, Regional Development, Education, Transport, Planning, and Local Government.

The Ministerial Council’s Governance Charter states that the purpose of the Council is to monitor, coordinate and approve major road safety policy and strategic development and implementation. The Council met twice in the 2012-13 financial year, once in 2011-12, three times in 2010-11, and twice in each of 2009-10 and 2008-09. While addressing the Road Trauma Trust Account budget and cross-portfolio matters are regular concerns of the Council, there would be value in assisting it to have a higher profile and role in promoting road safety messages and initiatives.

The Road Safety Council came into being on 1 February 1997, established under Part IIA of the Road Traffic Act 1974. As well as legislating the Council’s functions, its makeup and some operational details, provisions relating to the then Road Trauma Trust Fund were incorporated into this Part of the Act rather than appearing elsewhere in the same Act. A later legislative development was the Road Safety Council Act 2002 which brought under the one piece of legislation a range of provisions dealing with the Road Safety Council and the Road Trauma Trust Account.

Established by the Western Australian Government, the Office of Road Safety also came into being on 1 February 1997. Initially, the then Department of Transport was the Office’s host agency. Subsequent hosts have been the Department for Planning and Infrastructure, Department of the Premier and Cabinet (2002-09), and Main Roads WA. Although physically located within Main Roads WA at present, the Office has also spent a number of years in accommodation separate from its host agency.

9. Road safety governance in other Australian jurisdictions

AUSTRALIAN CAPITAL TERRITORY
In the Australian Capital Territory (ACT), responsibility for road safety rests with the Attorney General and the Justice and Community Safety Directorate. The ACT’s guiding road safety document is the Road Safety Strategy 2011-2020, which is supported by shorter term action plans, the first of which ran from 2011-2013.

The ACT Government encourages all departments and agencies to work together on road safety matters. This is enabled by having a number of coordination and consultation groups.

The Road Safety Executive Group (RSEG) comprises senior executives from all ACT Government Directorates with an interest in road safety. It monitors the implementation of the Road Safety Strategy and Action Plans, and provides advice to the Minister on road safety matters including potential new initiatives. The Group is the major vehicle for ensuring effective linkages with other agencies on road safety matters.

The Road Safety Task Force supports the RSEG. Membership includes representatives from Road Transport, ACT Policing, Education and Training, Department of Treasury, ACT Health, Roads ACT and the National Roads and Motorists’ Association (NRMA) ACT Road Safety Trust. Members of this group act as a working and advisory group to the RSEG. They also provide agency input to the development of road safety strategies and action plans; and report on progress against the ACT Road Safety Action Plan, and other road safety initiatives in their agencies.

The Road User Working Group (RUWG) provides comment and input to strategic road safety issues with a focus on road safety matters. The RUWG meets approximately twice per year and reports to the Road Safety Task Force. Membership includes NRMA Motoring and Services, Pedal Power, Motorcycle Riders’ Association ACT and Canberra Pedestrian Forum.

NEW SOUTH WALES
As with some other States, New South Wales (NSW) has a Ministerial Committee with road safety responsibilities. Its terms of reference include the review of measures to reduce the incidence and severity of road crashes, and the monitoring of actions taken to address the social and economic consequences of road trauma. Over its life, the Staysafe (Joint Standing Committee on Road Safety) has tabled 88 reports on road safety issues.

Transport for NSW is the government agency with major responsibility for coordinating and implementing road safety initiatives. The Minister for Roads and Ports is the responsible Minister. As with other jurisdictions, NSW has a long-term road safety strategy. One of its targets is a reduction to 4.3 fatalities per 100,000 of population by 2016 and 3.2 by 2021.
The Centre for Road Safety is part of Transport for NSW’s Policy and Regulation Division. Its key responsibilities include:

- Funding and developing targeted road safety programs and campaigns;
- Collating and analysing crash statistics;
- Assessing speed camera effectiveness;
- Developing and reviewing speed zone policies to ensure safety;
- Allocating flashing lights outside schools in high crash-risk areas;
- Funding targeted police operations and programs;
- Developing best-practice road safety policies for design, building and maintenance of the road network;
- Testing new road safety technologies;
- Producing road safety education material for schools and local communities;
- Improving safety standards for new vehicles and promoting the uptake of safer vehicles; and
- Developing awareness campaigns to improve road user behaviour.

The Centre for Road Safety, with an approximate full-time equivalent (FTE) count of 66, is divided into four sections: Strategy and Policy; Safe Systems; Information; and Stakeholder and Community Engagement. The Centre works closely with a number of key stakeholders including the NSW Police Force, the Motor Accidents Authority, and the Staysafe Committee.

An additional key group in the road safety workforce is the approximately 93 road safety officers working across 150 local government areas in NSW. These officers are half funded by Transport for NSW, and deliver localised road safety programs for their communities.

Like a number of other States, NSW has a Road Safety Advisory Council. It includes officials from Transport for NSW, Roads and Maritime Services, the NSW Police Force, the Department of Aboriginal Affairs, Motor Accidents Authority and other groups such as the Motorcycle Council of NSW, NRMA Motoring and Services, YouthSafe, Pedestrian Council of Australia, Bicycle NSW and the Local Government and Shires Association.

There are also various working groups such as the Vehicle Standards Working Group and implementation working groups focussing on the delivery of road safety strategies.

With enforcement being a major part of every jurisdiction’s road safety efforts (especially so with speed cameras in New South Wales and Victoria), it is refreshing to note an initiative which rewards drivers. The Fair Go for Safe Drivers Scheme, recognises and rewards safe driving by providing eligible drivers with a 50 per cent discount on their licence renewal fee.

**NORTHERN TERRITORY**
Responsibility for road safety in the Northern Territory (NT) rests with the Minister for Transport. The responsible agency is the Department of Transport, through its Transport Planning, Policy and Reform section.

Planning and coordination of road safety strategy occurs through the NT Road Safety Executive Group (RSEG), which comprises the Police, Fire and Emergency Services, the Department of Transport, and the Territory Insurance Office. The *RSEG Action Plan 2012-2014* is the current plan that guides priority road safety actions.
Looking to the longer term, the Territory 2030 Strategic Plan, has targets and actions to improve driver, passenger, rider and pedestrian safety on the Territory’s roads. Two key targets are to reduce the Territory’s fatality rate to the national rate by 2030; and to reduce the Territory’s injury rate to the national rate by 2030. As of June 2013, 5.56 was the national rate of road deaths per 100,000 population; as of the same date, 19 was the rate in the Northern Territory.

At the time of writing this Report, the Northern Territory Government was under severe criticism from medical, road and safety organisations for its intention to trial an open speed limit on a 200 kilometre stretch of the Stuart Highway for twelve months from February 2014.

Two major programs run by the Department of Transport are the DriveSafe NT Urban and Remote programs whose focus is providing assistance to those in both urban and remote areas to gain driving licences.

The Northern Territory Government is currently undertaking a consultation process across transport industries and other key stakeholders that will result in a road map for the development of transport infrastructure, services, and safety across the Territory.

QUEENSLAND
In Queensland, the Road Safety Action Plan 2013-2015 sets high level strategic directions for road safety. The Minister for Transport and Main Roads is responsible for road safety, and various sections within the Department of Transport and Main Roads are responsible for matters including road safety engineering advice, crash investigation, risk and crash data analysis, speed policy, management of the Camera Detected Offence Program, the Road Safety Action Plan, policy development, vehicle safety, public education, and administration of community road safety grants.

In 2013, the Department outsourced the marketing and communications function for road safety to an external provider who has been tasked with the development of a social change strategy, with an emphasis on community engagement. In addition, a review was undertaken to determine the future management arrangements for the Camera Detected Offence Program, including an assessment of alternative delivery options.

In the past, Queensland has had a Road Safety Advisory Group and a Motorcycle Safety Advisory Group, but these no longer exist. Senior executives of the Department of Transport and Main Roads meet regularly with the Queensland Police Service and the Royal Automobile Club of Queensland to progress road safety issues. Heavy vehicle industry issues, including safety, are discussed at the Road Freight Industry Council.

A Transport, Housing and Local Government Committee was established by the Queensland Legislative Assembly in May 2012. Road safety is one amongst a range of the Committee’s areas of responsibility that include Transport, Main Roads, Housing, Public Works and Local Government. In late 2013, the Committee completed an Inquiry into Cycling Issues and an earlier Inquiry into the Motorcycle Licensing Process in Queensland 2012 was tabled in October 2012.
SOUTH AUSTRALIA
The lead agency for road safety in South Australia is the Department of Planning, Transport and Infrastructure. Within that Department, the road safety component of the Road Safety, Registration and Licensing Branch includes the Safer Roads and Vehicles section, Safer People section and the Community Programs section.

As the Adelaide Thinker in Residence 2011-2012, Professor Fred Wegman provided impetus to South Australia’s road safety planning and strategic initiatives with the publication of his report, *Driving down the road toll by building a Safe System*.12

South Australia’s road safety strategy, is called *Towards Zero Together*. It has the major target of reducing serious road casualties by at least 30 per cent by 2020. As part of the overall strategy, the current *Road Safety Action Plan 2013-2016* has six priority areas. These are:

- Investing in safer roads
- Encouraging safer behaviours
- Better informed communities
- Continuously improving the licensing system
- Using new technologies
- Creating safer communities & neighbourhoods.

Development of the Plan has been led by the Department of Planning, Transport and Infrastructure in collaboration with South Australia Police, the Motor Accident Commission, Royal Automobile Association, the Local Government Association and the Centre for Automotive Safety Research.

Input to the Plan was also provided by the 42 organisations on the Road Safety Stakeholder Reference Group. Membership includes representatives from motorist, motorcyclist, cyclist, pedestrian, union, heavy vehicle industry, youth and driving instructor groups.

Two other significant groups form the road safety governance structure in South Australia. The first, which meets quarterly, is the Senior Executive Advisory Group, and its major role is to monitor the delivery of key road safety actions. As the title suggests, all members are CEOs or equivalents of the organisations they represent, which are the Department of Planning, Transport and Infrastructure; South Australia Police; the Community Safety Directorate; the Motor Accident Commission; the Royal Automobile Association; the Centre for Automotive Safety Research; and the Local Government Association.

The second key group is the Safe System Working Group. This meets monthly and its membership is senior officers of the same organisations as the Senior Executive Advisory Group.

In addition to all of the above, there is a range of other community and special interest groups, such as the Motorcycle Reference Group who contribute their views on road safety issues.

TASMANIA
Road safety in Tasmania is the responsibility of the Minister for Infrastructure. The Government agency supporting the Minister and the agency with greatest responsibility for

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12 Wegman, F. *Driving down the road toll by building a Safe System*, Government of South Australia, June 2012
road safety is the Department of Infrastructure, Energy and Resources (DIER). The *Tasmanian Road Safety Strategy 2007-2016* is the major road safety planning document.

Similar to the Road Safety Council in Western Australia, Tasmania has a Road Safety Advisory Council (RSAC). It oversees advertising campaigns and makes recommendations to Government about road safety policy, community, school-based and public education programs, and expenditure of the road safety levy. However, unlike Western Australia, membership of the RSAC consists predominantly of CEO-level representatives of the agencies and participating organisations.

Membership includes the Motor Accidents Insurance Board, the Department of Infrastructure Energy and Resources, Tasmania Police, RAC Tasmania, Local Government Association of Tasmania, Tasmanian Motorcycle Council, Tasmanian Bicycle Council, a Marketing Expert and a Road Safety Expert. The Council meets quarterly and Minutes of meetings are publicly available on the RSAC website.

There is also an RSAC Education and Enforcement sub Committee and a range of other DIER groups and committees involved in road safety.

**VICTORIA**

In Victoria, road safety improvements are guided by the State’s *Road Safety Strategy 2013-2022*. The strategy aims to reduce deaths and serious injuries by 30 per cent over ten years. Achievement of this target would see Victoria’s annual road toll drop to below 200. The toll in 2012 and 2013 was 282 and 243 respectively.

The 2013-2022 strategy is supported by shorter-term action plans to ensure that the Victorian Government and the road safety partners in VicRoads, Victoria Police, the Transport Accident Commission (TAC) and the Department of Justice are meeting road safety challenges in the most effective ways. Currently in place is the *Road Safety Action Plan 2013-2016*, which is concentrating on speed, drink and drug driving and protecting those most at risk – motorcyclists, pedestrians and cyclists.

The partnership organisations cover the range of road safety responsibilities. VicRoads is responsible for managing the Victorian road network. It is also responsible for speed limits, implementing road safety strategies and programs and providing vehicle registration and driver licensing services. Victoria Police address enforcement and public education and the Department of Justice takes responsibility for the Courts system, infringements, and the road safety camera program.

The Transport Accident Commission runs a ‘no-fault’ insurance scheme that pays for treatment and benefits for people injured in transport accidents. However, it is also heavily involved in promoting road safety and in improving Victoria’s trauma system. Funding used by the Commission to perform these functions comes from payments made by Victorian motorists when they register their vehicles each year.

Victoria also has a longstanding Road Safety Committee which is a Joint Investigatory Committee of the Parliament of Victoria.
Providing coordination across all road safety matters are the Ministerial Council for Road Safety and the Road Safety Executive Group, the latter comprising senior leadership of VicRoads, the Transport Accident Commission, Victoria Police and the Department of Justice. These officers have road safety performance indicators incorporated in their performance agreements. Reporting to the Road Safety Executive Group are the Road Safety Management Group and the Road Safety Communications Group. (See Appendix 7.)

A major source of local community and stakeholder advice on road safety issues is provided by the Victorian Community Road Safety Alliance. Membership includes a number of Government agencies for whom road safety is part of their core business, local government, community and the private sector. Significantly, there are seven regional community members.

Local and Statewide Community Road Safety Groups and the Motorcycle Advisory Group also contribute their views on road safety issues.

9.1 Summary observations on governance relevant to Western Australia

In all jurisdictions except Western Australia and the Australian Capital Territory, the Minister responsible for transport is also responsible for road safety with the lead agency being the one dealing with roads and transport. In Canberra, the Attorney-General is the responsible Minister to whom the head of the Justice and Community Safety Directorate reports. Western Australia has a distinctly different arrangement with an Office of Road Safety that sits within the transport portfolio, but reports to a Minister other than that responsible for transport.

The importance of having high level leadership on road safety, both political and organisational, is a recurring theme in this Report. It is worth noting that the relevant CEOs in Victoria’s peak governance group are required to prepare a joint six-monthly report to the Minister for Road Safety on progress towards reducing road fatalities.

Across Australia, the insuring body has a place on most jurisdictions’ high level road safety governance group. The Insurance Commission of Western Australia is the relevant body in this State. However, it is in Victoria that such a body, the Transport Accident Commission (TAC) has the highest profile. TAC plays a powerful role in promoting road safety. This has been the case over many years and the organisation has now committed $100 million per year to road safety improvements linked to the Victorian Government’s ten year Road Safety Strategy. TAC also runs a Community Road Safety Small Grants Program which offers grants of up to $25,000 for projects targeting local issues.

At the political level there are substantial differences between the jurisdictions with only some of them having set up Ministerial Councils or Parliamentary Committees dedicated to road safety issues. Western Australia has a Ministerial Council on Road Safety that was set up in December 1995. Victoria also has a Ministerial Council for Road Safety which was established in 2012.

Victoria and New South Wales are the only states with a Parliamentary Committee dedicated to road safety and both have a long history of investigations and reports on road
safety matters. Queensland’s Transport, Housing and Local Government Committee deals with road safety along with a range of other issues.

The importance of having Ministers and other Members of Parliament involved directly in road safety cannot be over-estimated. Potential benefits include:

- Achieving greater action and commitment at a whole of government level;
- Highlighting the achievement of projects by researchers, governments and others;
- Placing emerging issues on the radar scopes of government;
- Attracting attention to issues at the boundaries of agencies’ responsibilities;
- Accelerating sluggish reform processes; and
- Exploring new ideas without the political cost to government.\textsuperscript{13}

It is frequently acknowledged in this Report that road safety is a complex issue, due to its particular nature and the fact that responsibilities are often spread across numerous agencies and organisations. Although success in addressing road safety issues results from a wide range of factors, governance structures may facilitate or impede that success.

It is suggested that the following elements of governance are significant in contributing to successful road safety outcomes:

- strong political leadership committed to saving lives;
- shared political responsibility across relevant portfolios through Ministerial Councils or Committees;
- bi-partisan support and involvement;
- Chief Executive Officer involvement with a personal stake (via their performance agreement) in the achievement of improved road safety outcomes;
- demonstrated commitment and leadership from agency Senior Executives;
- involvement of road safety experts;
- structures that encourage and support community involvement;
- input from both metropolitan and regional road users; and
- structures that encourage cooperation, coordination and shared responsibility.

