

Appendix A: Submissions and comments

We have consulted with Victoria Police and we considered its views when reaching our audit conclusions. As required by the *Audit Act 1994*, we gave a draft copy of this report, or relevant extracts, to Victoria Police and asked for its submissions and comments.

Responses received

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Victoria Police	A-2

Response provided by the Chief Commissioner, Victoria Police



VICTORIA POLICE

Shane Patton APM
Chief Commissioner of Police

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Mr Andrew Greaves
Victorian Auditor-General
Level 31, 35 Collins Street
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Dear Mr Greaves,

Victoria Police response to the proposed Performance Audit Report *Reducing the Harm Caused by Drugs on Victorian Roads*.

Thank you for the opportunity to provide a response to your proposed report, dated 10 November 2023.

Victoria Police welcomes this review as an opportunity to further document existing operational practices and processes, as part of a commitment to continuous improvement, and in support of an effective drug driver testing program.

Victoria Police continues to successfully meet its annual targets for delivering drug testing and is committed to improving opportunities to identify and remove drug affected drivers from Victorian roads.

We have maintained a strong commitment to the drug driving testing program since its inception, consistently expanding its capacity to deliver testing and enhancing our processes based on evidence-based practices and research.

Victoria Police ensures that only qualified members, in approved work locations, deliver tests. Anomalies within the report, relating to training qualifications, represent an administrative issue in recording practices that can be addressed through enhancement of our processes.

Victoria Police's annual allocation of tests is proportionally distributed between car and bus-based delivery, informed by intelligence and aligned to evidence-based research. Adopting a mix of bus and car-based testing enables use of both general and specific deterrence. Car-based testing, delivered both in the regions and by the Road Policing Drug and Alcohol Section (RPDAS), currently accounts for 73% of testing undertaken by Victoria Police.

Response provided by the Chief Commissioner, Victoria Police – *continued*

I note your views about the opportunity to seek some further legislative reforms and for Victoria Police to have a more proactive assessment of false-negative results, which will be further explored. In relation to risks to the community and road safety issues, I would like to clarify for contextual purposes that the false-negative findings relating to 775 tests of the 300,000 conducted over the two-year data period equates to 0.25% of all tests conducted.

As acknowledged in your report Victoria Police has now cleared the identified backlog of unreviewed false-positive tests, which was delayed as a result of other priorities. I am pleased to advise that any concerns about the outcome of 363 false-positive Oral Fluid Tests (OFT), assessed as having possible issues, have not materialised and no fundamental or systemic failings with regard to policy or procedure were identified. Further, since the introduction of the refresher training course there has been an overall reduction in errors identified.

Victoria Police requires that members issue a banning notice to any driver who fails an OFT, this is supervised and managed operationally at the local level. We acknowledge that improved central monitoring could also assist with further compliance opportunities and this will be considered in any automation uplifts.

Victoria Police will continue to explore the potential for roadside automation and other technical advances to further streamline processes and improve accountability in drug driver testing. Our ability to undertake further significant reforms will be dependent on funding availability and prioritisation within the scope of all road safety initiatives.

Our road safety operations are underpinned by internally developed messaging to support members in carrying out their duties. In delivering on these recommendations, and in particular relevant road safety messaging, Victoria Police will continue to work with its partners, in recognition that drug driving cannot be addressed in isolation or through enforcement only.

Victoria Police accepts proposed recommendations one (1) – four (4) inclusive, six (6), eight (8) and ten (10), recommendations five (5), seven (7) and nine (9) are accepted in-principle as they relate to strategy under development, external constraints and financial limitations.

Please find attached a table of proposed Victoria Police actions and anticipated completion dates (Appendix A).

Victoria Police would like to thank the VAGO audit team for the professionalism displayed and collaborative approach throughout this audit.

Victoria Police remains committed to improving opportunities to identify and remove drug affected drivers from Victorian roads, as one of many initiatives within a wider program of work to create a safer road environment.

