

Inquiry into the methods employed by
WA Police to evaluate performance –
traffic law enforcement and road safety
initiatives

Prepared by the WA Police Union

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Inquiry scope

The WA Police Union (WAPU) welcomes the opportunity to make a submission to this very important inquiry and appreciates the Committee granting an extension on the due date so that we were able to canvass our Membership. However, it has proven difficult to ascertain the scope of this inquiry without clear terms of reference.

It is our understanding that the Committee was seeking input from WAPU across a range of issues not specifically covered by the inquiry's narrative. These issues included the State's road toll, the Road Trauma Trust Account, traffic enforcement hours, budgeting, any links between the number of random breath tests (RBTs) performed and the number of road users who test positive, known key performance indicators (KPIs) and who, at what level, takes responsibility for these KPIs within the Agency. WAPU does not have any jurisdiction over the methods employed by WA Police to evaluate performance, including those measures that determine the effectiveness of traffic law enforcement and road safety initiatives. WAPU not only has no jurisdiction over the aforementioned issues, but is not privy to the processes or outcomes arising from these matters.

Within this submission, WAPU has relied on feedback from a survey of its Membership to shape and guide the response. The submission is divided into two sections – results from the Member survey and WAPU's concerns about the noted issues.

Member survey

WAPU canvassed its Members about a range of questions relating to traffic law enforcement and road safety initiatives in a survey that ran from 5 February 2015 to 16 February 2015. The survey returned 663 responses.

Respondent demographics

Generally, the respondent demographics can be broken down as follows:

- Approximately 72 per cent of respondents were from the Metropolitan Region;
 - The majority of Metropolitan officers were from Central Metropolitan (approximately 47 per cent);
 - Most of the respondents worked in Crime, Local Policing Teams or Traffic;
- Approximately 28 per cent of respondents were from Regional WA;
 - The majority of Regional WA officers were from the Wheatbelt (approximately 18 per cent);
 - Most of the respondents worked in General Duties, with less than 15 per cent of respondents working in Traffic and Crime combined;
- The majority of respondents were Senior Constables (approximately 42 per cent).

Hours worked and resourcing

Respondents were asked the following question:

“On average, how many hours a week do you perform traffic duties, including overtime?”

The question required a comparison between hours performed currently and hours performed 12 months ago. Every respondent, no matter their primary duty, had the opportunity to answer this question. From all the responses, there has been an *increase* over time in the percentage of officers who are performing no traffic duties at all (31.26 per cent 12 months ago compared to 36.22 per cent currently) or less than five hours a week of traffic duties (29.76 per cent 12 months ago compared to 31.45 per cent currently). From all the responses, there has been a *decrease* over time in the percentage of officers who are performing more than 35 hours a week of traffic duties (12.21 per cent 12 months ago compared to 11.13 per cent currently).

All respondents were asked if they felt they should be spending more or less hours on the road performing traffic duties and approximately 62 per cent believed they should be spending *more* hours on the road. When asked why, our Members indicated that spending more hours on the road meant

that police had a far more visible presence, which acted not only as a deterrent to those who were repeat traffic offenders or those considering committing an offence, but demonstrated to members of the public the important presence of police in the community. Many Members expressed that they would like to spend more hours on the road performing traffic duties but they are unable to do so because they are either: bogged down with administrative issues; do not have sufficient time in their work day; are unable to because of a lack of staff; or are unable to because of a lack of resources.

Respondents were asked if they believed their station or section was properly resourced to conduct traffic duties (being that the station/section was adequately funded, appropriately staffed and with sufficient equipment) and more than 65 per cent said no. The general consensus was that:

- There were not enough staff at the station/section to perform traffic duties;
- Police vehicles were insufficiently equipped;
- Stations/sections were under-resourced with respect to equipment, with many officers citing a lack of vehicles, radios, Tasers and similar accoutrements;
- Many stations/sections did not have appropriately qualified traffic staff;
- The number of staff employed in traffic duties has not increased over time in line with population growth;
- Following WA Police's Services Definition and Resources Model (SDRM, or what is colloquially referred to as 'Reform'), the metropolitan policing districts have expanded in size as three previous metropolitan policing districts have been absorbed by the remaining four. As such, the area that each district now covers is considered too large for traffic officers to effectively monitor; and
- Dedicated traffic staff are being deployed to perform general duties, which often do not entail traffic duties.