Although not a governance feature, it must be noted at this point that the greater majority of those interviewed during this Review showed a very real passion and commitment to road safety. In answering questions and volunteering their ideas they showed intense concern, thoughtfulness, knowledge about road safety issues and also at times, extreme frustration. Their desire to limit death and trauma on the roads was powerfully communicated.

When these qualities can be focussed upon road safety at all levels, there is great potential for real progress in reducing death and serious injury on the roads.

10. The Office of Road Safety

10.1 Operation of the Office of Road Safety
The Office of Road Safety came into being in February 1997. According to the Office’s website, it was established to review and recommend solutions to the complex problems of road safety and to support the Road Safety Council.¹⁴

The Ainsworth Select Committee on Road Safety recognised that coordination is always of major concern and importance in addressing road safety. As road safety is an ‘issue’ rather than a generic term around which government portfolios are organised, no one agency is ever responsible for all aspects of road safety. Therefore successful coordination of the contributions made by stakeholder organisations and government agencies is a major factor in achieving successful road safety outcomes. This thinking underpins the structure of the current Road Safety Council. It was also a key expectation of the Office of Road Safety, with a major reason for its creation being to ensure the required collaboration occurred.

Since 1997, the role and functions of the Office have expanded and diversified to the point where today, amongst stakeholders and in published documents, there are varying degrees of clarity and consistency about its role and its main priorities. These problems have led to misunderstandings and confused communications with stakeholders.

The Office is a business unit within Main Roads Western Australia, its host agency. While in some respects the Office is free-standing, it has human resources, financial and other corporate services connections to Main Roads WA. The placement of the Office of Road Safety within a host agency raises issues of governance, line responsibility and accountability that have been problematic since its inception.

With a current approved staffing level of 28 FTE, the Office is organised into four functional teams. (See Appendix 2.) These are Policy and Strategy; Strategic Communications; Business Coordination; and Finance. Across these teams, the bulk of the FTEs are in Policy and Strategy (8.87 FTE) and Strategic Communications (10.4 FTE). Each of these two teams includes a Level 8 Director position. In contrast, the Finance team of 4 FTE is headed by a Level 6 Principal Finance Officer position. As of December 2013, one of the four positions, the Level 6 Project Performance Officer, has been vacant for approximately three months.

The Finance team staffing is clearly inadequate. It is surprising that provision has not been made to boost this team given that the quantum increase in the Road Trauma Trust Account has been predictable for some time. It is asking too much of the relatively low level present positions to meet the requirements of the new financial environment. In the management of the Trust Account into the future, large budget financial management skills and experience are necessary.

Further to the Auditor General’s report of November 2012,¹⁵ the Office of Road Safety has made considerable effort to develop documentation that addresses failings identified in the

¹⁵ Auditor General’s report of November 2012.
report. There is now a document titled *Role and Function of the Office of Road Safety*. In addition to laying out details as suggested by the title, the document also addresses the administration and management of the Road Trauma Trust Account. In this regard, the main information provided is the articulation of six key responsibilities and related subsets of specific actions that define the scope of the Office of Road Safety’s role in administering the Account. The responsibilities are:

- Assessing and recommending funding proposals;
- Administering funding agreements with recipients;
- Applying financial controls;
- Acquiring funds;
- Monitoring and reviewing performance; and
- Reporting on performance.  

Given that the Road Trauma Trust Account is central to so much of the Office of Road Safety’s activities, there needs to be a more comprehensive document focussing solely on the Trust Account. It should include the existing information from the role and function statement, plus the legislation that governs the Account. A major part of the document should consist of the policy principles that underpin the use of funds and that guide the administration and business procedures that relate to each of the six responsibilities above. The relevant templates for funding submissions, and reporting and acquittal requirements should also be included.

It is pertinent to note that neither the *Role and Function of the Office of Road Safety* nor the Road Safety Council’s *Governance Charter*, referred to later in this Report, make any direct reference by name to the Government’s road safety strategy, *Towards Zero*.

Partner documents to the *Role and Function of the Office of Road Safety* include the *Business Plan 2013-2016* and a paper addressing administrative and communication arrangements with the Minister’s Office. This document’s focus is simply the protocols of who communicates with whom in each Office in regard to requests for information, meetings, briefing notes and legislation. There is no mention of Parliamentary Questions, Ministerial correspondence or timeframes for any of the communications. While such a communications document can never be expected to cover all situations, there is considerable capacity for the two Offices to work together to broaden the scope of the document and develop some principles and understandings that would enhance efficiency of communications and goodwill between the Offices.

In addition to the above documentation, a draft *Master Action Plan 2008-2020 for Towards Zero* has been developed. This document has arisen directly out of the Auditor General’s Report in which there was criticism of the lack of such a plan to assess progress on the *Towards Zero* strategy.

When the Master Action Plan is finalised, it will be available on the Office of Road Safety website. It is a detailed document that contextualises the funding allocations for 2012-13.

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and 2013-14 within the *Towards Zero* framework. It also provides data arising out of the 2012-13 review of road safety results to inform annual budgeting, and information about evaluations of some programs. The final section looks at the implications of all the preceding for evidence of achievement with regard to *Towards Zero* targets. The final page lays out strategic directions for 2014-15.

While it needs considerable refinement and development, the document is an initial step in assessing progress towards the goals and outcomes of the State’s road safety strategy. However, the Master Action Plan demonstrates the inadequacy of at least some of *Towards Zero*’s performance indicators and the need for more refined performance measures.

This first Master Action Plan encapsulates something of the enigma that is the Office of Road Safety. The complexity of factors related to assessing road safety issues is apparent, as is the specialised knowledge and expertise of the Office in this area. However, as in the Road Safety Council Reports on Activities, even after reading through the detail it is difficult to get an overall coherent picture of what it all means in terms of reducing road trauma. This is essentially a communication issue, and one that arises not only in major documents but in other shorter, more immediate communications such as responses to requests for information from the Minister’s Office.

In the case of the Master Action Plan, it is still difficult to make the link between the performance indicators of *Towards Zero*, newly-developed performance indicators, the initiatives that are being undertaken (and have been implemented since 2009), and how successful the initiatives have been in making progress in relation to the performance indicators. While explanations of background and process can be helpful, often, ‘less is more’ when seeking to communicate key messages and information. Clear, concise and relevant information should be the goal. The expertise of the Office is unquestioned but its failure, on occasions, to distil and communicate key messages both to the Minister and to a general audience is of concern. It is as though the question ‘What key information will best answer this person’s questions?’ is not addressed.

A suggested inclusion in future Master Action Plans is a table that provides, over a period of years, comparative figures from all states and territories regarding the rate of fatalities per 100,000 population. While not necessarily perfect, it is an internationally recognised measure, and one that would provide a significant point of comparison between WA, the rest of Australia, and indeed, the world.

An Office of Road Safety publication that is seen by stakeholders as valuable is the annual *Reported Road Crashes in Western Australia*. This publication is commissioned by, but not produced by, the Office of Road Safety. Copies from 1996 to 2011 (except 1998) are available on the Office of Road Safety website. As well as containing pages of tables that reflect the complexity of analysing road crashes, brief interpretive comments are also provided for readers seeking to gain an overall impression of the data or looking for summary information of various data sets.

The value of the book is unquestioned. However, some stakeholders have expressed concern about delays in its publication date. As the table below shows, for the years
indicated, the time from the end of the title year to publication date varies from seventeen to thirty-six months. This inconsistency is unacceptable.

Table 1 – Publication dates of Reported Road Crashes in Western Australia

<table>
<thead>
<tr>
<th>Title year</th>
<th>Publication date</th>
<th>Time elapsed</th>
</tr>
</thead>
<tbody>
<tr>
<td>2001</td>
<td>May 2004</td>
<td>29 months</td>
</tr>
<tr>
<td>2002</td>
<td>January 2005</td>
<td>25 months</td>
</tr>
<tr>
<td>2003</td>
<td>June 2006</td>
<td>30 months</td>
</tr>
<tr>
<td>2004</td>
<td>June 2007</td>
<td>30 months</td>
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<td>2005</td>
<td>September 2007</td>
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<td>2006</td>
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<td>2007</td>
<td>October 2010</td>
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<td>December 2011</td>
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<td>28 months</td>
</tr>
<tr>
<td>2010</td>
<td>May 2012</td>
<td>17 months</td>
</tr>
<tr>
<td>2011</td>
<td>September 2013</td>
<td>21 months</td>
</tr>
</tbody>
</table>

It should be acknowledged that some of the data used in the book do not become available for at least twelve to eighteen months from the end of a particular year. For users, this is less of a problem than the unpredictability of its arrival time. As the book is widely seen by researchers, stakeholders, the media and others as a valuable reference, achieving a consistent and predictable publication date should be a priority.

Although at the time of writing this Report, the 2012 book is not yet available, the Office of Road Safety has prepared a two page overview of fatality and serious injury statistics for that year. This is a useful interim measure that provides some valuable and recent information prior to the release of the more expansive 2012 publication. A preliminary summary of 2013 fatal and critical Injuries on WA roads has also recently been added.

10.2 Issues

10.2.1 Role and functions of the Office of Road Safety

There is a serious lack of clarity and unanimity about the role of the Office of Road Safety. This was a recurrent theme in the interviews conducted with stakeholders and is also apparent from examining a range of relevant documents. In both cases, there exist varying and disparate views about the priority balance between the Office’s responsibilities to the Minister and Government, and to the Road Safety Council, and the extent to which the Office should be primarily a support and policy advice body or an operational one.

The Auditor General’s report points out that the Office of Road Safety has no enabling legislation nor is its role defined in the Road Safety Council’s Governance Charter or Terms of Reference. The concern about lack of role definition has been partly addressed in the most recent version of the Council Governance Charter which says that The Office of Road Safety was established administratively to support the Minister with responsibility for

17 Office of the Auditor General, Western Australia, Managing the Road Trauma Trust Account, Report 15 – November 2012, page 17.
administering the Road Safety Council Act 2002 and provide administrative support for the Council. ¹⁸

The Office’s online public face, its website located at http://www.ors.wa.gov.au/Office-of-Road-Safety presents a more detailed explanation of the role in stating that the Office of Road Safety:

- Leads, coordinates and monitors the implementation of Towards Zero.
- Develops policies and strategy development on road safety (research, monitoring and evaluation of road safety programs).
- Develops and delivers effective road safety education campaigns.
- Administers moneys allocated to the Road Trauma Trust Account (RTTA).
- Manages and provides administrative support to the Road Safety Council.

These dot points are followed by a series of further statements:

The Office of Road Safety (ORS) is responsible for providing road safety advice based on research, evidence and community engagement.

It also manages road safety education campaigns, partnership programs and community consultation.

The office supports the Road Safety Council (RSC) and helps coordinate the road safety effort for the State.

The ORS acts as the lead road safety agency responsible within government for leading, developing, coordinating, promoting and monitoring the State’s 12 year road safety strategy, Towards Zero. ¹⁹

The articulation of these responsibilities suggests a specified authority supporting them. However, the source of that authority is unclear. There is no legislative base for the Office, it is not a Government agency and, as indicated earlier, it is described in Main Roads WA Annual Reports (2011-12 page 47 and 2012-13 page 48) as being a ‘business unit’ within the Main Roads program structure.

It is of concern that in describing its role on its internet homepage, the State’s official road safety website, ²⁰ the Office reflects no sense of its responsibilities to the Minister for Road Safety, to whom the Office reports. Even the reference to ‘government’ occurs in the very last of the statements listed above.

By contrast, the Auditor General’s view is that The Office of Road Safety is responsible for assisting the Minister to administer the Road Safety Council Act 2002. It provides administrative support to the Road Safety Council and helps coordinate the road safety effort for the State. It also administers the allocation of Road Trauma Trust Account funding. ²¹

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²⁰ Main Roads Western Australia, Annual Report 2013, page 49
²¹ Office of the Auditor General, Western Australia, Managing the Road Trauma Trust Account, Report 15 – November 2012, page 15.
Similarly, the Royal Automobile Club of WA places high priority on responsibility to government, and explains that The Office of Road Safety (ORS) provides road safety advice to government, manages road safety community awareness and advertising campaigns and provides administrative support to the Road Safety Council.\(^{22}\)

These views of the role of the Office of Road Safety seem at some variance with those conveyed by the Office itself on its website, in that the outside views bring to the forefront the Office’s direct responsibility to the Government. Also, words such as ‘advice’, ‘support’, ‘recommend’ and ‘coordinate’ convey quite a different tenor to ‘leads’, ‘delivers’ and ‘develops policy’ (as opposed to recommending policy positions for Government decision) which appear on the website. The suggestion that the Office ‘manages’ as well as ‘provides administrative support’ to the Road Safety Council is, perhaps, careless wording, but it also contains a substantial degree of truth.

While recent internal documents such as the Role and Function Statement for the Office of Road Safety (September 2013) and the draft Business Plan 2013-2016 appropriately give more prominence to the Office’s responsibilities to the Minister and Government, the role statement continues to convey the impression of an almost stand-alone ‘agency’ that has operational and delivery responsibilities and a much elevated status amongst the major road safety stakeholders.

The role, although not appearing in this form in its attribution to page 15 of the November 2012 Auditor General’s Report, is stated as follows:

The Office of Road Safety is the lead road safety agency (sic) in Government that:
- develops the strategic direction for road safety in WA for consideration by government;
- advises on actions to achieve road safety targets and objectives;
- develops and delivers effective road safety initiatives and campaigns;
- administers the Road Trauma Trust Account (the ‘Account’); and
- provides administrative support (to) the Road Safety Council (the ‘Council’).\(^{23}\)

Then follows an extensive list of functions:

1. Identify and develop effective, viable initiatives to improve the safety and well-being of people using WA roads.
2. Provide information, evidence, advice and administrative support to the Minister for Road Safety and the Road Safety Council to enable informed and timely decision making to improve safety performance on WA roads.
3. Provide assurance and governance through sound financial and project management processes that ensure that Road Trauma Trust Account funded projects are effectively implemented.
4. Monitor and report the safety performance of the WA road transport system.
5. Identify initiatives and share information that builds the capacity and capability of organisations to implement timely effective actions to improve safety.

\(^{22}\) Royal Automobile Club of Western Australia, Road Safety Reform, RAC Discussion Paper 2012, page 4

\(^{23}\) Office of Road Safety, Role and Function of the Office of Road Safety, 2013 page 1.
6. Develop and implement community education campaigns that encourage individuals to take responsibility and exercise care for their own and other’s (sic) safety on WA roads.

7. Provide safety leadership and contribute to the Transport Portfolio and Main Roads WA outcomes for a safe road transport system.

8. Manage WA’s involvement in national initiatives (e.g. Austroads, TISOC\textsuperscript{24} and SCOTI\textsuperscript{25}) that contribute to improving safety of WA roads.

9. Share knowledge and experience with local, national and international partners for mutual benefit in improving safety on WA roads and other jurisdictions.\textsuperscript{26}

The Office takes a strong leadership role and is rightly prominent in the road safety arena. Its current activities are now far more extensive than when it was established and there are diverse opinions about its success in balancing and prioritising roles such as accurate and timely advice for the Minister of the day; support for the Road Safety Council; running its own range of programs; coordinating stakeholder initiatives; and managing, monitoring and ensuring proper use of Road Trauma Trust Account funds.

While the range of activities can be seen as ‘changing with the times’ to reflect new demands and, probably, expectations, there is also potential for the Office to duplicate some functions that other road safety stakeholders may be equally well, or better equipped to carry out. This concern applies to research, data collection and analysis, media campaigns and possibly other activities. For example, Main Roads WA, the Department of Transport, WA Police and others all have the capacity to run well-focused media campaigns. Some of the research undertaken by the Office could equally have been done by other bodies such as the Department of Transport or Main Roads WA.

\textbf{10.2.2 Coordination}

It is not essential that the kinds of activities referred to above, all be done by the Office of Road Safety. What is important is that there is clear coordination of road safety activities, and total support by the main stakeholders for the initiatives, irrespective of who is running them. It is suggested that the Road Safety Council be responsible for coordinating an annual calendar of road safety initiatives and programs.

The importance of stakeholder agencies working cooperatively cannot be stressed enough, and governance structures need to support and encourage this. The Review was given several examples of organisations running a variety of programs that they had developed, promoted and implemented outside of any coordinated road safety framework. In addition, no evidence of success or how they contributed to reducing the State’s road toll was provided to a body such as the Road Safety Council, so the learning could be shared. This is not to say that major stakeholders in road safety should not run initiatives in their areas of expertise; rather that cooperation and communication with other stakeholder organisations

\textsuperscript{24} Transport and Infrastructure Senior Officials’ Committee (advises and assists SCOTI – see below)

\textsuperscript{25} Standing Council on Transport and Infrastructure (brings together Commonwealth, State, Territory and New Zealand Ministers with responsibility for transport and infrastructure, as well as the Australian Local Government Association)

\textsuperscript{26} Office of Road Safety, \textit{Role and Function of the Office of Road Safety}, 2013 pages 1-2.
could assist in the effectiveness of a program and have wider benefits through the shared learning gained.