Yours sincerely



Shane Patton APM
Chief Commissioner

23/11/23

Response provided by the Chief Commissioner, Victoria Police – *continued*

Appendix – A: Victoria Police’s action plan to address the recommendations from *Reducing the Harm Caused by Drugs on Victorian Roads*

No.	VAGO recommendation	Acceptance	Agreed management actions	Target completion date
1	Develop a documented process for allocating the program’s tests that considers best practice enforcement approaches for drug driving.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> In part <input type="checkbox"/> In principle	Victoria Police will document existing processes undertaken for the allocation of the program’s testing. This will formalise processes currently undertaken and support communication of the rationale for test allocation. Modelling will continuously be reviewed and be underpinned by emerging trends and research.	March 2024
2	Develop internal performance measures and targets that support the monitoring and delivery of best practice enforcement approaches for drug driving across Road Policing Command and the regions.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> In part <input type="checkbox"/> In principle	Victoria Police will explore options for monitoring the delivery of the drug testing program, in-line with defined best practice approaches. This will include identification of review opportunities to support continuous improvement and metrics that could be used within existing governance environments.	January 2025
3	Develop an evidence-based engagement strategy to guide its communications and interactions with the public about drug driving.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> In part <input type="checkbox"/> In principle	Engagement will continue to be a key component of the new Road Policing Strategy. Opportunities will be identified in Action Plans for regions, divisions and specialist units to plan for and deliver engagement activities and communication campaigns in support of road safety initiatives, inclusive of drug driving. Consistent communication messages will be developed centrally, by internal subject matter experts underpinned by evidence-based tactics, to assist local areas with their engagement.	January 2025

Response provided by the Chief Commissioner, Victoria Police – *continued*

4	Develop processes to detect and address noncompliance with the program's rules.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> In part <input type="checkbox"/> In principle	Victoria Police will commit to developing new processes, documenting standards and enhancing existing monitoring mechanisms to leverage opportunities for oversight of compliance within everyday practices. Victoria Police will explore advances in technology which could enable better compliance monitoring.	December 2025
5	Develop a strategy that covers the program and: <ul style="list-style-type: none"> • sets a clear vision for the program's growth • sets short and long-term plans for the program's development • sets clear lines of accountability for the program's business-as-usual processes and continuous improvement • commits to periodically evaluating the program's processes and outcomes to ensure effective test delivery and expansion. 	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> In part <input checked="" type="checkbox"/> In principle	Victoria Police will deliver a new Road Safety Strategy for release in 2024. This will confirm Victoria Police's commitment to road safety, including reducing drug driving as one area of focus. The new Strategy will confirm Victoria Police's accountabilities for delivery across all programs of work and allow for flexibility to address emerging priorities and changes to resourcing. The Strategy will be operationalised through action plans, which will support regular review processes, as well as monitoring effective contribution to road safety initiatives. This will include the drug driving testing program.	August 2024
6	Develop annual action plans to support future road policing strategies.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> In part <input type="checkbox"/> In principle	Development of annual action plans will be a requirement of the new Road Safety Strategy. Action plans will be tailored for local application within Regions and Commands dependent on specific road safety requirements and priority areas of focus, including drug driving.	December 2024

Response provided by the Chief Commissioner, Victoria Police – *continued*

7	Work with the Department of Justice and Community Safety and the Department of Treasury and Finance to develop new public performance measures that enable government and the public to assess the program's efficiency and effectiveness.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> In part <input checked="" type="checkbox"/> In principle	As per annual review processes Victoria Police will continue to work with DJCS and DTF to review its public performance measures, exploring the potential to develop measures that are outcome focused which could establish the effectiveness of processes for drug driving detection. Development of any new measures would need to be considered within the wider road safety context and suite of Victoria Police and partner agencies accountabilities.	December 2024
8	Deliver its implementation plan to address the recommendations from the Drug Impairment Assessment Review.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> In part <input type="checkbox"/> In principle	Victoria Police has commenced work to deliver recommendations from the Drug Impairment Assessment Review through an established program of work.	June 2027
9	Continue its work to automate the program's roadside data collection processes.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> In part <input checked="" type="checkbox"/> In principle	Victoria Police is committed to continuing its exploration of roadside automation as an opportunity to further streamline drug driving detection processes. Victoria Police's ability to undertake this work is subject to funding availability.	December 2025
10	Continue its work with the other Road Safety Partners to progress a holistic, collaborative and evidence-based approach to reducing the harm caused by drug driving.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> In part <input type="checkbox"/> In principle	Victoria Police is committed to continue working closely with its partners on all road safety initiatives. This includes maintaining participation in state and national level forums. Reducing harm on Victorian roads is a joint responsibility, requiring genuine cooperation and commitment from a range of road safety partners.	August 2024