Selected Targeted Enforcement Project (STEP)

Respondents were canvassed about their participation in the Selected Targeted Enforcement Project (colloquially referred to as STEP Patrols). STEP "is an independently funded, collaborative project between WA Police and the Office of Road Safety, with the purpose of reducing the incidence of serious crashes in Western Australia"¹. The project was designed to utilise

"highly visible, stationary and/or mobile enforcement strategies specifically targeting: vehicle occupant restraints; drink-driving; speeding; pedestrian safety; and driver fatigue.

¹ As noted within the Annual Report 2001 of WA Police, p. 28.

The key principles of the program are that enforcement must be additional to existing traffic management and road safety operations; operational responsibility rests with [WA Police]; enforcement must focus on key road-user behaviours and be integrated with the Road Safety Council...; and operations must be highly-visible, with the aim of increasing the deterrence to drivers and other road-users from unsafe behaviour.

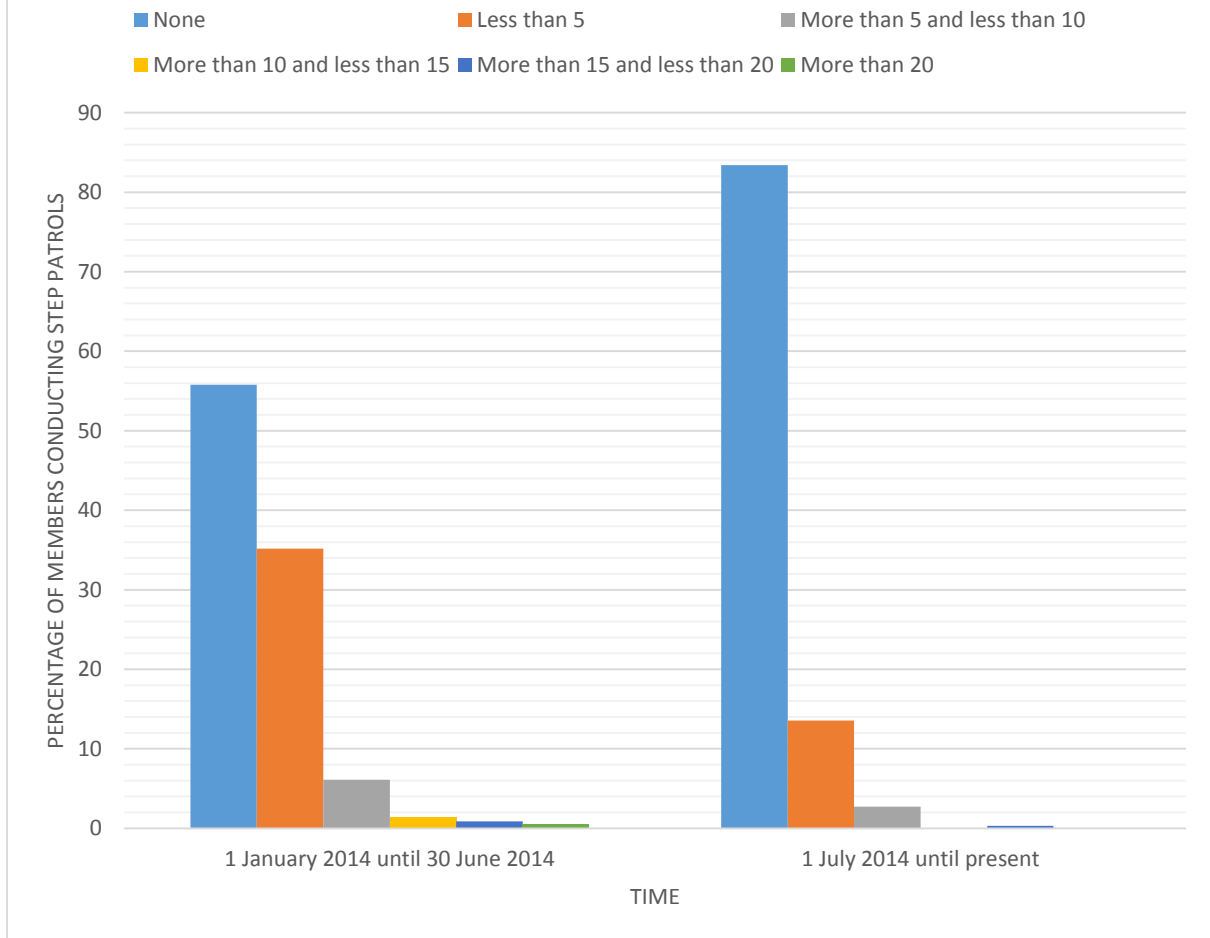
All STEP activities are monitored by the Office of Road Safety, and internally by [WA Police] and they have joint responsibility for evaluating the effectiveness of the project².