The RAC Foundation emphasizes the importance of collaboration and communication as contributing factors to reducing road trauma when it comments: *Road safety initiatives tend to work best when education, engineering and enforcement activities are brought together as effective packages to target at risk groups.*

**10.2.3 Governance and reporting lines**

The 1995 fifth Report of the Select Committee on Road Safety, chaired by Ross Ainsworth MLA recommended that the then Police Department be relieved of prime responsibility for road safety and that this role be taken up by another agency. The Committee took the view that road safety was primarily a transportation issue and that the responsibility should sit with the Minister responsible for the renamed portfolio of Transport and Road Safety.

This advice was taken but in 2002 the Office of Road Safety was relocated to the Department of the Premier and Cabinet, and Ministerial responsibility fell to the Minister for Police. While unrelated to the reasons for this change, it perhaps reflected an ongoing perception that Police had the major responsibility for road safety.

This move also resulted in an early example of a governance issue that is still of concern, that is, that the Office of Road Safety and its host agency report to different Ministers.

From 2002 to 2009, the Office of Road Safety reported to the Minister for Police while hosted within a Department that reports to the Premier of Western Australia. Currently, the Office of Road Safety reports to the Minister for Police and Road Safety although it is a business unit within Main Roads WA in the Transport Minister’s portfolio. (See Appendix 3.)

While at Ministerial and Chief Executive levels good communication and common sense can limit detrimental impacts of ambiguous reporting lines, administrative untidiness may still occur. For example, in the situation referred to above, the Minister for Road Safety signs off on travel applications from the Office of Road Safety. However, the regular travel returns required by Government, go from the Office of Road Safety through Main Roads and the Department of Transport, to the Office of the Minister for Transport for signing off.

The present location of the Office of Road Safety within Main Roads WA, a major recipient of Road Trauma Trust Account funds, gives rise to conflicts of interest as mentioned earlier. While it is possible for such an agency to provide corporate services to the Office of Road Safety, it would be better for the Office to sit outside a Government agency unless it is fully integrated and the line management and reporting lines are altered accordingly.

The line management of the Executive Director of the Office of Road Safety is also an issue. The position reports directly to the Minister for Road Safety, but there is no performance agreement between the parties as there is for Department heads reporting to their

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27 Box, E, *RAC Foundation Response* (page 8) to McKenna F, *Education in Road Safety: Are we getting it right?* RAC Foundation, London, 2010
Ministers. Following agency line responsibility convention, but inconsistent with the actual line of accountability, the Executive Director of the Office of Road Safety has a documented performance agreement with the Managing Director of Main Roads WA. However, it is difficult to avoid the impression that this is simply meeting a compliance requirement rather than evidence of managerial input and supervision of a relatively free-ranging business unit within the agency.

A further issue relates to the handling of Road Trauma Trust Account funds. The Account is held within the financial management system of Main Roads WA and therefore the Managing Director of that agency and the Director General of Transport are the accountable officers. However, the reality is that these officers have very little to do with the operation and management of that Account. This is undertaken by the Office of Road Safety which refers to section 12 (5) of the Road Safety Council Act as its authority for administering the Account. The fact that the Director General of Transport is the accountable officer for Office of Road Safety funds management is anomalous and inappropriate given that that position has no reporting line to the Minister for Road Safety. There will be more discussion of this matter in a later section dealing with the Road Trauma Trust Account.

The unclear responsibility and reporting lines for the Account and for Office of Road Safety budget issues are also evidenced each year at the time of Estimates Committee hearings, where uncertainty arises as to whether particular questions about the use of both appropriated funds and from the Trust Account, should be raised in sessions allotted to the Office of Road Safety, Main Roads or the Department of Transport.

10.2.4 Status of the Office of Road Safety
The current road safety governance model has now served Western Australia over many years. The Road Safety Council has been successful as a means of bringing key government agencies to the table. The Office of Road Safety has played a coordination role over a long period seeking to develop a sense of shared knowledge and responsibility for road safety among key stakeholder organisations.

It should be noted that the Executive Director of the Office of Road Safety is very highly regarded on the national and international road safety scene. At the local level, he has been responsible for managing the Office of Road Safety and providing road safety advice and leadership for a number of years. It is an unfortunate irony that at the present time, partly due to structural arrangements and partly to other factors, the leadership and commitment shown by the Office of Road Safety is not always matched by the major stakeholder organisations.

While the Road Safety Council provides a forum for coordination, the Office of Road Safety drives the agenda by setting the research program, the strategic priorities and the funding submission process to support them. By contrast, over a period of years, there seems little evidence of other members of the Council, on behalf of their organisations, initiating discussions, undertaking research or developing papers on road safety matters. This suggests that perhaps the Office of Road Safety has been unsuccessful in sharing and developing among member organisations, its own passion for road safety. It could equally suggest that member organisations are focused more on what they might see as their core
business than fully appreciating that road safety is actually part of their core business and part of their responsibilities to the public.

Numerous factors have contributed to this situation but a significant one has been discussed earlier in this Report, namely the lack of clarity about the status, role and functions of the Office of Road Safety. As it is not a government department in its own right, it does not have a Chief Executive Officer; there is no legislative authority underpinning it, and its lines of accountability are confused. While these factors do not greatly impede the Office in much of its work, they have a most detrimental impact when dealing with organisations in receipt of Road Trauma Trust Account funds.

As administrator of the Road Trauma Trust Account, the Office is required to ensure propriety and accountability in all aspects of the Fund’s operations. However, only goodwill on the part of a funded organisation might enable the Office to access relevant financial records. Where there is tardiness or failure to return signed funding agreements, progress reports, acquittals or other required documentation, there is little the Office can do other than make repeated requests, or ultimately withhold or suspend funding. Despite being the Account administrator, the Office’s lack of status means it has little weight of authority to require compliance from funded organisations. This puts the Office itself at risk of failing to meet the levels of control expected of an Account administrator.

Concerns about the Office’s lack of authority also arise when particular information or data are needed quickly in response to a request from the Minister’s Office or the media. If the required information is held by another Government organisation, the Office will seek it from them. While in most cases the request is met promptly, there have been occasions when the holders of the data have indicated they have insufficient staff to address the request immediately. In these instances the Office is reliant on goodwill to ensure that timelines are met. This is less than suitable, especially to meet Ministerial needs. A process or a relationship based on shared status and responsibility is required for such circumstances.

It is appropriate here to make an additional comment about the availability of road safety data. Access to data is of prime importance for the analysis of road trauma events, for determining strategic priorities for Towards Zero and for ensuring value for money in the use of Road Trauma Trust Account funds. For some time, the Office of Road Safety on behalf of the Road Safety Council, has been investigating a centralised database, the Enhanced Road Safety Information System (ERSIS), with funding from the Road Trauma Trust Account. A business case for ERSIS was discussed at the Road Safety Council meeting in October 2013. In the course of discussion, a range of major issues was raised, including the substantial costs to agencies, lack of clarity on deliverables over its various stages, value for money, and the capacity of the Office of Road Safety to deal with a technology project of such size.

In light of the seriousness of these concerns, and the lack of readiness from a number of agencies to support it, it must be considered doubtful as to whether ERSIS proceeds further, at least in its present guise. In this context the importance of supporting the continuation of the Data Linkage and Road Safety Analysis Project run by the Department of Health looms large. Information available under the Project already informs and enhances work
undertaken by other agencies on road safety initiatives. In addition, the Project is well established and is more advanced than any equivalent system available in other jurisdictions.

11. The Road Safety Council

11.1 Operation of the Road Safety Council
Established in 1997, the Road Safety Council currently functions under the Road Safety Council Act 2002. In broad terms, under section 5 of the Act, the Council’s role is to identify and recommend measures to reduce road trauma and to make recommendations to the Minister on how Road Trauma Trust Account funds should be used.

The makeup of the Council is determined by the Act and current membership includes the Chair, appointed by the Minister for Road Safety, and representation from the following:

- Department of Education
- Department of Health
- Department of Planning
- Department of Transport
- Insurance Commission of Western Australia
- Main Roads Western Australia
- Office of Road Safety
- Royal Automobile Club of Western Australia (representing all road users)
- Western Australian Local Government Association
- Western Australia Police

An initial observation of this Review is that much of the past activity of both the Road Safety Council and the Office of Road Safety appears to have been based on custom and practice without the benefit of an operational policy framework and supporting documentation. However, it is clear that both bodies have worked hard during 2013 to overcome this deficiency.

The Road Safety Council now has a Councillors’ Governance Charter in place which was ratified by the Minister for Road Safety in September 2013. The Charter draws on the Road Safety Council Act 2002 in detailing the Council’s functions, membership, roles and responsibilities, and operating procedures. This is a complete revision of an earlier (2008) Charter and is a much more comprehensive guide to the Council, its governance and expectations of Councillors.

The Charter makes it clear that Councillors are present as members and representatives of their particular organisations or their members, and their responsibilities are to:

- *bring the issues, perspectives, policies and views of their organisation or those members that they represent;*
- *ensure effective communication and consideration within their organisation of relevant issues under consideration of Council;*
- *where relevant to their organisations, implement appropriate management processes to achieve or support the targeted outcomes of Council;* and
operate as part of a team to ensure that the objectives of Council are met.\textsuperscript{28}

However, Councillors’ representation of their own organisations contradicts the principles of good governance, where it would be expected that members should act in the interests of the Council rather than the organisations that employ them. Several interviewees saw this as a concern and levelled criticism at the Road Safety Council on the matter.

Also included in the Charter are statements addressing confidentiality, conflict of interest and a commitment to an annual ‘self-review’ of the Council’s performance.

In addition to the above document, a Code of Conduct, a Statement of Values and a Role and Function Statement for the Council’s Chair have been developed. This document framework now provides a valuable set of reference points for the Council’s activities.

It is recommended that these documents, along with any other policy and procedural documents should now be used for inducting new members. The induction should be a formal process and completed before new Councillors attend their first meeting. The signing of the Code of Conduct should also signal that the new Councillor has completed the induction process.

The Council meets approximately nine times per year, although the number of meetings varies slightly from year to year. In the keeping of records, a distinction is made between standard meetings and budget meetings. In addition, planning days are held annually.

The legislation allows for a nominated councillor and a deputy for each member organisation. For the most part this arrangement ensures that all member organisations participate in each meeting. Records of attendance from January 2011 to August 2013 indicate that on some occasions when neither of these was available another representative from the organisation attended as an observer. However, in 2011, three organisations had no legislated representative at four or more meetings during that year. Improved attendance in 2012 resulted in three organisations having no Councillor or Deputy present on only one occasion. In 2013, two organisations had no Councillor or Deputy representing them on one occasion and one organisation provided no representation for two meetings.

While the Road Safety Council currently consists of ten members plus the Chair, the number attending meetings is regularly double that or close to it. These numbers include visitors attending for a particular agenda item, Deputy members, Ministerial policy officers and staff of member organisations, especially the Office of Road Safety which usually has five or six staff attending as observers.

Meetings can be up to four hours long. This is a considerable time commitment for Council members. Comments expressed to the Review suggest that this length of time may be justifiable for meetings addressing project submissions and the budget, but not for standard Council meetings.

Road Safety Council meeting agendas are long, and regular items include the usual administrative matters, as well as updates from members, reports, discussion papers and presentations relating to research and road safety issues. Most items originate from the Office of Road Safety, with few items or papers submitted by other agencies besides the regular reports from WA Police.

This Review included an examination of standard meeting agendas from the start of 2012 through to October 2013. While not a forensic consideration of these agendas, over the period, approximately 123 items were listed as for noting, 61 for endorsement, 9 for discussion, and 2 for decision. The pattern that emerges suggests that a good deal of Council business involves noting and endorsing rather than strategic analysis, review, discussion and shaping recommendations about the State’s road safety directions.

A major part of the Road Safety Council’s work involves making recommendations to the Minister for Road Safety regarding the use of funds from the Road Trauma Trust Account. The full Council and its Finance Sub-Committee spend many hours reviewing, prioritising and assessing submissions before arriving at final recommendations for the Minister.

This is a process that appears to more fully engage Council members as it directly involves them and their organisations in developing and presenting submissions, and if granted funding, implementing programs to address fatalities and serious injuries on the State’s roads.

Under the legislation, two of the functions of the Council are to coordinate the implementation of such programs (although this is not included in the list of functions on the Council’s page on the Office of Road Safety website) and to evaluate and monitor their effectiveness. The Council relies heavily on the Office of Road Safety in order to comply with these requirements. Further comment will be made on these responsibilities later in the Report.

An additional requirement of the Act is that As soon as practicable after 1 July each year the Council is to give the Minister a report on the activities of the Council in the previous financial year.\(^\text{29}\)

From 2003-2007 these reports took the form of annual reviews of the Government’s then road safety strategy, *Arriving Safely*. From 2008-09 the Road Safety Council has met the legislative requirement by producing an annual Report on Activities.

While the 2008-09 and 2009-10 reports were both signed off by the Chair of the Road Safety Council in August 2011, and the 2010-11 report signed off in February 2012, subsequent reports have been more timely.

This publication has followed the same format over recent years. Major chapters are organised by Road Safety Council legislated functions and brief summaries of projects are grouped by responsible agency or organisation. Membership information and a list of projects funded through the Road Trauma Trust Account are also included.

\(^{29}\) *Road Safety Council Act 2002*, section 13
Each annual Report on Activities shows that many funded initiatives have been undertaken in a particular year. However, it is difficult to gain a sense of what they all add up to in terms of their impact on reducing road trauma. There is little evaluative comment in the project descriptions, and the chapters with the heading *Evaluating and monitoring the effectiveness of measures* focus on community education campaigns and data about road network travel speeds. In addition, there is no sense of how the projects relate to Towards Zero because the only direct connection of the projects to the priority areas of that strategy is made in the lists of funded programs at the very end of the report. While the reports include valuable road safety tables and statistics, it is difficult to judge the effectiveness of the projects described and their value for money in reducing road trauma.

Since the bulk of each report consists of information about projects, monitoring, and funding, it is suggested that another format could be devised that would better link these three elements to convey a sense of the outcomes achieved. Such a format would also provide a strong link to the Master Action Plan, prepared for the first time in 2013.

It is when reading the Reports on Activities that the lack of an action plan for Towards Zero becomes clearly apparent. There is little sense of any milestones to give readers a sense of progress towards or achievement of Towards Zero outcomes. As one interviewee commented, ‘Where is the road map to success?’

The final section of each year’s report deals with the Road Trauma Trust Account. After a short commentary and a table showing sources of revenue, there is a listing of all funded projects for that financial year. Funding details are provided in two columns. In 2008-09 and 2009-10 the columns were headed ‘Approved funding’ and ‘Expenditure’; in 2010-11 and 2011-12 the headings were changed to ‘Total funding’ and ‘Actual expenditure’; in 2012-13 the headings were ‘Approved budget’ and ‘Expenditure’.

There is no explanation of the headings. The reader is left wondering if one column is what was ‘approved’ by the Road Safety Council for recommending to the Minister or was it the amount approved by Government in Cabinet? What is the difference between ‘expenditure’ and ‘actual expenditure’? Why is there no comment in the project descriptions where there is a large discrepancy in the amounts between the two columns for a particular project?

Under the legislation, one of the Road Safety Council’s functions is to recommend to the Minister how money standing to the Account should be spent[30] to implement road safety measures. Given the source of the funds and the constraints around their use, there should be greater clarity in these funding figures. It would be totally appropriate for the Road Safety Council’s recommendations to the Minister to be included in the report, and labelled as such, along with Government’s final funding decision in relation to each project.

A final comment on funding matters contained in the annual Report on Activity, is the suggestion that a pie chart or table be included (as in 2008-09) that indicates the total amount of funding received by each agency or organisation. This should be done annually with the previous two years included for comparison.

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There have been times when the Road Safety Council helped to inform itself by regularly travelling to the state’s regions, visiting sites of road safety interest and consulting widely. In more recent years these visits have declined and there were no meetings outside the metropolitan area in 2013. It is planned to have one country visit in 2014. While ‘evidence-based’ judgements are increasingly guiding the prioritisation of road safety strategies and initiatives, there is still great value to be had in being open to a range of viewpoints and allowing first-hand experiences to contribute to funding recommendations. ‘Evidence’ takes many complementary forms.

Overall, the Road Safety Council appears to be a very process-driven body. There is little member input into meeting agendas and for the most part, a predominantly re-active rather than pro-active mode of operation is employed. The Council is failing in its role as a coordinating body with evidence to the Review of agencies planning independent road safety initiatives that are then brought to the Council’s attention ‘for information’. The year’s activity seems centred on the funding submissions and related budget process. A proposal to add ‘Strategic Issues and Discussion’ as a standing agenda item in 2014 along with some other procedural changes are positive steps.

