



Minister for Transport and Main Roads Minister for Digital Services

Our ref: PET52501
Your ref: A1239610

27 February 2024

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Mr Neil Laurie
The Clerk of the Parliament
Parliament House
George Street
BRISBANE QLD 4000

Dear Mr Laurie

I refer to petition 4007-23, lodged with the Legislative Assembly by Mr Stephen Andrew MP, Member for Mirani on 13 February 2024 about speeding fines.

The Department of Transport and Main Roads (TMR), the Queensland Police Service (QPS) and the Queensland Revenue Office work together to administer the Camera Detected Offence Program (CDOP), which oversees site selection, deployment, installation and infringement issuing for speed, red-light, mobile phone and seatbelt cameras on Queensland roads. Motorists have self-reported for years that the risk of receiving a fine or demerit points is a key reason they comply with the speed limit. This aligns with independent research and evaluation findings that cameras deter motorists from the driving behaviour being enforced and results in a reduced risk and severity of crashes.

In July 2023, Transportable Road Safety Cameras (TRSC) commenced operation in regional and rural areas of Queensland to address the disproportionate impact of road trauma in these areas. These large, bright yellow, trailer-mounted cameras are similar to the trailer mounted speed cameras operated by QPS in South East Queensland (SEQ) since 2017. The law—that speeding is illegal and subject to penalties when caught—has not changed with the commencement of TRSCs.

Regarding the specific requests put forward in the Member for Mirani's petition, I can advise the following:

- there is no evidence of incorrectly issued infringements from TRSC deployments. All evidence indicates that TRSCs are operating correctly and meeting legislative requirements. The content of the QPS Traffic Manual, Chapter 6 is not applicable to TRSCs and is not a requirement of the Traffic and Road Use Management legislation
- each infringement notice is for an individual offence. In instances where multiple offences are detected at the same time—such as speeding and driving unregistered—separate infringement notices will be issued for each offence
- speeding is a life-endangering offence and each instance of speeding detected puts the life of the driver and others at risk. Motorists are aware that speeding is illegal and subject to penalties when caught. A warning is not issued for life endangering offences
- the operation of TRSCs—including the specific deployments about which concerns have been raised—have been investigated and found to comply with legislative requirements, such as testing and calibration. The *Human Rights Act 2019* (HR Act) was considered when developing the TRSCs and found to cause no conflict. There is no Human Right that allows motorists to speed and endanger fellow Queenslanders. A separate offence occurs each time a person speeds, hence Section 34 of the HR Act—the 'right not to be tried or punished more than once'—is not applicable

- it is a long-standing practice to undertake enforcement for long periods of time at the same location with fixed speed cameras and QPS operated trailers. The QPS trailer mounted speed cameras in SEQ routinely remain at a site for more than a month, with positive compliance outcomes. Nevertheless, since the beginning of February 2024, TRSC rotations have moved from fortnightly to weekly rotations. This change was requested in a meeting with members of Parliament, including the Member for Mirani in late 2023. This change was agreed to as it will not compromise the objective of deterrence as it will increase the unpredictability associated with weekly rotations
- the operation and allocation of general policing is a matter for the Honourable Mark Ryan MP, Minister for Police and Community Safety. Enforcement under CDOP—including TRSCs—does not remove police from uniformed duties, or opportunities to perform mobile, hand-held and on-road enforcement
- the contract with Acusensus will not be released due to commercial-in-confidence requirements, however, Acusensus is paid a fixed managed service fee regardless of how many offences are captured and do not benefit from increased detections
- the sole purpose of road safety cameras is to reduce road trauma through a deterrence-based enforcement strategy. It is not about revenue raising. All monies collected from the program, in excess of the cost of running the program, are required by legislation to be spent on road safety. In fact, the costs to community that would be saved if there were no speed-related crashes far exceeds the money collected from fines.

TMR acknowledges that some motorists are experiencing hardship and stress associated with infringements. Motorists can elect to contest their infringement in court and describe the consequential hardship to the Magistrate for consideration of the offences. Details to undertake a Court election are outlined on the infringement notice.

Many individual motorists have reported changing their speeding behaviour as a result of having received infringements, or hearing about other people's infringements. This reduction in speeding is the intended outcome of enforcement, which correlates to reduced road trauma.

I trust this information is of assistance.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Bart Mellish', written over a light blue horizontal line.

BART MELLISH MP
Minister for Transport and Main Roads
Minister for Digital Services