As STEP Patrols occur in addition to existing traffic management and road safety operations, they take place on a rostered day off and are paid at overtime rates.

Almost 65 per cent of respondents had, at some point, undertaken a STEP Patrol. Of those Members who had undertaken a STEP Patrol, respondents were asked to compare the number of STEP Patrols undertaken in the first and second halves of 2014 (please refer to the chart on the following page).

² As noted within the Annual Report 2001 of WA Police, p. 28.

Number of STEP Patrols conducted by Members in 2014



The incidence of no STEP Patrols being undertaken by respondents has increased from more than 55 per cent in the first half of 2014 to almost 85 per cent in the latter half of 2014. The incidence of less than five STEP Patrols being undertaken by respondents has decreased from more than 35 per cent in the first half of 2014 to less than 15 per cent in the latter half of 2014.

Respondents were given the opportunity to explain what they believed to be the rationale behind the fluctuation in patrols between the two halves of the year. Generally, the responses included:

- That STEP funding had been ceased or cut;
- That STEP Patrols were only offered to certain ranks, sections or stations;
- That STEP funding had been returned by the Commissioner to the Office of Road Safety (with some officers saying that there had been a difference in opinion as to how the money should be allocated and spent);

- That some officers had not undertaken STEP Patrols in two or three years; and
- That some officers had no idea why STEP Patrols had stopped.

The variance in Member responses indicates a lack of transparency on the Agency's behalf in communicating the reasons why STEP Patrols are no longer being undertaken.

Interestingly, almost 70 per cent of survey respondents indicated that they were still either very or somewhat interested in undertaking STEP Patrols.

WAPU has only recently been made aware that STEP funding was not available to police officers from 1 July 2014 as the Commissioner of Police had returned the funds to the Office of Road Safety, citing that if he was going to receive that money regardless, he would prefer that money to be incorporated into his annual budget rather than as stand-alone funds for STEP Patrols.

Traffic law enforcement and road safety initiatives

Members were canvassed for their opinion regarding a range of measures employed by WA Police to enforce traffic law, target drivers who fail to obey road rules and monitor road safety.

Members indicated that certain measures to target aberrant drivers are effective whilst others are ineffective. Measures that target speeding, driving under the influence of alcohol, driving without a seatbelt and driving whilst using a mobile phone are perceived by Members to be effective or very effective. The measures that police officers consider to be not very effective or completely ineffective are those which target drivers who drive fatigued, who drive under the influence of drugs and who drive distracted.

More than 90 per cent of the survey respondents feel that WA Police is more concerned about the number of drivers tested for alcohol and drugs, instead of the number of drivers tested that return a positive sample. However, when Members test drivers for alcohol and drugs, more than 86 per cent are more concerned about the number of drivers that return a positive sample than the number of drivers actually tested. Approximately 72 per cent of survey respondents believe that targeted alcohol and drug testing is more effective than random testing.