11.2 Issues

11.2.1 The ‘independence’ of the Road Safety Council Chair

In the course of interviewing stakeholders, reference was regularly made to the notion of an ‘independent Chair’ of the Road Safety Council. However, there was little common agreement on what this actually means. Does it mean that the Chair is independent of outside interference or pressure? Is the Chair free to make public statements on road safety without prior reference to any other authority? Or the freedom to publicly advocate for road safety initiatives without regard to Government policy?

The origins of the term lie in the 1995 report of the Select Committee on Road Safety, which focussed on the administration and coordination of road safety in Western Australia. As indicated earlier, the recommendations of this report are largely responsible for WA’s current road safety governance framework. The report recommended the establishment of what it called a Road Safety Board with an independent Chairperson who should be independent of any organisation represented on the Board.31

In implementing the Select Committee’s recommendation, the Board became the Road Safety Council. Presumably the Chairperson’s descriptor with its positive connotations carried over, although its intended meaning seems little known today.

Although used twice on the Road Safety Council homepage on the Office of Road Safety website, the term is problematic and inaccurate.

The Road Safety Council Act 2002 refers to a ‘chairman’ but does not qualify the term. History suggests that the Chair’s ‘independence’ mainly arises from the fact that that person is not, at the time of appointment, a government employee. The legislation does not

31 Ainsworth, R A, Administration and Coordination of Road Safety in Western Australia, Select Committee on Road Safety Fifth Report, March 1995, page 29.
provide for any functions specific to the position that would support the notion of the Chair’s independence; rather, it lays out seven functions for the Council as a whole.

The concept of an independent chair also sits a little oddly when it is considered that all Council members are appointed by the Minister for Road Safety, and prior to appointment, eight are nominated by other Ministers responsible for administering particular Acts. In addition, while the fact that the Chair is not a government employee allows a degree of freedom in dealing with the media, the views presented by the Chair would normally have the support of members of the Council many of whose agency responsibilities would also play a significant part in shaping their position on issues.

As the term ‘independent’ is unhelpful and relatively meaningless when used in reference to the Chair, it is recommended that it be dropped altogether if the Council is to continue in its present form. The term should also be avoided in references to the Council itself.

11.2.2 Membership of the Road Safety Council

The Road Safety Council Act 2002 specifies the membership of the Road Safety Council. The form of words used is repeated several times, initially referring to a person nominated … by the Minister administering such and such an Act; then specifying that the person nominated by the relevant Minister must be either the Chief Executive Officer (or equivalent title) or another person whose duties relate to ... road safety, transport, planning, licensing, urban planning or whatever is appropriate under the relevant Act.

This part of the legislation reads tentatively, as though having nominated the Chief Executive Officer (CEO) as the prime representative, there was reluctance to sustain the need for any deputy representation also to be at a senior level. Hence the vague reference to an officer whose duties relate to ... What this wording opens up is the possibility of a huge gap in responsibility and decision-making power between the CEO and the officer who could be nominated to attend.

The Road Safety Council’s Governance Charter seems to acknowledge this anomaly in that it states: Members must be senior personnel who have the authority to act on behalf of their chief executive officers and have responsibility for road safety within their organisations. Members should be able to make decisions on priorities and resources on behalf of their organisations.

In practice, it appears that in the absence of CEOs, other senior officers are nominated to attend. Deputies for these members may or may not be at the same level of seniority in their organisations. However, the impression remains that the legislators have not taken a strong line on seniority in relation to membership of the Council. The importance of road safety matters is recognised by Government through the existence of a Ministerial Council on Road Safety. It is equally appropriate that the legislation should unequivocally prescribe that Council representation from agencies should be at the most senior levels.

32 Road Safety Council Act 2002, section 6(2)-(6).
33 Road Safety Council Act, section 6(2)-(6).
A further issue is that the Road Safety Council Act 2002 states that The Council is to consist of 12 members appointed by the Minister. ... Then follows the makeup of the Council, predominantly described in terms of legislation and Ministerial responsibility. Records indicate that the Council’s membership numbered ten in 2008-09, and eleven in the years since then. Because there is not a one-to-one relationship between the number of Ministers, agencies and the pieces of legislation they administer, the pattern has been for one Council member to represent an agency even if its Minister is responsible for two or more Acts. There is logic in this arrangement, but the discrepancy between what the legislation prescribes and the actual number of Council members is a matter that should be considered in any future amendments of the Act. Of more serious concern is the possibility that through this practice the Council is deprived of a member with specialist knowledge of the road safety implications of one of the Acts relevant to the Council’s functions.

As noted earlier, the Council’s Governance Charter makes it clear that Councillors should represent their organisations or members. This, along with the prescribed membership sets the scene for the conflicts of interest outlined elsewhere in this Report. Without questioning the integrity of individual members over the years, it is inevitable that considerations of road safety principles, approaches, issues, strategies and funding will tend to be viewed through the mindset and culture of member organisations rather than through a more non-partisan approach characterised by a concern for road safety.

The legislation provides for a place on the Road Safety Council for a person employed in the department of the Public Service principally assisting the Minister in the administration of the Road Safety Council Act. Historically, although not a requirement under the Act, this place has been filled by the Executive Director of the Office of Road Safety. Comments later in this Report regarding conflict of interest and the role of the Office of Road Safety will indicate that this Review believes it is inappropriate for the Office of Road Safety to be a member of the Council and that its relationship to the Council should rather be one of support and enabling the Council to fulfil its obligations under the Act.

It is suggested that Council members be limited to serving two consecutive terms. This number is sufficient to ensure continuity of experience and shared wisdom in the group. It also has the benefit of enabling turnover of members, so that others with different backgrounds, expertise, skills and experience have the opportunity to enrich the Council’s ‘gene pool’ in guiding the State’s road safety initiatives.

11.2.3 Rural and remote expertise on the Road Safety Council

There is a long-established pattern of more fatalities on regional and remote than metropolitan roads in WA, notwithstanding the 2013 reversal of this trend. It has also been found that the death of a road user is 3 to 4.5 times more likely after a serious crash if it occurs in regional or remote WA rather than in the metropolitan area. Further, the rate of killed or seriously injured per 100,000 population between 2003-2012 is substantially higher

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35 Road Safety Council Act 2002 section 6(1)
36 Road Safety Council Act 2002 section 6(1)(d)
37 Palamara, P; Kaura, K, Fraser, M. An investigation of serious injury motor vehicle crashes across metropolitan, regional and remote Western Australia, Curtin-Monash Accident Research Centre, page xii
in all regions than in the metropolitan area. The regional rate is at its worst in the Wheatbelt.\textsuperscript{38}

It should also be noted that Aboriginal people in WA are \textit{3 times more likely to be injured or killed in motor vehicle crashes (and up to 17 times in very remote areas)} and the road trauma costs are, on a per capita basis, \textit{about three times as much as for non-Aboriginal people}.\textsuperscript{39}

The above details paint a tragic picture of how far there is to go in improving the safety of travel on regional and remote roads. They also point to the necessity for strong and informed advocacy on the Road Safety Council for action to improve the situation. While it may be argued that the current organisational membership of the Council, through the WA Local Government Association and Government agencies like Main Roads WA or the Department of Transport, is able to represent rural road safety issues, this viewpoint is not sustainable. Metropolitan, rural/regional and remote driving all make particular demands on road users and it is on these roads that 58\% of Western Australian fatalities occur.\textsuperscript{40}

While the contributing factors are not necessarily unique to the regions, the extent of unlicensed and suspended drivers, drink driving, speed, fatigue, poorly maintained vehicles, overloaded vehicles, poorly maintained roads and failure to use seat belts are all major factors that contribute to road trauma in these areas.

At the moment, there is no specified regional or remote representation on the Road Safety Council and it is fortuitous that the current WA Local Government Association representative provides a rural perspective. In light of these statistics and the enormous differences between urban and country driving, membership of the Council should include a minimum of two appropriately experienced or qualified rural and remote representatives appointed by the Minister for Road Safety. Consideration should also be given to ensuring that the WA Local Government Association nominee for the Road Safety Council has relevant road safety knowledge and experience.

New South Wales, with its vast network of roads, has a strong regional road safety structure in recognition of the 62\% of fatalities that occur beyond that State’s metropolitan boundaries. Lacking this structure in WA, the development of Industry Road Safety Alliances where local communities, industries and business work together on road safety issues is a powerful and additional means of addressing road safety issues. There needs to be more such Alliances and their role coordinated with other regional road safety efforts, such as RoadWise.

\textsuperscript{38} Office of Road Safety, data taken from website at \url{http://www.ors.wa.gov.au/Statistics}

\textsuperscript{39} Olney, K. \textit{Indigenous Alcohol Interlock Demonstration Project}, presented at 10\textsuperscript{th} Annual Interlock Symposium, Melbourne, 2009, available at \url{http://interlocksymposium.com/site/ywd_acs_corporation/assets/pdf/Kylie_Olney.pdf}

\textsuperscript{40} Road Safety Council of Western Australia, \textit{Reported Road Crashes in Western Australia 2011, September 2013}. 
11.2.4 Vulnerable road users
Under the legislation, Road Safety Council membership is to include a person to represent road users. Traditionally, this person has been the nominee of the Royal Automobile Club of WA, the organisation which has robustly represented the largest group of road users – motor vehicle drivers. However, there are other road user groups and it is appropriate to ask whether their interests are being adequately represented on the Road Safety Council.

The term ‘vulnerable road users’ is usually deemed to include pedestrians, cyclists, motor cyclists and on occasions, more senior road users. Those using motorised wheelchairs and scooters also come into this category. While the term is convenient for grouping these disparate users together, care is needed to ensure it does not mask the very real differences between them in regards to their road use and road safety needs.

The Royal Automobile Club of WA has provided support for these users over the years and has represented their views to the Road Safety Council, even though on some issues, through sheer weight of numbers, support appears to have fallen more in the direction of automobile drivers than those on two wheels.

Motor cyclists, (including scooter riders) and cyclists make up two increasingly large groups of regular and highly vulnerable road users. In 2013, 50 cyclists died on the nation’s roads, an increase of 51.5% on the previous year. There was a drop in motorcycle deaths but there were still 211 fatalities nationally. Given the number of people on two wheels using the roads, and their contribution to the road toll, it is important they be directly represented on the Road Safety Council. In New South Wales, the peak advisory group, the Road Safety Advisory Council includes three members representing those on two wheels and also a representative of the Pedestrian Council of Australia.

While the Royal Automobile Club is a very successful advocate on the Road Safety Council for its motor vehicle members, its advocacy on behalf of other road users has not been as prominent as members of those groups would like. Given the increasing number of motorcyclists and cyclists on the roads, their views should certainly have a higher profile. It is important that an appropriate mechanism be found to ensure that these views are heard.

11.2.5 Conflicts of interest
There are numerous real and potential conflicts of interest in the makeup and the functioning of the Road Safety Council.

- The majority of members of the Council represent government agencies or organisations that will be seeking funds from the Road Trauma Trust Account. There is significant potential for members’ focus to be narrowed to issues that have an impact on their own agency to the detriment of maintaining a broader road safety perspective.
- Agency representatives present and promote their own funding submissions and then vote, albeit by consensus, in a competitive and comparative environment.

41 Road Safety Council Act 2002 section 6(1)(b)
42 Bureau of Infrastructure, Transport and Regional Economics, Road Deaths Australia, December 2013, page 3.
where all parties get to vote on their own and every submission; in addition, the mere presence of all parties in these discussions could potentially influence decisions.

- The Office of Road Safety is a member of the Council and through resources available to it in the form of staff numbers, research, policy, administrative, financial and media capacities, is able to play a disproportionately larger role in the business of the Council than that available to other individual members.
- It is a concern that the Office of Road Safety is able to submit, promote and vote on its own initiatives, particularly given that it then has to monitor and report on its own work, along with that of other member organisations.
- The placement of the Office of Road Safety within Main Roads WA gives rise to possible conflicts of interest, particularly as Main Roads is the major beneficiary of Trust Account funds; further, there is conflict of interest in that the Office of Road Safety is required to demand rigorous accountability from its host.
- There is a potential conflict of interest where Council members below and sometimes well below the level of Chief Executive Officer, are required to present and vote for an agency submission with which they may disagree on road safety or other grounds.
- The legislation provides for a person to represent road users on the Council. While the Royal Automobile Club has long and vigorously represented motor vehicle users, to avoid a conflict of interest it would be preferable for other road user groups to have their own representatives.

The Road Safety Council is clearly aware that conflict of interest is an issue and has taken steps to promote transparency, highlighting the issue in its recent governance documents. On behalf of the Council, the Office of Road Safety maintains a standing register of Council members’ interests and this record is updated annually. The Council’s document titled *Role and Responsibilities of the Chair* also addresses the issue. The agenda of each Road Safety Council meeting includes a reference to conflict of interest, and the Chair calls for declarations at the start of each meeting. Minutes of meetings indicate that since January 2010 there have been only four occurrences of conflicts being declared in relation to agenda items.

The Council’s 2011-12 *Report on Activities* advises that:

*The Road Safety Council observes a strict conflict of interest policy in regard to all business before the Council, including the formation of its recommendations on allocations from the Road Trauma Trust Account. The policy requires that all Council members provide relevant information to a register of standing interests maintained by the Council secretariat. The policy also requires that Councillors disclose any changes to their standing interests or any matters that might be perceived as creating a conflict of interest at the commencement of each Council meeting. Road Safety Council members are not required to declare their relationship with their principal employers as a standing interest as this information is regarded as self-evident to the meetings.***

This last comment is unfortunate as there is potential for it to be read as though the major source of conflict of interest is being whitewashed. It is suggested that this standing conflict

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of interest is acknowledged, noted and minuted at each meeting. Despite the integrity of members, conflict of interest and perceptions of conflict of interest are inherent in the structure of the Road Safety Council. Every opportunity needs to be taken to recognise this, especially in the minutes of all meetings involving Council deliberations on the disbursement of Road Trauma Trust Account funds.

11.2.6 Ministerial staff attending meetings
The Road Safety Council Act makes it clear that the Council’s reporting and accountability line, through the Chair, is directly to the Minister for Road Safety. Given that this line is legislated, there should be no undocumented, or otherwise arrangement that impedes it.

In recent years it appears to have become a custom for Ministerial policy advisors to attend all or part of most meetings as observers. While this enables advisors to keep up to date with the activities and directions of the Council, it is a concern that these attendances have the capacity to distort legislated reporting lines. This is the case for most Council members, as well as the Chair, as they are accountable through senior management to their Ministers. While it may be appropriate for Ministerial policy advisors to attend Council meetings on occasions for specific purposes, it is inappropriate for them to attend on a regular basis.

12. The Road Trauma Trust Account

12.1 Background
An amendment in 1990 to the Road Traffic Act 1974 provided for one third of the revenue from infringement notices issued as a result of photographic detected traffic offences to be paid into a fund called the Road Trauma Trust Fund (RTTF). The Fund was to be used by the then Road Traffic Board for the prevention of road accidents and injuries resulting from them; and the education and training of road users.44

The Fund was administered by the Road Traffic Board and between February 1991 and November 1995, $10.6 million was received into the Road Trauma Trust Fund. Payments out were $8.8 million.45

The legislative provisions relating to the Road Trauma Trust Fund, renamed the Road Trauma Trust Account were later removed from the Road Traffic Act and incorporated into the Road Safety Council Act 2002. In August 2011, that Act was amended to provide for an increase to two-thirds of fines revenue from photographic-based speed and red light camera infringements to go into the Road Trauma Trust Account in 2011-12, and to 100 per cent from 2012-13 onwards.

The Road Trauma Trust Account (formerly ‘Fund’) has been the focus of the Auditor General on three occasions. In May 1996, the report, Improving Road Safety: Speed and Red Light

44 Road Traffic Act 1974, (as amended 1990), section 12A.
Cameras; The Road Trauma Trust Fund was released. This report describes the findings of an examination into the efficiency and effectiveness of the then Police Service’s camera program and the operations of the Road Trauma Trust Fund.

Recommendations included the need to improve the management of the grants program; for cost effectiveness to be one of the criteria used in allocating funds; and for statistical data and research to be consistently factored in to the funding decision making.

Also included in this report is a comment indicating that the Traffic Board had specified that funding proposals would only be considered if, among other things, they were to enhance an existing program.

In the Public Sector Performance Report 1998 (Report Number 12) there was a follow-up to the 1996 report and its recommendations. The follow-up was generally positive about the work that had been done by the newly established Road Safety Council and Office of Road Safety in addressing the previous report’s recommendations.

Report Number 12 also noted:
Another change since 1996 has been a widening in the purposes for which the RTTF could be used. Prior to the 1996 amendment to the Road Traffic Act 1974, RTTF moneys could not be used to enforce provisions of the Act, such as via grants to the Police Service to purchase, staff, or maintain speed cameras.

