

MEDIA STATEMENT



4th Floor Dumas House
2 Havelock Street
WEST PERTH WA 6005

3 December 2008

Media Contact: Sandra Devahasdin
Mobile: 0424 184 501
Fax: 9322 5664

AUDITOR GENERAL ADDRESSES GAPS IN TRAFFIC INFRINGEMENT PROCESS

Under the *Road Traffic Act 1974* corporate vehicle owners including government agencies are required to nominate who was driving their vehicle at the time a traffic infringement is incurred so that the responsible driver can be issued the infringement notice. Failing to supply this information incurs a penalty.

A media report in March 2008 indicated that government agencies often failed to nominate the drivers of their vehicles caught by speed or by red light cameras and were paying the penalty for failing to do so. Subsequently, several agencies raised the more serious possibility that agency staff might have been acting improperly to avoid appropriate penalties.

In a report tabled in Parliament today, the Auditor General Mr Colin Murphy presented his findings of an investigation into the matter.

Mr Murphy examined ten agencies in total and found that they failed to identify the driver in 12 per cent of reported infringements. He identified two reasons for this:

1. A complex form used by the WA Police to request information about the identity of the driver of an infringing vehicle was creating the potential for misunderstanding about the action required and increasing the risk of individuals escaping punishment for driving infringements.
2. A lack of central control by agencies meant that agencies were often unaware that the Police were not being notified of the driver's identity.

He found that agencies were only rarely paying penalties for failing to nominate drivers and in the majority of cases individuals were paying the fines. Mr Murphy noted that the form is specified under the *Road Traffic (Infringements) Regulations 1975*, and that WA Police are taking steps to simplify the form. He asked that they ensure any simplified form is implemented as a priority.

He has also asked all agencies to ensure that they comply with the recently issued Premier's Circular by ensuring that they nominate a particular individual as the person in charge of a vehicle when they receive a request from the WA Police. He suggested that this is likely to involve a degree of centralisation in the fleet management process.

With regard to the possible improper behaviour, Mr Murphy stated that 'We consulted with the CCC to determine what would constitute improper behaviour and then conducted detailed testing and found no evidence that it had occurred. The CCC agreed with our conclusions. Because of the layout of the form and weaknesses in agency processes, people were not always paying the correct penalty. It is a positive that several agencies picked up the potential misconduct and that it was referred to us'.

The Police and agencies have agreed to the Auditor General's recommendations. When implemented these will ensure that the appropriate penalties are being paid.

ENDS