Approximately 56 per cent of survey respondents do not believe that major alcohol and drug testing activities are being conducted in the right place, at the right time. When asked to explain, Members indicated that:

- Many alcohol and drug testing activities are being conducted in the same place, at the same time, creating a sense of predictability for road users;
- Many alcohol and drug testing activities are being conducted during the daytime in order to increase the statistics relating to numbers of drivers tested. Members indicated that testing was occurring in the middle of the week or in the middle of the day, when more vehicles are present on the road but fewer drug and alcohol affected drivers are likely to be using the road;
- There is an emphasis within the Agency on ‘quantity over quality’, where the number of drivers tested equal results, opposed to the number of positive samples returned;
- Local intelligence is not being appropriately used at known ‘hotspots’;
- Social media deters the effectiveness of alcohol and drug testing operations; and
- Alcohol and drug testing activities, particularly booze buses, are just not seen or are not present in Regional WA.

More than 70 per cent of respondents did not believe local policing knowledge was taken into consideration with traffic enforcement and the development of road safety initiatives. The reasons as to why Members felt this way included:

- That there was too great a variance between districts to apply local policing knowledge, especially now as the metropolitan districts have expanded in size;
- That Members had simply never been asked, that a mentality of “what would they know?” prevailed and that local knowledge was not valued;
- That there was a total lack of consultation between relevant agencies;
- That traffic enforcement and road safety initiatives are far too focused on revenue raising than actually changing road user culture;
- That there was a ‘one-size-fits-all’, blanket approach to road safety that did not allow for the integration of local policing intelligence; and
- That Members are not afforded enough time in one place to develop any local policing knowledge as the current WA Police tenure policies are too prohibitive.

Measures employed by WA Police to evaluate performance

Respondents were asked if they were aware of any methods currently in place in WA Police that measure the performance of traffic law enforcement. Whilst 60 Members were unsure about what methods were in place, the vast majority of respondents indicated that statistics were the measure of traffic law enforcement performance. Members noted these measures as being:

- Simply ‘statistics’;

- The Traffic Enforcement and Contact Information System (TEACIS). TEACIS is a database into which all contact information is placed in order to gather data for reports and summaries used by the WA Police Executive;
- Daily traffic returns (DTR), which records contact/vehicle stops data from individual workplace locations;
- Infringement returns, which is a return submitted by workplace locations for the number and type of infringements issued by officers;
- P141 sheets, which records weekly shift penalties and overtime claims for each workplace location; and/or
- P150 sheets, which is a database onto which individual officers record their contacts from a work day which then gets transferred to the DTR.

Respondents were asked if they were aware of any methods currently in place in WA Police that measure the performance of road safety initiatives. In this instance, 125 Members were unsure about what methods were in place. Some Members believed these measures could be:

- The road death toll;
- Crash statistics;
- Number of RBTs performed;
- Number of vehicles captured by fixed light/speed cameras;
- Campaign/media returns;
- Numbers and hours of police officers performing traffic duties;
- Number of vehicles stopped in quality vehicle stops (QVS).

Many Members believe this is the jurisdiction of agencies such as Main Roads, the Road Safety Council and the Office for Road Safety, not WA Police.

More than 70 respondents were unsure as to what was the *least* effective measure of performance with respect to traffic law enforcement and road safety initiatives. Other respondents indicated that:

- Daily traffic returns;
- The number of vehicles stopped in quality vehicle stops (QVS);
- The road death toll; and
- The number of RBTs performed (especially when the Agency has a greater focus on quantity over quality);

were ineffectual measures of performance, but acknowledged that it only tended to be when these measures were used alone.

More than 40 respondents were unsure as to what was the *most* effective measure of performance with respect to traffic law enforcement and road safety initiatives. However, respondents proffered a number of ideas that they felt could most effectively evaluate efficiency, including:

- The importance of engaging feedback from the public regarding the perceived effectiveness of campaigns and police presence on the road. Many respondents noted how vital it was to garner participation from the public on matters pertaining to traffic law enforcement and road safety initiatives. Some officers suggested surveying the wider community. Others recommended developing 'customer satisfaction' assessments of current road safety initiatives and how they feel traffic is being enforced to ensure safer roads, with the information gleaned from these assessments to be used in developing appropriate road user programmes;
- Measuring the propensity of reoffending to see if driver behaviour is being modified;
- Measuring the number of offenders actually prosecuted;
- Measuring the number of serious crashes and the road death toll;
 - However, in using this measure, many officers noted that it was important to measure these crash statistics in conjunction with the growing population to obtain the appropriate data;
- To measure using a ratio of hours spent on the road performing traffic duties plus contact with road users versus offences detected;
- Measuring contact with road users, not merely the number of infringements issued; and
- Measuring education and road user awareness with the number of crashes/fatalities.