Now, the moneys (sic) can be applied to operational support for priority road safety projects as determined by the Minister on recommendation from the Road Safety Council.46

12.2 Issues

12.2.1 Administration of the Road Trauma Trust Account and the Road Safety Council Act 2002

Reference has previously been made to anomalies in accountability and reporting lines of the Office of Road Safety. There are further irregularities when it comes to the Road Trauma Trust Account.

The legislative provisions relating to the Account are contained in the Road Safety Council Act 2002, which is administered by the Minister for Road Safety. For all operational and day to day purposes, the Account is managed by the Office of Road Safety. This responsibility figures prominently on the Office’s website and in all documentation describing the Office’s role and functions.

Under the Act, the Account is to be administered by the department of the Public Service principally assisting the Minister in the administration of this Act.47 While the Office of Road Safety reports to the Minister for Road Safety and sees it as its responsibility to administer the Account, two concerns arise. Firstly, the Office of Road Safety is not a ‘department of

47 Road Safety Council Act 2002, section 12(5).
the Public Service’, and hence it is questionable as to whether its administration of the Account is consistent with the legislation. Secondly, the actual ‘department’ within which the Road Trauma Trust Account is lodged and of which the Office of Road Safety is a part, is Main Roads WA which reports to a Minister other than the Minister for Road Safety.

The Review was unable to identify any instrument that initially authorised the Office of Road Safety to administer the Account and be responsible for the monitoring and use of funds. However, seeming to reflect an ongoing arrangement, the Memorandum of Understanding prepared when the Office separated from the Department of the Premier and Cabinet and joined Main Roads WA in 2009, notes that The Office of Road Safety on behalf of the Road Safety Council and Minister responsible for road safety will have management control of the Road Trauma Trust Fund’s expenditure and revenue.48

The most recent acknowledgement of the Office’s responsibilities in this area comes from the Role and Function statement signed off by the Minister for Road Safety in September 2013.

It should be noted that there is some inconsistency in how the Office presents itself in its communications. Across a range of its documents and website, it variously refers to itself as an ‘Office’, an ‘agency’, a ‘business unit’, and a ‘department’. Within the Role and Function statement it refers to itself using all of these terms. Since these descriptors have particular meanings within government, it is suggested that the terms ‘Office’ and ‘business unit’ should be used consistently, supplemented by the more generic term ‘organisation’ where necessary.

12.2.2 Road Trauma Trust Account – the submission process

At the present time, only member organisations of the Road Safety Council are able to present submissions for funding. This is a source of frustration for many other organisations who, with some support, could make a significant contribution to limiting road trauma. An unfortunate side effect of this historical situation is the perception that the Road Safety Council is an exclusive club, with a view of road safety shaped by the funding needs of its members. Irrespective of this perception, there are many large and small organisations in the community that can contribute to the goals of Towards Zero. This includes vulnerable road user and other community groups as well as larger organisations such as the Royal Flying Doctor Service, rural ambulance services, and the Department of Fire and Emergency Services.

Statistics indicate that cyclists and motorcyclists are at great risk on the roads. Similarly, rural and remote serious accidents are several times more likely than metropolitan ones to result in death. It would seem appropriate that targeted strategies to improve this situation could be developed by these organisations and funded from the Road Trauma Trust Account.

48 Memorandum of Understanding Between Main Roads Western Australia And Office of Road Safety, Attachment 2, page 7, May 2010.
A 2011 report produced by the Curtin-Monash Accident Research Centre (C-MARC) draws attention to the need for this rural and remote issue to be addressed in Towards Zero, making the comment that: *... initiatives involving emergency medical services are key to managing trauma on rural and remote roads in WA. However, improving emergency medical services is not documented in the WA strategy.*

It is the opinion of this Review that there is a strong case for widening access to the submission process for ‘outside’ organisations that can demonstrate appropriate accountabilities and alignment with Towards Zero.

As it stands at the moment, the funding submission, approval and allocation process is protracted and bureaucratic. The process starts in May and runs through to the following year’s State budget announcements. It is a process that requires the preparation of substantial amounts of documentation. It is time demanding and repetitive for ongoing projects as new submissions need to be prepared annually.

The process appears as though it has evolved over time to meet a variety of accountability and transparency requirements. For example, some of the most recent changes to the submission template are useful and address previous shortcomings. Overall though, the evolution has been one of expansion, rather than re-thinking and clarifying. This means that templates have become enlarged with more and more boxes to be filled in. This has led in some cases to content that is repetitious and lacks substance and focus. There is a sense of merely ‘going through the motions’ with some submissions, as opposed to others which seem thoughtful, clearly explained and having potential for effective Towards Zero outcomes.

The impetus for submissions arises out of the (current) May planning day run by the Office of Road Safety for the Road Safety Council. It includes a review of road safety crash outcomes, project performance and program effectiveness. Learnings from this review and analysis of fatal crashes then guide the Road Safety Council in establishing priority areas for the subsequent call for submissions. This is clearly a significant day in the Road Safety Council’s calendar. Despite this, not all members were present on the day in 2013.

The following priority areas were identified for the 2014/15 budget submissions:

- Metropolitan intersections
- Impaired driving by alcohol and drugs
- Seatbelt and helmet wearing
- Run off road crashes in both regional WA and metropolitan Perth
- Inappropriate speed
- Motorcyclists

All submissions addressing these priority areas need to fit into six specific business cases of the Towards Zero strategy. The business cases, which are a refinement of the four broad cornerstones of Towards Zero are:

- excess and inappropriate speed crashes (Safe speed)
- impaired driving crashes (Safe road use)
- urban intersection crashes (Safe roads and roadsides)

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- run off crashes on regional roads (Safe roads and roadsides)
- unprotected occupants and users (Safe vehicles)
- inform and mobilise actions (Safe System foundations).

A Project Assessment Panel met in August 2013 to review submissions and their compatibility with *Towards Zero*. Although the suggestion of a group to do an initial assessment prior to the Finance Sub-Committee meeting was raised for discussion at the July meeting of the Road Safety Council, at least two members were not aware until afterwards that the meeting of the newly-convened Project Assessment Panel had taken place. In mid-September, the formally established Finance Sub-Committee of the Road Safety Council met to further review all projects, and consider the priority level of each one, before arriving at recommendations for the 2014/15 Trust Account budget. These were considered by the Road Safety Council in early October and final decisions were made on the 2014-15 projects and budget to be recommended to the Minister for Road Safety.

The broad pattern of this funding submission process has been followed for a number of years. From this point onwards the Road Safety Council has no input to subsequent decision making that may occur about the next financial year’s expenditure of Road Trauma Trust Account funds. The recommendations enter the Budget process, and progress towards final support, rejection or amendment through the Minister for Road Safety to the Ministerial Council, to the Economic and Expenditure Reform Committee and finally to Cabinet.

As indicated elsewhere in this Report, the Road Safety Council is charged under the legislation to make recommendations to the Minister regarding the use of Trust Account funds. It seems anomalous that the Chair of the Road Safety Council, appointed by the Minister, does not attend the Ministerial Council meetings where the recommendations are discussed. There would be advantages in remedying this situation, in that attendance would give the Chair, as a road safety advocate, a keener sense of the Government’s road safety priorities and views on key issues. It is suggested that consideration be given to enabling the Chair of the Road Safety Council to attend Ministerial Council meetings as an observer, when appropriate.

There are a number of matters that arise from the present funding process. Primarily, it needs to be simplified and have a shorter timeline. If it continues to be done by submissions, should it involve such a large number of seemingly discrete projects? While submissions fall into one of six business case areas, the large number of projects (anything from approximately forty to seventy) gives the impression of a ‘scatter-gun’ approach, even if they have been carefully assessed for their capacity to reduce road trauma.

Length and complexity are not synonymous with accountability and transparency. The submission template needs to be simplified and well-focused so that applicants clearly state what they intend to do, what it will cost, what outcomes it will achieve, how it connects to *Towards Zero*, its value for money and how its success will be judged. While such a listing is perhaps overly simplistic, it is certainly necessary for the present template to be re-examined so that applicants are required to justify the particular project being funded but using a briefer, more focussed template.
The Road Safety Council as a body has a limited role in selecting projects for recommendation to the Minister. The process is run by the Office of Road Safety with a number of individual Council members involved. The full Council’s role comes right at the end, when most of the selection and prioritisation of submissions has already been done. Due to the length of the process and the timeline, there is little capacity for the Council to make much change at that point even if it wished to do so. The submission approval model is such that potentially 25% of submissions never get to the Road Safety Council for consideration at that level.

Reference has been made earlier to the range of conflicts of interest that arise as submissions are reviewed, judged and prioritised by staff of the very agencies that will be responsible for their implementation. Despite efforts that have been made, there is potential for serious conflicts of interest while the current process is in place.

This is of particular concern in relation to the Office of Road Safety. Not only does this body manage the operation of the Trust Account and develop its own funding submissions, but it oversees the entire submission and selection process. Further, it is then responsible for monitoring its own and all other funded projects and ensuring that high levels of transparency and accountability are maintained. It is inappropriate that the Office of Road Safety undertakes all of these tasks. Its focus should be on the Trust Account and ensuring that the management, monitoring and accountability responsibilities entrusted to it are carried out to the highest standards. Trust Account management responsibilities must take precedence over the Office’s desire to develop and manage projects itself.

12.2.3 New submission model

It is suggested that consideration be given to a more formula driven allocation of Road Trauma Trust Account funding rather than continuing the submission process as it stands. Given that the percentage of Road Safety Council recommendations accepted by Ministers of the day has varied between approximately 70-90%, an intervention is needed much earlier in the process that refines the parameters. Four elements, namely infrastructure, enforcement, research and community education (or similar) could make up the framework for such a funding model. The Minister of the day would clearly define the parameters, guidelines and quantum for the ensuing year’s Trust Account budget. Considerations would include, Towards Zero, priority areas for the year and a percentage allocation for each element of the funding framework. These parameters should be announced before any submissions are sought.

Given the criticisms made about the present funding submission process, it is recommended that a new funding model be developed that is more specifically focussed on Towards Zero targets and outcomes and on gaining maximum value for money in the expenditure of Road Trauma Trust Account funds. To this end, it is also recommended that the Department of Treasury’s Strategic Asset Management Framework be adopted as the model for the funding process. It is recognised that adjustments to the Framework will need to be made.

to meet the specific requirements for disbursing Trust Account monies. However, support from the Department of Treasury would be available to assist in this process. Adoption of the model, albeit tailored to suit the needs of the Trust Account, will bring the procedure for recommending projects to the Minister for Road Safety more in line with those already in place across Government. The significant increase in the dollar size of the Trust Account is a further justification for moving to an approved cross-Government process.

In the course of this Review it has become clear that there are two major schools of thought in addressing road safety issues. While there is common acknowledgement that the issues are complex and there is no simplistic ‘quick fix’, there needs to be a reconciliation of the philosophical difference between those favouring a pragmatic, mostly infrastructure-based approach to Road Safety and those who believe this emphasis must be tempered with an approach that also supports research, and community education and involvement.

Resolution of these different emphases should be manifested in a Road Safety Council policy position that is consistent with Ministerial wishes and reflected in the percentages of the funding allocation framework suggested above. The relationship between income and expenditure should be defined in policy terms and included in the annual funding framework.

It has already been noted that there are a range of problems with the current funding process, but the major concerns are the potential for conflicts of interest and the fact that the Minister for Road Safety has no formal input to the process until a very late stage. A new funding submission and selection process is recommended that addresses both concerns.

The steps in an alternative process could be: (Note that that this model process incorporates some elements that are the subject of later recommendations.)

- Annual review of road safety results undertaken by the Road Safety Advisory Council (RSAC), incorporating the Road Safety Experts Panel, with input from the Office of Road Safety. The aim of the day is to review data and results from previous years, and prepare recommendations on the strategic priorities for the next Budget. These are the areas in which funding submissions will later be sought.
- The recommended strategic priorities are presented to the Minister for Road Safety for consideration, refinement and endorsement. Funding parameters are established, in terms of proportions for areas such as infrastructure, enforcement, research and public education. The Minister may involve the Ministerial Council on Road Safety in considering these recommendations and setting a figure on the total amount of funding available for allocation.
- Working within this framework, the RSAC calls for draft submissions from agencies and potentially a wider group of major road safety stakeholders.
- Draft submissions receive value for money assessments consistent with the Strategic Asset Management Framework process; viable submissions are returned to agencies for full development.
- Final submissions return to RSAC for compliance checks, assessment and priority rankings.
• RSAC recommendations and submissions are reviewed by the Road Safety Experts Panel. Agency representatives may be asked to speak to their submissions but would not be involved in making final recommendations.
• Submissions supported by the Road Safety Experts Panel are returned to RSAC for recommendation to the Minister.

12.2.4 Transparency
There is much cynicism in the general community about the use of speed cameras. Their value in cutting the road toll is often questioned and mobile camera placement is frequently criticized as being merely for ‘revenue raising’.

In this environment, the need for transparency and effective communication regarding the use of Road Trauma Trust Account funds is self-evident. The issue was highlighted in the November 2012 Auditor General’s Report in the following comment:

Under the Road Safety Council Act 2002, the Minister must approve all spending of Account funds and is not bound to follow Council recommendations. In practice, the Minister discusses the recommendations with the Ministerial Council on Road Safety and in Cabinet. The Act does not require any reporting of funding decisions made by the Minister and Cabinet. Most recent practice has been for the Minister to announce approved funding, including highlights and totals for priority result areas. However, there is no report that details the complete list of Council recommendations or projects approved for funding. This limits transparency. 51

As a result of a question during a Lower House Estimates Committee Hearing, the full list of 2012-13 Road Safety Council recommendations for funding and what was actually funded by Government is available in Hansard. While it is public it is hardly easily accessible. (A similar list was made available during the 2013-14 Estimates Hearings.)

However, there is no readily accessible documentation published that shows both the Road Safety Council recommended projects with their funding, and the projects and funding levels finally approved by Government. Given that the Road Safety Council is empowered by legislation to make funding recommendations to Government, the final approvals should be published alongside the Road Safety Council’s recommendations, with reasons given for any variations.

A further consideration regarding transparency is the need for the Road Trauma Trust Account and its source of funds to be acknowledged by signage or some other means where any Trust Account funded activity occurs. This includes roadwork and any other infrastructure projects, publication of research, media campaigns and so on. This too would help address negative public perception issues by making it clear that infringement monies are being used for specific, identifiable road safety purposes. This acknowledgement should be a requirement written into all project funding agreements.

51 Office of the Auditor General, Western Australia, Managing the Road Trauma Trust Account, Report 15 – November 2012, page 20.
An additional observation is that there is little public understanding of the Safe System, *Towards Zero* and how the Government is tackling road safety on a range of inter-related fronts. While the term *Towards Zero* is well known in road safety circles, it is very much less recognised as WA’s road safety strategy in the wider community. Such signage or acknowledgement of funding mentioned above, should also make reference to *Towards Zero*. If the term were to be better known, it would promote community understanding and road user acceptance that many road works are not just ‘repairs’ or ‘construction’, and a source of frustration, but that they are planned and deliberately undertaken to make travel safer.

### 12.2.5 The core business funding dilemma

The Road Safety Council is struggling to clarify exactly what part of agencies’ work is appropriate to be funded from the Road Trauma Trust Account. This is a complex issue and one that is regularly raised in Road Safety Council discussions and documentation.

As far back as the 1996 Auditor General’s Report there is reference to this dilemma: *The Road Traffic Act states that money from the RTTF is to be used for the purpose of the Traffic Board’s functions in relation to ‘...the prevention of road accidents and injuries resulting from them and the education and training of road users’. The Board has further specified that proposals for funding from the RTTF will only be considered if they:*

- enhance an existing program;
- provide funding for a pilot program to demonstrate a need prior to the implementation of a large scale project;
- promote new and innovative approaches to road safety that will change road user behaviour and create a safer environment for all road users; and
- relate to intrastate projects.

*These guidelines are very general, giving the Board scope and flexibility to fund any activity that can be related to road safety. However, because they are broad they do not facilitate decision making in terms of prioritising funding. More defined evaluation criteria to support the guidelines would overcome this.*

*Since December 1993, the Board has interpreted the guidelines to exclude applications for funding from government agencies if the purpose of the funding relates to normal operational expenditure of the agency other than educational expenditure.*

The Road Safety Council’s Report on Activities in 2008-09 noted: *In accordance with section 5(a) of the Road Safety Council Act 2002, moneys standing to the credit of the Trust Fund can only be expended on measures that fit within the ambit described, namely measures:*  

- i) to improve the safety of roads in the state; and  
- ii) to reduce the deaths of people, the injuries to people, and the damage to property, resulting from incidents occurring on roads in the state …

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To achieve that result, the Road Safety Council recommended that Trust Fund moneys should not be used to fund the core business of agencies, unless they are used to fund:

- developmental projects or initiatives;
- research;
- evaluation of current projects;
- development of road safety business cases to government;
- building road safety capacity within an agency; and
- enhancements to Road Safety Council or agency processes.\(^{53}\)

The above extract from the Council’s 2008-09 Report on Activities attempts to come to grips with the issue of funding in relation to core business, but does little to clarify how some core business could legitimately be funded from the Trust Account. The suggested parameters are broad, vague, very much open to interpretation and ultimately, unhelpful.