Some respondents did note the complexity of these issues made it difficult to produce measurable outcomes, especially when driver behaviour could not always be predicted or measured (hence the importance of ensuring a police presence on the road as a deterrent).

Modifying road user behaviour

Respondents were asked what they believed to be the most effective method currently employed to modify the behaviour of road users in Western Australia. A resounding 81 per cent indicated that police presence on the road was the single most effective tool in modifying road user behaviour.

Approximately seven per cent of respondents noted that a combination of breath and drug testing, fixed intersection cameras, speed cameras and police presence was vital in deterring aberrant road behaviour. Education, training, advertising and awareness and breath and drug testing were seen by less than three per cent of respondents as being the most effective method to modify the behaviour

of road users. Interestingly, less than three per cent of respondents believed that fixed intersection (red light and speed) cameras and speed cameras were the most effective method to modify the behaviour of road users (1.9 per cent and 1.05 per cent respectively).

Improving traffic duties and associated processes

Members suggested a number of ways to improve how traffic duties (and associated processes) are conducted by WA Police:

- An increased police presence on the road was the common recurring theme throughout the survey;
- Many Members believed STEP Patrols should recommence, without haste;
- A number of officers noted the decline in dedicated traffic staff at all stations;
- Traffic staff expressed a desire to spend more time on the road but administrative duties and superfluous paperwork was hindering the time spent performing traffic duties;
- Members based in Regional WA expressed their concerns regarding a very real lack of resources, both human and equipment, whilst Metropolitan Members felt that resources were spread far too thinly with the four new, larger police districts; and
- Officers, especially those working the frontline, felt that the Agency needed to consult with those officers who undertook traffic duties on a daily basis in order to better formulate enforcement strategies and initiatives.

WAPU's concerns

Transparency and consistency of reporting and KPIs

In researching for this inquiry, obtaining recent, relevant and consistent data, statistics and other similar published information about KPIs, road trauma (such as fatalities and critical injuries) and traffic enforcement activities often proved challenging.

For example, fatal crash statistics (as reported on the WA Police website) for 2013 are not available and 2014 year-to-date fatal crashes are not available from July 2014 due to technical difficulties. There are disparities between the reported number of fatalities across agencies for the year 2012³. The Office of Road Safety has not yet published its *2013 Reported Road Crashes in Western Australia*, let alone released the preliminary summary for 2014.

Enforcement data was readily available from the Office of Road Safety in their 10 year crash statistics report (1995 -2004)⁴. Enforcement data included traffic infringements and convictions by year. This provided a concise overview about the number of infringements issued yearly and the number of traffic convictions secured yearly that addressed aberrant driver behaviours such as speeding, alcohol, helmets/seatbelts and dangerous driving. This information does not appear to be available from 2004, with annual crash statistics (as outlined in the Office of Road Safety's annual *Reported Road Crashes in Western Australia* report) failing to incorporate this data. Current (though unaudited) information from WA Police largely reflects the number of vehicles or drivers monitored or tested for drink-driving, speeding, seatbelts and restraints and other traffic enforcement, but does not include specific infringement and conviction data⁵.

Delays in the publication of important information was also noted in the Peter Browne Consulting report (entitled *A Review of Road Safety Governance in Western Australia*) with respect to the Office of Road Safety's annual *Reported Road Crashes in Western Australia* report. The Peter Browne Consulting report noted that the Office of Road Safety's report had publication delays of between 17

³ The *2013 Summary: Preliminary Fatal and Critical Injuries on Western Australian Roads* reports **182**; the link to the *Fatal Crashes 2012* PDF under "Fatal Crash Statistics" on the WA Police website reports **187** < <http://www.police.wa.gov.au/ABOUTUS/Statistics/FatalCrashStatistics/tabid/1073/Default.aspx> >; *Annual fatalities* under "Statistics" on the Office of Road Safety website reports **183** (and cites its resource as being WA Police) < <http://www.ors.wa.gov.au/Statistics> >.

⁴ Available from the Office of Road Safety website < <http://www.ors.wa.gov.au/Statistics/10-Year-Crash-Statistics> >.

⁵ This data ranges from financial years 2009-10 to 2013-14 and is available from the WA Police website < <http://www.police.wa.gov.au/LinkClick.aspx?fileticket=gSqxEg3aoKs%3D&tabid=936> >.

and 36 months and described the inconsistency as “unacceptable”⁶. The Peter Browne Consulting report notes that this publication “is widely seen by researchers, stakeholders, the media and others as a valuable reference, [therefore] achieving a consistent and predictable publication date should be a priority”⁷.

WAPU is not certain what the KPIs are for WA Police as they have not only diminished in number over the last 10 years but there are a number of reports that allude to varying measures of performance. In the Annual Reports released by WA Police, 2011 is the first reporting year in many in which we see a drop in the number of KPIs (from five to two) for traffic law enforcement and lawful road user behaviour⁸. The *WA Police Road Policing Strategy 2011-2014* expresses a number of priorities that aim to enforce traffic laws, target unsafe road user behaviour and build road policing capability. WAPU is unsure if it is these methods that are being used to evaluate traffic law enforcement and road safety initiatives by WA Police. The Office of Road Safety’s annual *Reported Road Crashes in Western Australia* report outlines a number of KPIs that are noted as being “the means by which the annual progress of the [road safety strategy] is monitored”⁹. Again, WAPU is unsure if these are KPIs that are being used to evaluate traffic law enforcement and road safety initiatives by WA Police.

This lack of understanding about what KPIs are in place and who is monitoring them is reaffirmed by our Members. Many of them indicated their complete uncertainty as to what was in place in WA Police to measure the performance of traffic law enforcement and road safety initiatives. Whilst the majority cited some kind of statistics driven performance management for traffic law enforcement, what form these statistics take vary across responses. Members knew even less when it came to the evaluation of road safety initiatives, which could indicate either a lack of Agency-wide emphasis on these issues

⁶ *A Review of Road Safety Governance in Western Australia* as undertaken by Peter Browne Consulting, for the Government of Western Australia, March 2014, pp. 24-25.

⁷ Ibid.

⁸ The WA Police Annual Reports note a number of KPIs for the calendar year and traffic law enforcement has historically been one such effectiveness indicator.

The five KPIs noted prior to 2011 were (generally): percentage of drink drivers tested for drink driving who were found to exceed the lawful alcohol limit; the percentage of vehicles monitored for speeding by speed cameras that were found to exceed the lawful speed limit; the percentage of drivers who have never driven when they felt they might be over the alcohol limit in the last six months; the percentage of drivers who have never exceeded the speed limit but 10km/h or more in the last six months; and the percentage of drivers who have never driven without wearing a seatbelt in the last six months.

From the 2011 Annual Report, the two noted KPIs for traffic law enforcement are percentage of drink drivers tested for drink driving who were found to exceed the lawful alcohol limit and the percentage of vehicles monitored for speeding by speed cameras that were found to exceed the lawful speed limit.

⁹ *Reported Road Crashes in Western Australia 2012*, pp. viii-ix.

as compared to enforcing traffic law, or proves the difficulty that measuring road safety initiatives within the Agency presents.

STEP funding and the Road Trauma Trust Account

As previously mentioned, WAPU has only recently been made aware that STEP funding was not available to police officers from 1 July 2014 as the Commissioner had returned the funds to the Office of Road Safety, citing that if he was going to receive that money regardless, he would prefer that money to be incorporated into his annual budget rather than as stand-alone funds for STEP Patrols.

If this is correct, WAPU believes this is so the Commissioner will have the discretion to use those funds for whatever he sees fit, which may not necessarily be the enforcement of traffic law or initiatives that address road safety. It is concerning that there appears to be no further intervention or exploration on the part of any other agency, including the Office of Road Safety and those who manage the Road Trauma Trust Account, into this decision by the Commissioner to cease STEP Patrols.