Another aspect of this issue is that many projects funded by the Trust Account are not self-contained. Rather, they are either ongoing or build on an agency’s existing level of activity in a particular area, such as speed or drink-driving enforcement. It is frequently difficult to establish exactly where the enhancement begins in such cases and how the Trust Account contribution can be accurately monitored to ensure accountability.

The 2009-10 Report on Activities made a similar comment to that of the previous financial year’s Report. However, in the 2011-12 Report the angle of approach to the enhancement issue seems to shift slightly where it states:

*In 2011/12 the Road Safety Council lifted its previous moratorium against the use of Road Trauma Trust Account funds to support what was perceived to be core agency business, provided the applying agency could demonstrate how the funds would add to the level of evidence-based activity that will contribute to improving road safety outcomes.*\(^{54}\)

This comment suggests that core business can be funded as long as the rather broad proviso is met. The previous position on core business was, however, re-asserted (with a caveat) at the Road Safety Council meeting in July 2013:

*The Chair noted that, from a RSC perspective, unless there is a direct link to the Towards Zero Strategy and road safety, core business of the departments was not the business of the RSC.*\(^{55}\)

The minutes of the Council’s Budget Meeting in October 2013 note that:

- *Current observations of submitted Project Plans highlight some are based on Agency needs rather than Road Safety objectives.*
- *Certain definitions need to be clarified such as ‘core business’ and the term ‘enhanced’.*\(^{56}\)

The Road Safety Council’s concern about ‘core business’ and ‘enhancement’ is where the line should be drawn between the two, assuming that such a line is actually needed. One

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\(^{55}\) Road Safety Council, Minutes of Meeting held on 25 July 2013, page 7.

\(^{56}\) Road Safety Council, Minutes of Budget Meeting held on 3 October 2013, page 3.
argument is that most of the funding already goes to core business because each agency’s submissions naturally relate to functions for which that agency is legally responsible. On this basis one could say that much of the current spending from the Road Trauma Trust Account already goes to core agency business and it would be reasonable for this to be acknowledged.

The Road Safety Council’s position is that, fundamentally, Trust Account funds should be used to top up, enhance, and enable additional levels of activity over and above what is supported through the agency’s appropriation. For the Council, cost shifting is a major concern. If an agency is reasonably sure of gaining Trust funding for a major ongoing program, then there is potential for appropriation funding to be used for other programs and the gap to be filled by increased funding sought from the Trust Account. A complete revision of the allocation process is one way to help address this.

One suggestion is that agencies need to establish baselines for core business in major project areas so that outcomes from the funded enhancement can be seen and differentiated from the core activity. While this approach has merit and offers assistance in relation to some projects, it is unlikely to be the total solution.

Road safety stakeholders see it as crucial that as much Government expenditure as possible be allocated to reduce death and serious injury on the roads. The Road Trauma Trust Account is a large fund dedicated to supporting road safety measures, but, by itself it is not enough to cover the range of measures needed. Therefore road safety still needs to be seen by Government as a constant priority with annual funding allocated to agencies that play a role in raising road safety standards. Because the two funding streams are necessary and complementary, it is important that levels of expenditure from both remain substantial, ongoing and predictable.

To reconcile the above concerns, questions about what should be funded through the Road Trauma Trust Account and how the allocation should occur need to be re-considered. In relation to the Account, the roles of both the Road Safety Council and the Minister are legislated. However, the view that the Account must only fund enhancements to core business is an interpretation from the days of the Road Traffic Board that has become a de facto policy position, as opposed to a provision specified in the Road Safety Council Act 2002.

12.2.6 The Road Trauma Trust Account - other funding issues
Beyond the issue of core business, a range of other matters arise regarding what the Trust Account should and should not fund. The functions of the Road Safety Council centre on identifying measures to improve the safety of roads in the State; and to reduce the deaths of people, the injuries to people, and the damage to property, resulting from incidents occurring on the roads in the State. Its role is also to recommend to the Minister for Road Safety how Trust Account funds should be used to implement the above measures.

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The legislation makes it clear that the Minister is to determine the purposes for which Road Trauma Trust Account funds are to be used, while having regard to the Road Safety Council’s recommendations.

To an extent, the Council is working in the dark while it follows the extended submission and recommendation process engineered by the Office of Road Safety. Although the Government of the time approved the *Towards Zero* strategy, there is little sense of the road safety Minister of the day having direct and early input into the annual priorities or fine-tuning them, or indeed fine-tuning the strategy itself. Hence there is frequently uncertainty on the Council’s part regarding some of the funding recommendations made and the degree of support they are likely to get from the Minister and Government.

A good example of this is the set of submissions from WA Police, and the Departments of Transport and the Attorney-General, seeking funding for administrative costs associated with fines collection. For 2012-13, Cabinet approved nearly $9.7m to be allocated for these costs from the Trust Account. In 2013-14, the amount approved by Cabinet was almost $10m. These amounts have been allocated by Government without the support of the Road Safety Council, which views these disbursements to be cost-shifting. By contrast, the Government’s position is that they are *an essential activity underpinning the effectiveness of speed enforcement as a priority intervention for road safety.*

In arriving at budget recommendations for 2014-15, the Road Safety Council has indicated that it will not support these submissions and will *remain consistent in the view that, because the purpose of the RTTA is to fund Road Safety initiatives that adhere to the objectives of the Towards Zero Road Safety Strategy, the funding of administration projects takes significant funds away from these initiatives and, as such, should be funded by Agency core business.*

It is an unsatisfactory state of affairs when over two, and probably three, financial years such a difference of view continues without resolution. There seems little reason why such management costs should not come out of the Road Trauma Trust Account. If there is to be extensive and expanding use of speed cameras, then processing and administration of infringements must follow. It is not inconsistent with either the letter or spirit of the legislation even though there may well be a philosophical case to argue.

Another funding issue arises with regard to administration costs of the Road Safety Council and the Office of Road Safety. The 2009-10 Report on Activities indicates that the *Road Safety Council recommended that the Office (of Road Safety) receive $447,000 in supplementary funding from the Road Trauma Trust Fund. The funding provides for Business Co-ordination and Finance positions which are not part of the Office of Road Safety’s core structure.*
A later document provided to this Review includes the comment:

*In previous years the Government supported the main administration for the ORS however, from 2013/14 this is no longer provided and all funding is received from the following two sources:*

- *Infringement Revenue from speed and red light camera fines*
- *The Insurance Commission of WA (ICWA) who provide approximately $3.5m annually.*

The administration costs referred to in the above two instances are directly to support the running of the Office of Road Safety. They are costs that have been drawn from the Road Trauma Trust Account and the implication from the comment referring to 2013-14 is that the Office of Road Safety will continue to be funded through the Account. Whether these administrative costs are more or less worthy of support from the Trust Account than those relating to the administration of speed camera fines is a moot point.

The position of the Review is that administration costs relating to the processing of fines and the operation of both the Road Safety Council and the Office of Road Safety should be allowed and publicly declared. What is important is that this is stated in policy and is transparent.

### 13. Towards Zero – five years on...

Under the current system, the Road Safety Council, through the Office of Road Safety, calls for project submissions that fit into one of six business cases drawn from the *Towards Zero* strategy. Both the Council and the Office of Road Safety strongly support an evidence-based approach to decision making, particularly in relation to project funding and priority areas for action. This is a strong and proven methodology for most decision-making purposes. The approach is characterised by a preference for demonstrable facts, statistics, and research findings based on quantifiable evidence.

While recognising the strengths of this approach, two cautions need to be raised. The first is that rigid enforcement of this methodology can be used to block any initiative deemed not to have sufficient weight of evidence to support it. On occasions this judgement may well be made on purely subjective grounds. A second concern is that too strict an adherence to the evidence requirement works to the detriment of innovation, flexibility, and consideration of evidence of a different order to those mentioned above.

A number of stakeholder views expressed to this Review, indicated frustration that on a range of road safety issues and initiatives, opportunities for innovation in the context of Western Australia’s unique environment, based on experience, practicality and personal judgement were bypassed because of lack of ‘evidence’. It was also suggested that the relative lack of grass roots consultation and observation was symptomatic of the same mindset. It should be remembered that a trial program based on a different or creative

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63 These funding changes have yet to be reflected on the Office of Road Safety’s website at [http://www.ors.wa.gov.au/Office-of-Road-Safety](http://www.ors.wa.gov.au/Office-of-Road-Safety)
approach could well provide the ‘evidence’ needed for future successful initiatives in a particular area.

Reference was made earlier to philosophical differences regarding the weight placed on infrastructure (‘hard initiatives’) as opposed to ‘soft initiatives’, referring to research, media campaigns and community education and involvement. Another set of philosophical differences also emerged in the course of consultation with road safety stakeholders. A number of interviewees referred to a view within some agencies that while they received road safety funding, they saw their real core business in a somewhat limited and traditional way as opposed to embracing their responsibilities to integrate wider Safe System thinking into their program of activities. Responsibility for providing leadership on road safety issues and resolving this conflict lies with the most senior leadership of the stakeholder agencies involved.

Another issue raised by stakeholders was where Safe System requirements clashed with policy positions of another agency. One example given was where the need for cleared verges to provide a safe runoff on a country road was in conflict with fauna and flora conservation policy settings. Again, this highlights the need for the most senior levels of agency management to be involved in road safety, so that such issues can be discussed and resolved smoothly at this level.

There were also views expressed about Towards Zero, namely that while it is well regarded nationally, in the light of nearly five years’ operation it now needs reviewing to tailor it more specifically to Western Australia’s unique context. Another view was that strategies and programs arising out of Towards Zero give inadequate consideration to road safety issues affecting groups such as vulnerable road users, heavy vehicle drivers, older drivers and Aboriginal road safety issues in regional areas.

Insufficient focus on effective transport and land use planning was also raised. Many millions of dollars are currently being spent on remediation and retrofitting of the road system, but it is noted that a forward-looking funding submission on conditions of land subdivision and the resulting impact on road safety was declined. It can also be argued that particularly in the context of WA’s remoteness, inadequate attention is paid to the optimisation of trauma services.

Although substantial funding for road safety is now available through the Road Trauma Trust Account, clearly not everything can be supported and priorities have to be decided. There is considerable international weight behind the Safe System and WA’s Towards Zero strategy but sufficient concern has been raised by stakeholders to justify some fine-tuning, given that it has now been running for some years. This would be an opportunity to seek the views of a broad base of road safety stakeholders; to re-consider the strategy’s focus areas and progress so far; re-assess priorities; and develop milestones, improved performance indicators and targets that connect with reporting requirements of funded projects.

The new operating context of 100% hypothecation is also a strong justification for re-visiting Towards Zero. Yet another, is the following comment from a 2011 report produced by the Curtin-Monash Accident Research Centre:
To ensure the WA road safety strategy and the ‘Safe System’ approach continues to effectively prevent road trauma, its principles need to be constantly reviewed and compared to other States and countries so that necessary modifications can be made.64

Allied to the notion of the above review, consideration should be given to funding a ‘Thinker in Residence’ to revitalize road safety thinking in Western Australia. The South Australian Government has such a program and Professor Fred Wegman in 2011-12 was its nineteenth participant. The model that has been used in South Australia and refined over many years could well provide some guidance for WA to sponsor a significant international authority to look at Western Australia’s road safety environment from an outside perspective and provide advice on road safety strategies, initiatives and future directions.

14. Alternative models for governance of road safety in Western Australia

14.1 Overview

Many concerns and issues have been identified in the foregoing discussion. These flowed both from the wide research undertaken and from comments made during a comprehensive program of interviews that included local stakeholders and representatives from Eastern States jurisdictions. Arising out of this process, the Review finds it appropriate to offer two main alternative models for road safety governance in Western Australia. They can be broadly termed the ‘Commissioner Model’, and the ‘ Embedded Model’, and there are variations within each.

The Review clearly favours the Commissioner Model and to a large degree views the Embedded Model as a default position.

This section of the Review, in considering the models, refers only to those functions currently carried out by the Office of Road Safety and the Road Safety Council. For ease of explanation, the following discussion often combines the two bodies and their functions. In both models it is recommended that the Office of Road Safety be reduced in size through the outsourcing of services to another Government agency. In the Embedded Model it would be Main Roads who would provide those services.

Western Australia needs a governance model that is inherently more collaborative and one that utilises expert advice independent of government agencies, to challenge current approaches to road safety. Further, the model must incorporate a decision-making process that sets some Minister-approved funding parameters at the start of the process and incorporates elements of the Government’s favoured Strategic Asset Management approach.

As previously mentioned, both models should utilise expert advice. This is not to be confused with commissioned research. The Road Safety Experts Panel, with no agency allegiances, should be involved in the very early stages of setting priorities for funding and the Strategic Asset Management Framework process, (including the strategic planning of Towards Zero). They should play a significant role later in the Trust Account decision-making process, to assess the quality of the submissions and their alignment with the detailed strategic directions of Towards Zero.

The Road Safety Council has a continuing role to play but the membership should be considerably amended and the name revised to the Road Safety Advisory Council. Apart from including the Road Safety Experts Panel on the Council, the membership should include two representatives of the vulnerable road users cohort. The current practice of having them represented by the RACWA represents yet another conflict of interest. Two rural representatives should also be included.

The current model notwithstanding, Road Safety Council meetings do not appear to encourage collaboration over any meaningful strategic planning to achieve the stated outcomes of Towards Zero, and there seems little leadership from the Council to encourage agency commitment to road safety. In the current structure, and in the absence of an end of line Chief Executive Officer, the Office of Road Safety does not have the capacity to network with other agency Chief Executive Officers nor the authority to demand information relating to road safety from other agencies.

Any model considered for adoption should if practicable have the following characteristics:

- Direct reporting to the Minister for Road Safety without compromising line management;
- Relevant senior Government agency officers in attendance;
- Road safety indicators included in relevant senior officers’ performance management processes;
- Requirements for individuals’ consistency of attendance; and
- A structure that as much as possible does not contain inherent conflicts of interest.

The model should have the capacity to:

- Provide policy advice to Government and the Road Safety Council;
- Lead coordination with other relevant agencies to ensure that road safety programs are carried out in an aligned manner and consistent with the goals of Toward Zero;
- Provide advocacy and strategic leadership on road safety issues;
- Manage road safety programs and projects, but have these subject to external monitoring and evaluation;
- Monitor and evaluate programs managed by other agencies;
- Undertake detailed strategic planning for the implementation of Towards Zero;
- Provide evidenced-based recommendations to the Minister for the allocation of Road Trauma Trust Account funding; and
- Deliver or provide oversight of road safety advertising and community education.
14.2 The Commissioner Model

Given that road safety is the responsibility of a Minister other than the Minister for Transport, the Commissioner model offers the most appropriate and uncompromising model to ensure direct reporting to the Minister for Road Safety.

The Commissioner model may take a range of forms either established administratively or established by legislation. The report may be to Parliament, a Parliamentary Committee or Minister. It is recommended that a non-statutory administrative model be adopted, similar to that of the Mental Health Commission, with the Commissioner reporting to the Minister for Road Safety.

In this model the Office of Road Safety, in a much reduced form would be the Secretariat to the Commissioner and managed by the Commissioner. (See Appendix 4.) The model would also resemble that of the Commission for Children and Young People in its separate location and outsourced corporate services, but differing in that it would not be a statutory body.

As previously mentioned the Commissioner would be advised by a Road Safety Experts Panel, and by the Road Safety Advisory Council or subgroups of the Council.

As also previously mentioned, the Office of the Commissioner in consultation with the Road Safety Experts Panel and members of the Road Safety Advisory Council, would play very significant roles in establishing detailed strategic direction of Towards Zero as well as making funding recommendations to the Minister for Road Safety.

Further, the Commissioner model complies with all the criteria set out at the beginning of this section of the Review.

The Commissioner and the Office of the Commissioner should either be located independently, or within a Government agency, provided that it is not in an agency that is a recipient of Road Trauma Trust Account funds. It is suggested that the Trust Account would be lodged with the Office of the Commissioner or with the Department of Treasury as a Special Purpose Account.

Given that the Office of Road Safety support functions would be provided at a reduced cost and that the FTE cost would also be less, it is expected that the Commissioner model would be no more expensive than the current model.

It is worth repeating that it is a recommendation of this Review that such administrative costs should be taken from the hypothecated fines revenue as in other jurisdictions.

14.3 The Embedded Model

In most jurisdictions the Office of Road Safety or equivalent is embedded in the Department of Transport or equivalent as a fully integrated business unit, with a reporting line to the CEO and in turn the Minister for Transport. The main difference in WA is that the reporting line is from the Office of Road Safety to the Minister for Road Safety who is not the Minister for Transport. This effectively bypasses the Chief Executive Officer.
The Embedded, but less favoured model being offered would be a significantly re-worked version of what currently exists. The Review’s reservation about this model is based on the fact that the Office of Road Safety would still be in Main Roads WA, which is the major recipient of Road Trauma Trust Account funding.

In the embedded model, the Office of Road Safety would become a fully integrated business unit within Main Roads WA, and line management would run through to the Managing Director of that agency. From this point it would be optional as to whether the reporting line then branched from the Managing Director of Main Roads to the Minister for Road Safety (see Appendix 5), or continued directly to the Director General of Transport and then to the Minister for Road Safety (see Appendix 6).

The former is favoured by the Review. If the Managing Director of Main Roads WA was identified as the end of line CEO he or she would have two reports: one to the Director General of Transport and one to the Minister for Road Safety.

In the event of the latter being adopted, the Director General of the over-arching Transport portfolio would have two Ministers which is not uncommon in the Westminster system. Given that it is the Government’s wish that the Minister for Road Safety is other than the Minister for Transport, the Director General Transport would report to the Minister for Road Safety on road safety matters.

Further, it is recommended that the senior officer who has the end of line responsibility, must also play a significant role in road safety in Western Australia and have Road Safety Key Performance Indicators incorporated into their performance agreement.

The review recommends that all corporate services including finance, human resources and information and communication technology, be provided to the Office of Road Safety by Main Roads WA, reducing the size and functions of the Office. Data analysis, research and possibly other areas of activity would become functions of Main Roads. The Office of Road Safety would retain functions relating to project management, monitoring, evaluating, media advertising and community education.

As described previously, the Road Safety Council would continue to operate with a modified membership that would include rural representatives, vulnerable road user representatives and three road safety experts not part of any Government agency. It would meet every two or three months and be much more directed in its submission process by detailed strategic planning of Towards Zero, guidance through Ministerial direction, and use of the Strategic Asset Management Framework. The high order strategic priorities would be signed off at Ministerial Council level as part of the Strategic Asset Management Framework process.

Greater continuity of agency representation would be expected, as well as representation coming from a high level in the organisation. Also, as mentioned in the overview of this section, there would be a Road Safety Experts Panel who would sit with the Road Safety Council but also meet separately on occasions.
15. Terms of reference, with related comments and recommendations

1. To examine the effectiveness of the Office of Road Safety to promote and coordinate road safety strategies in Western Australia.

General Comment
In the course of this Review it became very clear that the comments made by those interviewed and the judgements made by the Reviewers were largely shaped by the extent to which the Office of Road Safety and the Road Safety Council have or have not adjusted to managing one hundred per cent hypothecation of infringement monies, that has resulted in a plethora of submissions to be assessed and programs to be managed. Despite best efforts it is clear that the Office of Road Safety has not been able to adequately handle the work load with all its complexities, nor can it adequately promote and coordinate road safety strategies.

1. To examine the effectiveness of the Office of Road Safety to promote and coordinate road safety strategies in Western Australia, including its capacity to:
   (a) provide strategic and pro-active advice to the relevant Ministers.

Comment
The Review found that the expertise and knowledge of road safety issues that resides within the Office of Road Safety is nationally and internationally recognised for its excellence.

The context within which the Office provides the relevant Ministers with most of their strategic advice is the internationally accepted Safe System framework on which Western Australia’s Towards Zero road safety strategy is based.

The capacity of the Office of Road Safety to provide advice is somewhat impaired by less than perfect communication channels, and more particularly by a lack of detailed strategic planning on Towards Zero and milestones by which to judge progress on the strategy.

There is inadequate monitoring and evaluation of road safety programs funded by the Road Trauma Trust Account and a lack of access, on occasions, to current relevant data. It needs to be recognised that this lack of robust monitoring and evaluation is limiting the Office of Road Safety’s capacity to provide the Minister with strategic and timely advice. More relevant and contemporary advice could be provided if the Data Linkage and Road Safety Analysis system was fully developed.

It should also be recognised that the absence of an end of line Road Safety CEO is adversely affecting the Office’s capacity to demand timely receipt of road safety data and information from other agencies.
Recommendation 1. That an alternative model of road safety governance be established to address the escalating workload caused by the increased hypothecation of speed and red light camera fines; the existing conflicts of interest; the many governance shortcomings; and also to challenge current road safety thinking in Western Australia. (Refer recommendations 34, 35 and 36.)

Recommendation 2. That the Office of Road Safety develop a comprehensive and detailed strategic plan for the implementation of Towards Zero and that such a document contain clear milestones by which progress towards the objectives can be assessed.

Recommendation 3. That the provision of advice on road safety strategies in Western Australia needs to occur with increased regard and relevance to the context of the State’s unique demographic and topographical characteristics, areas of remoteness, Indigenous factors and economic activity.

Recommendation 4. That the Office of Road Safety ensures that current, timely and meaningful inter-agency road safety data be made available to meet Ministerial and other requests.

Recommendation 5. That every effort be made to support the Data Linkage and Road Safety Analysis Project being developed within the Department of Health.

Recommendation 6. That effectiveness of communications between the Office of Road Safety and the Office of the Minister for Road Safety be enhanced.

Recommendation 7. That a review of Towards Zero be undertaken that re-considers the strategy’s focus areas, initiatives and performance indicators in the light of progress to date; unique factors of the Western Australian environment; and the need to accommodate additional concerns such as cyclists, motor bike riders and rural, aged, Indigenous, heavy haulage and aberrant high risk drivers.

Recommendation 8. That the long-term strategy for road safety be supplemented by three year Action Plans that provide a sharper focus on priorities, initiatives and programs to address the priorities, and targets that enable progress to be judged.

1. To examine the effectiveness of the Office of Road Safety to promote and coordinate road safety strategies in Western Australia, including its capacity to:
   (b) provide support to the Road Safety Council.

Comment
The Review found that the technical and logistical support provided by the Office of Road Safety to the Road Safety Council is commendable. A member survey conducted in late 2013 by the Road Safety Council Chair confirmed this view.

Notwithstanding the improvements made by the Office of Road Safety since the Auditor General’s report in November 2012, the more specific support to underpin Council decision making is somewhat impaired by insufficiently rigorous processes such as data collection...
and analysis, agreement execution, evaluation and monitoring, and enforcing compliance. The Office’s lack of authority means that it does not have the capacity to effectively act as a coordinating body of the Road Safety Council member agencies.

The complex and time consuming submission process is often met by a high level of submission rejection by Government as not being aligned to Towards Zero or as not evidence based. The Review refers elsewhere to the implementation of the Strategic Asset Management Framework strongly recommended by Treasury.

The considerable imperfections in the Road Safety Council governance structure also limit the Office of Road Safety’s capacity to provide appropriate support.

There is some confusion over the role and function of the Office of Road Safety, which leads to frustrations over expectations of those in line management positions.

**Recommendation 9.** That notwithstanding the significant increase in workload, the effectiveness of the logistical support to the Road Safety Council afforded by the Office of Road Safety needs to be recognised.

**Recommendation 10.** That to achieve better governance and more effective support to the Council, the Office of Road Safety should not be a member of the Road Safety Council but rather focus on its role as the Council’s secretariat.

**Recommendation 11.** That the Master Action Plan be further refined and developed into a clear reference that documents progress on Towards Zero targets and provides comparative fatalities per 100,000 data with other jurisdictions.

**Recommendation 12.** That whatever the future road safety governance structure, the role and function of the Office of Road Safety be clearly defined.

1. **To examine the effectiveness of the Office of Road Safety to promote and coordinate road safety strategies in Western Australia, including its capacity to:**
   (c) effectively and appropriately manage the Road Trauma Trust Account.

**Comment**

The Review found that the Office of Road Safety has made considerable effort to respond to the findings of the Auditor General’s report. However, the Office has not had, and still does not have, the governance structure, the expertise or the financial capacity to manage appropriately the increased hypothecation of fixed camera and red light revenue which has increased to nearly $90m. This will not be resolved by adding FTE but by a change of model.

It needs to be recognised that there has been a dramatic increase not only in the money available but also in the programs funded. There are inadequate processes for the execution of agreements, monitoring and evaluation of programs and the required financial acquittals. The difficulties are exacerbated by the failure of some agencies to comply with reporting requirements and the confusion in reporting that arises out of apparent cost shifting by some agencies. There also appears to be insufficient scrutiny placed on programs run by
some non-Government agencies and indeed on programs run by the Office of Road Safety itself.

The Review found that there needs to be greater transparency at all levels of the management and utilisation of Road Trauma Trust Account funds. The opinion of the Review is that it is not inconsistent with either the spirit or the letter of the Road Safety Council Act 2002 that Trust Account funds be used in the management and administration of funds provided to agencies, provided that it is openly declared and consistently transparent.

**Recommendation 13.** That it be recognised that the Office of Road Safety does not have the resourcing or expertise to manage the quantum of Road Trauma Trust Account funding now available, and that a senior finance officer with appropriate knowledge and experience be appointed.

**Recommendation 14.** That consideration be given to a more measurable, formula driven allocation of Trust Account funds in the areas of infrastructure, enforcement, research and public education, in association with greater Ministerial direction regarding the year’s road safety priorities and parameters.

**Recommendation 15.** That all Office of Road Safety inadequacies in the execution of agreements, their monitoring and acquittal processes be urgently addressed.

**Recommendation 16.** That a new funding submission process be introduced that enables parameters and priorities to be set at an early stage at Ministerial level, and that incorporates value for money assessments in its approval process, drawn from the Government’s Strategic Asset Management Framework approach.

**Recommendation 17.** That costs associated with the administration of the Road Trauma Trust Account, the management of fixed and red light cameras, and recovery of fines be taken from Trust Account funds.

**Recommendation 18.** That in the interests of transparency, explanations at both Council and Ministerial levels be published for unsuccessful Road Trauma Trust Account submissions, and that Trust Account funds be allocated to projects no later than twenty four months from the time they were raised.

**Recommendation 19.** That the Office of Road Safety develop a Road Trauma Trust Account operations manual that is consistent with other recommendations of this Review regarding the Account, and that incorporates all policy, administrative procedures, legislation, templates and other information governing the Trust’s functioning.

**Recommendation 20.** That every effort be made to eliminate cost shifting, in whatever form, by Road Safety Council agencies using Road Trauma Trust Account funds; and that where possible, baseline data be established so as to better determine demarcation between agency core business and Road Trauma Trust Account funded projects.
Recommendation 21. That consideration be given to non-Road Safety Council agencies and community organisations applying directly for Road Trauma Trust Account funding, provided that they can demonstrate close alignment to Towards Zero and capacity to meet the necessary management and acquittal requirements.

1. To examine the effectiveness of the Office of Road Safety to promote and coordinate road safety strategies in Western Australia, including its capacity to:
   (d) monitor and evaluate the Road Trauma Trust Account funded programs, and in a timely manner.

Comment
The Office of Road Safety is to be commended on the appointment of a Program Performance Officer and the development of process and compliance documents developed in response to the Auditor General’s findings. However, under the current structure, it will be largely the degree of commitment and willingness by Trust Account funded agencies that will determine the level of overall compliance. The Office of Road Safety, without an end of line CEO, is not well positioned to secure compliance by other agencies, and the Road Safety Council being constituted of Trust Account funded agencies is not likely to be able to exert much pressure. Such issues underpin the Review’s recommendation for an alternative model of governance.

As previously stated, the Office of Road Safety has not been able to adjust to the greater demands placed upon it by the escalation in the number of programs it now has to monitor and evaluate. Further, and consistent with the findings of the Auditor General, the Review found that the Office of Road Safety's execution, monitoring and evaluation of its own programs was not only a conflict of interest, but also inadequate. The Auditor General found similarly with Main Roads WA programs. It is clear that any program run by the Office of Road Safety should be evaluated by an external agent.

In many cases, the very nature of the programs funded by the Trust Account makes it hard for the Office of Road Safety to identify and respond to cost shifting by agencies. Further, it makes evaluation difficult and some acquittals meaningless. Similarly the apparent lack of alignment with Towards Zero of some programs has made evaluation and monitoring even more difficult.

Whilst there are examples of the Office of Road Safety being well behind with data collection and therefore analysis, it has to be recognised that it has very limited capacity due to lack of authority, to demand data from other agencies. Further, it needs to be recognised that the unique demographic features of WA may mean that any meaningful evaluation of some programs such as audible strips on more remote regional highways may take three years to achieve a valid sample of road users. There are many other programs however, that can yield more immediate results. There are also programs, such as RoadWise where the Office does not appear to have a process to monitor in a robust and timely manner.
Recommendation 22. That despite having a Program Performance Officer position, it be recognised that the Office of Road Safety does not have the capacity to adequately monitor and evaluate the number of programs arising from the increased Trust Account funding and an alternative model is required. Further it needs to be recognised that without an end of line CEO the Office of Road Safety lacks authority in its dealings with other agencies in terms of leadership and carrying out of its responsibilities.

Recommendation 23. That it be recognised that some Road Trauma Trust Account programs have a necessary evaluation lag time of up to three years.

Recommendation 24. That all Trust Account programs managed by the Office of Road Safety be externally monitored and evaluated.

1. To examine the effectiveness of the Office of Road Safety to promote and coordinate road safety strategies in Western Australia, including its capacity to:
   (e) manage relevant road safety programs.

Comment
The Review found that a major challenge confronting the Office of Road Safety in conjunction with the Road Safety Council, is the identification of the most effective programs on the basis of cost benefit and the degree of alignment with key performance targets of Towards Zero.

Two major factors complicate this challenge. The first is the absence of guiding principles. Despite the development of the Office of Road Safety’s Master Action Plan, there remains insufficient detailed strategic planning and development of milestones for the implementation of Towards Zero to ensure alignment to the standard required by the Minister. The result is that many programs are discounted at Ministerial level. This can well be addressed by the implementation of the alternative submission process recommended earlier in this Report.

The second factor is that Western Australia’s unique and diverse nature must be recognised when deciding on road safety strategies. It appears that the topography, demography, degree of remoteness, kilometres of Indigenous driving and economic activity are not given sufficient attention in order to obtain maximum impact on road safety.

The Review noted that the Office of Road Safety managed a number of programs associated with advertising, public education and research. Whilst it appears that these programs are effective there is insufficient monitoring and evaluation on which to make evidence-based decisions and to determine definitively that they have been successful to the degree expected.

The Review acknowledges the efforts being made by the Office of Road Safety to address the findings of the Auditor General, including inadequate documentation relating to the execution of funding agreements. It must also be noted that self-evaluation and assessment by the Office has to be considered a poor governance practice.
Recommendation 25. That it be recognised the management of road safety programs is inhibited by the lack of Towards Zero guidelines and milestones and the reluctance of some agencies to comply with monitoring and evaluation requirements.

Recommendation 26. That the Road Trauma Trust Account and its source of funds be acknowledged by signage or other means where any Trust-funded activity occurs; further that funding submissions and agreements provide information on how this requirement will be met.

Recommendation 27. That it be recognised there are significant philosophical differences in approaches to road safety in WA and the Office of Road Safety’s lack of authority limits its capacity to coordinate and align agencies in road safety strategies.

Recommendation 28. That the Office of Road Safety put in place more robust monitoring and evaluation of the RoadWise and School Drug Education and Road Aware programs.

Recommendation 29. That a greater emphasis be placed on strategies to deal with road safety associated with cyclists, motor bike riders and rural, aged, Indigenous, heavy haulage and the aberrant high risk drivers.

Recommendation 30. That the Road Safety Council work to expand the number of regional Industry Road Safety Alliances and assist in developing linkages between them and other relevant programs such as RoadWise.

Recommendation 31. That it be noted in comparison with some other states, certain proven effective road safety strategies such as alcohol interlocks and point to point speed cameras have not yet been implemented in WA.

Recommendation 32. That research projects by Western Australian agencies involved in Road Safety be reconciled and duplication reduced.

Recommendation 33. That it be recognised that road safety enforcement can be enhanced by more sophisticated cameras rather than more of the same current cameras.

Recommendation 34. That it be recognised in the context of Western Australia that the larger and the more remote the State the more difficult it is to achieve public education and awareness and that alternative strategies are required.

2. To examine the appropriateness and effectiveness of the Road Safety Council with a view to identifying any alternative and improved forms of delivery of the functions of either or both the Road Safety Council and the Office of Road Safety.

General Comment
The Review found that those associated with the Road Safety Council earnestly seek to reduce the number of road fatalities on West Australian roads. Leaders in this regard are the Chair of the Road Safety Council and the Executive Director of the Office of Road Safety.
The reality, however, is that Western Australia has gone from one of the best performing states in Australia to one of the worst in the last two decades. Although it can be argued there are mitigating circumstances, the Review is strongly of the view that the Road Safety Council model needs to be significantly improved and the Western Australian approach to Road Safety challenged and re-invigorated.