WAPU absolutely supports the STEP initiative and on-going funding for STEP Patrols. Police officers *are* willing to participate in STEP Patrols. STEP Patrols ensure a visible presence of police officers on the road, which is something our Members perceive as vital for deterring aberrant driver behaviour. However, Members are not even really aware as to why STEP funding has ceased, which points to not only a lack of communication from the hierarchy but alludes to the fact that this matter might have been ‘swept under the carpet’.

As well as STEP funding, WAPU supports the Road Trauma Trust Account funding the matters that arise from, or activities associated with, the maintenance of road traffic initiatives, targeting road user behaviour or assisting those whose duty it is to enforce traffic law. WAPU found it interesting to read in the Peter Browne Consulting report that funding was sought by WA Police and the Departments of Transport and the Attorney-General to cover administrative costs associated with speed camera fine collection, yet the Road Safety Council did not support these submissions on the basis that the funding of administrative projects was not in the spirit of road safety initiatives¹⁰. With more than \$96 million

¹⁰ As per the Peter Brown Report, p. 53:

“...[T]here is frequently uncertainty on the Council’s part regarding some of the funding recommendations made... 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... In 2013-14, the amount approved by Cabinet was almost \$10m... [T]he Government’s position is that they are *an essential activity underpinning the effectiveness of speed enforcement as a priority intervention for road safety*... [T]he Road Safety Council has indicated that it will not support these submissions and will *remain consistent in the view that, because the purpose of*

sitting in the Road Trauma Trust Account, WAPU would be interested to learn how the Road Safety Council feels the 'Safe Speeds' cornerstone of the *Towards Zero* road safety strategy would best satisfied, if all of the processes associated with maintaining speed cameras and safe speed limits is not an option.

Police presence on the road

The one recurring theme from the Member survey was the real need for a police presence on the road as there is the perception that presently, there are too few officers on the road performing traffic duties. Members believe that the mere sight of a police officer driving in their car or their motorbike or stationary on the side of the road (using a speed measuring device, conducting a breath or drug test, performing a QVS, issuing an infringement, et cetera) is sufficient to deter the majority of road users from aberrant behaviour. However, with an apparent diminished presence of police on the road, evidenced further by a reduction in the number of hours officers are spending on the road and an increase in the number of nil hours spent on the road, it warrants further investigation as to how this is impacting road safety initiatives and road user behaviour.

Our Members also expressed their concerns about resourcing for traffic duties. The most common concern was that police vehicles (where there are any worthy of performing traffic duties) are not properly or sufficiently equipped or are poorly maintained.

Targeted testing of road users and other methods deployed to modify road user behaviour

Members have expressed that certain measures to target aberrant drivers are effective whilst others are ineffective. Measures that target speeding, driving under the influence of alcohol, driving without a seatbelt and driving whilst using a mobile phone are perceived by Members to be effective or very effective. The measures that are considered not very effective or completely ineffective are those which target drivers who drive fatigued, who drive under the influence of drugs and who drive distracted. Whilst the majority of survey respondents indicated that they felt local policing knowledge was not being utilised, WAPU believes it would benefit everyone if police officers, especially those

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...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."

working the frontline, were canvassed for their input as to why certain measures do not appear to be particularly effective.

The majority of survey respondents feel that WA Police is more concerned about the number of drivers tested for alcohol and drugs, instead of the number of drivers that return a positive sample (as compared to Members, who are more concerned about the number of drivers that return a positive sample than the number of drivers tested). The majority of survey respondents also believe that targeted alcohol and drug testing is more effective than random testing, yet much of the Member feedback indicated that locations that were being selected for alcohol and drug testing activities were occurring in high volume traffic locations (arterial roads and freeways/highways), at times of the day not normally expected for returning a large number of positive samples (mid-morning, mid-week), in areas not necessarily known for alcohol or drug affected drivers. Feedback from Members serves to highlight the concerns of WAPU that there is a greater emphasis from someone, somewhere, away from the frontline, on volume not detection.