2. To examine the appropriateness and effectiveness of the Road Safety Council with a view to identifying any alternative and improved forms of delivery of the functions of either or both the Road Safety Council and the Office of Road Safety and, in particular, the Council’s (a) structure including its membership, processes and procedures.

Comment
Despite good intentions, the Road Safety Council structure, processes and procedures are no longer appropriate to the challenges of leading road safety in Western Australia. This State needs a model that inherently invites participation and commitment from the highest levels of agencies such that all members feel a greater responsibility for road safety rather than simply making funding submissions. The membership needs to be restructured to include a number of road safety experts, and rural and vulnerable road user representation. The process for determining the recommended Road Trauma Trust Account submissions needs to be re-considered. In 2012-13, of the 70 original submissions and the 64 recommended by the Road Safety Council, only 51 were approved by Government.

Recommendation 35. That the position of Commissioner for Road Safety reporting directly to the Minister for Road Safety be established, with secretariat support provided by a restructured Office of Road Safety, to be known as the Office of the Commissioner for Road Safety; and further, that the Road Safety Council Act 2002 be reviewed to address inconsistencies noted in this Report and to reflect the new Road Safety Advisory Council membership.

Recommendation 36. That a Road Safety Experts Panel of three be appointed on a remunerated basis to judge the merits of Trust Account submissions, offer policy advice to the Commissioner and to serve on the Road Safety Council.

Recommendation 37. That the Road Safety Council be known as the Road Safety Advisory Council with a structure and membership such that:
- The Commissioner for Road Safety is the Chair;
- Government agencies are represented by the CEO or Deputy;
- The current Office of Road Safety is not a member of the Council;
- Vulnerable road users are represented;
- Rural and regional WA is represented by at least two members appointed by the Minister for Road Safety;
- The WA Local Government Association representative be an elected member with a sound knowledge of road safety matters;
- Three road safety experts external to any Government agency, are included as members; and
- Government agency representatives do not outnumber other members.
Recommendation 38. That in the event that Government does not move to adopt a Commissioner Model, the Embedded Model described elsewhere in this Report should be considered. To revert to a stand-alone Office of Road Safety avoids conflicts of interest but does not provide for a vitally needed end of line CEO.

Recommendation 39. That to resolve ongoing confusion and misinterpretation, the term ‘independent’ no longer be used in describing the role of the Road Safety Council, its Chair, or members of the Road Safety Experts Group, should they be appointed.

Recommendation 40. That notwithstanding the Office of Road Safety and the Road Safety Council responses to the Auditor General’s report, all road safety governance documents should be reviewed and a compilation document of Policies and Practices developed.

Recommendation 41. That the Road Safety Advisory Council meet every two to three months and agencies should be represented by either the CEO or Deputy.

Recommendation 42. That consideration be given to following the Victorian road safety model in which CEO commitment to road safety is secured by requiring relevant CEOs to collaborate to prepare and present to the Minister for Road Safety, six monthly reports on progress towards reducing road fatalities. In the Western Australian context it is recommended that the relevant CEOs be the Commissioner of Police, Director General of Transport, Director General of Planning and the Executive Director of the Office of Road Safety or alternatively a Commissioner for Road Safety.

Recommendation 43. That only Secretariat support staff attend Road Safety Advisory Council meetings so as to ensure formal lines of communication are adhered to and agency representatives are not inhibited in their contribution to debate and decision making.

Recommendation 44. That the Road Safety Advisory Council hold at least one meeting per annum in regional areas so as to increase its awareness of non-metropolitan road safety issues.

Recommendation 45. That the Chair of the Road Safety Advisory Council be enabled to attend meetings of the Ministerial Council on Road Safety as an observer, and when appropriate.

Recommendation 46. That consideration be given to allowing non-Road Safety Advisory Council agencies such as the Royal Flying Doctor Service, rural ambulance services and Fire and Emergency Services to apply for grants, given they can demonstrate a capacity to reduce country fatalities through the rapid provision of medical aid to crash victims.

2. To examine the appropriateness and effectiveness of the Road Safety Council with a view to identifying any alternative and improved forms of delivery of the functions of either or both the Road Safety Council and the Office of Road Safety and, in particular, the Council’s
(b) capacity to make recommendations to the Minister about the strategic use of the Road Trauma Trust Account including projects to be funded in order to improve road safety in Western Australia.

Comment
Predominantly, the funding recommendations originate as submissions from individual agencies without the benefit of interagency coordination. Some come from the Office of Road Safety. It has been argued that in both cases there is frequently insufficient alignment with Towards Zero and insufficient supporting evidence provided. It has also been argued that due to the lack of detailed planning for Towards Zero and milestones to measure progress, the required alignment will always have an element of estimation or guess work. The process would be enhanced greatly if Ministerial Council direction were to be given at an early stage of the process.

Recommendation 47. That shortcomings in the structure, processes and procedures of the Road Safety Council cannot readily be overcome by modification; rather, road safety governance in Western Australia requires a new, inherently collaborative model that will challenge traditional road safety thinking and attitudes.

Recommendation 48. That Road Safety Advisory Council deliberations be guided by detailed planning for the implementation of Towards Zero and milestones that clearly measure achievement.

Recommendation 49. That the Road Safety Council coordinate the development of an annual cross-agency calendar of road safety activities.

Recommendation 50. That the comprehensive interagency data linkage system under development be completed so that the Road Safety Council will be better placed to provide the Minister with current, detailed and relevant information.

Recommendation 51. That it be recognised the Road Safety Council could provide better strategic road safety advice to the Minister if it had the capacity to optimise synergies between agencies.

Recommendation 52. That the channels of communication between the Office of Road Safety, the Road Safety Council and the Minister should be formalised and adhered to.

2. To examine the appropriateness and effectiveness of the Road Safety Council with a view to identifying any alternative and improved forms of delivery of the functions of either or both the Road Safety Council and the Office of Road Safety and, in particular, the Council’s (c) capacity in conjunction with the Office of Road Safety to provide leadership in road safety in Western Australia.

Comment
Leadership in road safety in the benchmark states of Victoria and New South Wales has come from the Cabinet and Chief Executive Officer levels as well as the heads of respective
support organisations. In each case the governance structure is collaborative and the CEOs of road safety associated agencies have road safety performance indicators in their performance agreements. In Western Australia, despite goodwill, the ability to lead and advocate in support of road safety measures is hindered by structural rather than human factors.

The WA model of road safety does not inherently foster collaboration, and associated agency heads are not accountable for road safety outcomes. The lines of reporting of the Office of Road Safety are obscure at best and no CEO has to report on road safety to the Minister for Road Safety. The original intention of having CEOs or Deputies as members of the Road Safety Council has not been realised and in many cases not only is the representative third or fourth tier but there is also considerable turnover of the individuals who represent some agencies.

All CEOs of agencies in receipt of Road Trauma Trust Account funds should be accountable for the achievement of road safety outcomes and be demonstrable advocates of road safety in WA.

Despite obvious goodwill and commitment there appears to be uncertainty about the roles of both the Chair of the Road Safety Council and Executive Director of the Office of Road Safety as public advocates for road safety in WA.

**Recommendation 53.** That a Commissioner for Road Safety in Western Australia be appointed to significantly promote road safety in this State, provide an end of line and fully accountable CEO, as well as provide a direct reporting line to the Minister for Road Safety.

**Recommendation 54.** That Western Australia follow the lead of other benchmark states and appoint a set term 'Thinker in Residence' so as to evaluate current road safety attitudes and strategies in the context of Western Australia’s particular characteristics.

**Recommendation 55.** That the Victorian Transport Accident Commission model of road safety investment and promotion be given consideration.

**Recommendation 56.** That the significant benefits of public education and road safety awareness be recognised. Equally, the difficulty of mounting effective campaigns of the same nature in more remote parts of the State should be both recognised and addressed.
16. Appendices

Appendix 1: Road Safety Coordination in Western Australia – Current Structure

Appendix 2: Office of Road Safety – Organisational Structure

Appendix 3: Transport Portfolio – Western Australia

Appendix 4: Recommended Road Safety Governance Structure – Commissioner Model

Appendix 5: Alternative Road Safety Governance Structure – Embedded Model A

Appendix 6: Alternative Road Safety Governance Structure – Embedded Model B

Appendix 7: Coordination of Road Safety in Victoria

Appendix 8: List of Persons Consulted

Appendix 9: Meetings Attended by the Review
APPENDIX 1: Road Safety Coordination in Western Australia – Current Structure

Current Structure

MINISTERIAL COUNCIL ON ROAD SAFETY

- MINISTER FOR POLICE; TOURISM; ROAD SAFETY; WOMEN’S INTERESTS *(Chair)*
- DEPUTY PREMIER; MINISTER FOR HEALTH; TRAINING & WORKFORCE DEVELOPMENT
- MINISTER FOR EDUCATION; ABORIGINAL AFFAIRS; ELECTORAL AFFAIRS
- MINISTER FOR LOCAL GOVERNMENT; COMMUNITY SERVICES; SENIORS and VOLUNTEERING
- TREASURER; MINISTER FOR TRANSPORT
- MINISTER FOR PLANNING; CULTURE AND THE ARTS
- MINISTER FOR REGIONAL DEVELOPMENT; LANDS

ROAD SAFETY COUNCIL

- CHAIRPERSON
- WA POLICE
- DEPARTMENT OF HEALTH
- OFFICE OF ROAD SAFETY
- MAIN ROADS WA
- DEPARTMENT OF EDUCATION
- DEPARTMENT OF PLANNING
- INSURANCE COMMISSION OF WA
- DEPARTMENT OF TRANSPORT
- WA LOCAL GOVERNMENT ASSOCIATION
- ROAD USER REPRESENTATIVE
- OFFICE OF ROAD SAFETY
APPENDIX 2: Office of Road Safety – Organisational Structure (as at 3/9/13)
APPENDIX 3: Transport Portfolio – Western Australia

DEPARTMENT OF TRANSPORT

MAIN ROADS WA
Managing Director
Corporate Executive Team
- Regional Services
- Road Network Services
- Infrastructure Delivery
- Planning and Technical Services
- Office of Road Safety
- Organisational Development
- Executive Services and Public Affairs
- Finance and Commercial Services

DIRECTOR GENERAL TRANSPORT

MINISTER FOR TRANSPORT

PUBLIC TRANSPORT AUTHORITY

PORT AUTHORITY BOARDS
APPENDIX 4: Recommended Road Safety Governance Structure

Commissioner Model

MINISTERIAL COUNCIL ON ROAD SAFETY

MINISTER FOR ROAD SAFETY

COMMISSIONER FOR ROAD SAFETY

ROAD SAFETY EXPERTS PANEL

Director
OFFICE OF THE COMMISSIONER FOR ROAD SAFETY

ROAD SAFETY ADVISORY COUNCIL
Commissioner for Road Safety (Chair)
APPENDIX 5: Alternative Road Safety Governance Structure

Embedded Model A
(The Managing Director Main Roads WA reports to the Minister for Road Safety on road safety matters only.)
APPENDIX 6: Alternative Road Safety Governance Structure

Embedded Model B
(The Director General Transport reports to the Minister for Road Safety on road safety matters only.)
APPENDIX 7: Coordination of Road Safety in Victoria

(Diagram courtesy of VicRoads)

Ministerial Council for Road Safety
- Minister for Roads
- Minister for Police and Emergency Services
- Attorney General
- Minister Responsible for the Transport Accident Commission

Road Safety Executive Group
- Comprises senior leaders of VicRoads, the Transport Accident Commission, Victoria Police and the Department of Justice
- Road safety performance indicators included in performance agreements
- Determines strategic direction
- Monitors and reports progress and performance to the Government through the

Road Safety Management Group
- Coordinates strategy implementation and statewide programs and initiatives
- Develops countermeasure advice
- Review and evaluation
- Identifies research priorities

Road Safety Communications Group
- Coordinates communication activities across agencies
- Provides communication advice to the Road Safety Executive Group
APPENDIX 8: List of Persons Consulted

Agnello, Simon  
Policy Officer, Office of the Minister for Road Safety

Agnew, Terry  
Group CEO, Royal Automobile Club of WA

Anticich, Nick  
Assistant Commissioner, Traffic and Emergency Response, WA Police

Bean, Jeremy  
Associate Director Performance Audit, Office of the Auditor General

Benz, Heinrich  
Executive Officer, Bicycle Transportation Alliance

Brown, Matt  
(Then) Head of Member Advocacy, RACWA

Buba, Michael  
Principal Policy Advisor, Office of the Minister for Transport

Buswell, Hon Troy, MLA  
Treasurer, Minister for Transport

Calabrese, Samuel  
Senior Policy Advisor, Office of the Minister for Transport

Cameron, Iain  
Executive Director, Office of Road Safety

Chortis, John  
Director Infrastructure Planning and Coordination, Department of Planning

Clarke, Glen  
Deputy Auditor General

Crackel, Linley  
Acting Director, Policy and Strategy Office of Road Safety

Dorrington, Grant  
Ex Chair, Road Safety Council

Farley, Roger  
Director Strategic Communications Office of Road Safety

Gregson, Paul  
Manager, Budget Services, Department of Regional Development

Hale, Lindsay  
Executive Director, Statewide Planning and Delivery, Department of Education

Hamley, Gary  
Chief of Staff, Office of the Minister for Road Safety

Harris, Rebecca  
Director, Office of the Public Sector Commissioner

Harvey, Hon Liza, MLA  
Minister for Road Safety

Heffernan, Scott  
Executive Sales Manager, Landgate

Holman, Professor D’Arcy  
Winthrop Professor, School of Population Health, UWA & previous Chair of the Road Safety Council

Johnson, Hon. Rob, MLA JP  
Member for Hillarys, previously Minister for Road Safety

Johnston, Professor Ian  
Ian Johnston Transport Safety Pty Ltd and Adjunct Professor at Monash University Accident Research Centre

Jones, Alistair  
A/Executive Director, Strategic Policy and Evaluation, Department of Treasury

Kirkup, Zak  
Principal Advisor, Office of the Premier
Lampard, Professor Murray  
Chair, Road Safety Council

Lyhne, Nina  
Managing Director Transport Services, Department of Transport

MacLean, Gary  
Principal Policy Advisor, Office of the Minister for Road Safety

Marney, Tim  
(Then) Under Treasurer, Department of Treasury

Marsh, Brendan  
Managing Director, Marbrekar Pty Ltd

Martin, Steve  
President, Shire of Wickepin

Meuleners, Professor Lynn  
Director, Curtin Monash Accident Research Centre

Missikos, Tony  
Project Manager Development, Main Roads WA

Murray, Jeremy  
CEO, Bicycling Western Australia

O’Brien, Alan  
Policy Advisor - Roads, Office of the Minister for Transport

O’Callaghan, Dr Karl  
Commissioner of Police

Palamara, Peter  
Research Fellow, Curtin-Monash Accident Research Centre

Petrossian, Sarkis  
Traffic Engineer and Road Safety Advocate

Pettet, Terri-Anne  
RoadWise Program Manager, WA Local Government Association

Prendergast, Margaret  
General Manager, Centre for Road Safety, Transport for NSW

Roberts, Hon Michelle, MLA  
Shadow Minister for Road Safety

Rosman, Diana  
Program Manager, Data Linkage Branch, Department of Health

Schofield, Peter  
Manager, Road Safety Strategy & Partnerships, VicRoads

Scott, Michelle  
(Then) Commissioner for Children and Young People

Shanahan, Tim  
President, Royal Automobile Club of WA

Shaw, Clint  
CEO, West Cycle Inc.

Shelton, David  
Executive Director, Road Safety and Network Access, VicRoads

Singh, Bhupinder  
(Then) A/Principal Finance Officer, Office of Road Safety

Snook, Des  
Executive Director Road Network Services, Main Roads WA

Travers, Hon. Ken, MLC  
Shadow Minister for Transport

Troughton, Steve  
Managing Director, Main Roads WA

Waldock, Reece  
Director General, Department of Transport

Walker, Patrick  
Executive General Manager, Advocacy and Member Benefits, RACWA

Watts, Lew  
Deputy Chief Executive, Insurance Commission of Western Australian

Wauchope, Mal  
Public Sector Commissioner
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<tr>
<th>Name</th>
<th>Title and Organization</th>
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<tr>
<td>Weeramanthri, Professor Tarun</td>
<td>Executive Director Public Health and Clinical Services, Chief Health Officer, Department of Health</td>
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<tr>
<td>Woronzow, Peter</td>
<td>Executive Director Financial and Commercial Services, Main Roads WA</td>
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APPENDIX 9: Meetings Attended by the Review

Road Safety Council – standard monthly meeting, 22 August 2013

Road Safety Council – 2014-15 budget approval meeting, 3 October 2013

Road Safety Council – standard monthly meeting, 31 October 2013

Road Safety Council – standard monthly meeting, 28 November 2013

Road Safety Council – standard monthly meeting 27 February 2014

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