

TRANSCRIPT

LEGISLATIVE ASSEMBLY ECONOMY AND INFRASTRUCTURE COMMITTEE

Inquiry into the impact of road safety behaviours on vulnerable road users

Melbourne—Thursday 24 August 2023

(via videoconference)

MEMBERS

Alison Marchant—Chair

Kim O’Keeffe—Deputy Chair

Anthony Cianflone

Wayne Farnham

John Mullahy

Dylan Wight

Jess Wilson

WITNESSES

Sue Lewis, President, Bitless Inc; and

Karri Nadazdy, Horses and Livestock Representative, Animal Care Australia.

The CHAIR: Welcome to the public hearing for the Legislative Assembly Economy and Infrastructure Committee's Inquiry into the impact of road safety behaviours on vulnerable road users. All mobile telephones should now be turned to silent.

All evidence given today is being recorded by Hansard and broadcast live on the Parliament website.

While all evidence taken by the Committee is protected by parliamentary privilege, comments repeated outside of this hearing, including on social media, may not be protected by this privilege.

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Thank you both, Sue and Karri, for being here today. What we thought we might do is let you both have a few minutes to talk to your submission or add some further information on things today, and then I will open it up to Committee members to ask some questions just to unpick a little bit more of your submission. Sue, you are first on my screen. Are you happy to start?

Sue LEWIS: As mentioned, I am Sue Lewis. I am President of Bitless Inc. Bitless Inc. is a non-profit national equestrian organisation which was established in 2013 to promote higher welfare and safety standards in equestrian sports, training and displays. We do this by consulting with equestrians, organisations and government; educating the public; and supporting and educating our members to lead by good example.

Bitless Inc. is a member organisation of Animal Care Australia, and we worked together with Animal Care Australia to conduct the informal survey referenced in both of our submissions. The survey asked for equestrians' personal experiences to help us answer the questions in the terms of reference. The short answer is that things are pretty bad out there. The sample result was submitted with Bitless Inc's initial submission, and we sent in a supplementary submission this week that was updated with a further 53 responses. Our submission contains four recommendations that we believe will help improve the safety of equestrians on Victoria's roads as well as introduce accountability for motorists. Our recommendations are reasonable, achievable and affordable. I just thank you for the invitation to attend remotely today, and I welcome any questions that you might have.

The CHAIR: Thanks so much, Sue. It is something that this Committee has not heard about from equestrian users and riders, so we are looking forward to asking you some really great questions. Karri, did you want to start with any information as well?

Karri NADAZDY: Good morning. My name is Karri Nadazdy, and I am the Horses and Livestock Representative of Animal Care Australia. ACA is a national incorporated association established to advocate for real animal welfare by those who keep, breed and care for animals. Our goal is to promote and encourage high standards in all interactions with the animals in our care. I am here today on behalf of all Victorian equestrians, whether they are ACA members or not.

ACA was concerned to learn that the laws for vehicles passing ridden and driven horses on our roads are so lax they are effectively non-existent. The current rules put all the responsibility for staying safe on the equestrian and not on the motorist. In 2019 Melbourne City Council reacted to issues with how motorists were behaving around horse-drawn carriages in the city. Instead of addressing the real issues they decided it was just easier to ban the horses. This is not the answer. The horses were not hitting the cars, the cars were hitting the horses. The elderly, the disabled and children are also hit by cars, but no-one on this Committee would suggest that these road users should be banned from using the roads. It sounds ludicrous to say that, but that is exactly what the council did to the carriage horses. The problem was not solved, and three years later we are all still discussing the same issues.

Despite horses sharing the roads since the very early days of settlement, there has been no substantial improvement to protect them. Currently there is a recommendation to slow down when there is a horse on the road ahead, but there is no enforceable law, and we cannot re-educate drivers on laws that do not exist. I hope that today we can make some progress to include and protect horses and their humans under Victoria's legislative umbrella and ensure that bans and restrictions of horses and their humans are not repeated. ACA thanks you for the opportunity to speak today and for recognising that equestrians deserve to be safe on our roads too. Thank you.

The CHAIR: Thank you, Karri. Thank you for that. And just so you know, Sue, we have been given that supplementary submission, and all the Committee can see that as well today, so they may refer to that. Thank you. Dylan, I might head to you first for a question.

Dylan WIGHT: Yes. Thank you, Chair, and thank you, Sue and Karri, for your submission and your opening remarks there. As the Member for Tarneit I have not had to share the road with too many horses thus far, but you never know. Look, my question just goes to, in that vein, horses on public roads. What types of road user behaviours are the most problematic for horses and for riders, and how does this affect your members or how your members use the road with their horses?

Karri NADAZDY: I can see Sue is looking up the stats for us. What we found and we reported in the supplementary submission is that almost everyone reported speed as an issue, that cars were just driving too fast. And one of the things that we put in the ACA submission was about how, you know, there are a lot of those horse diamonds warning people that there are horses in a neighbourhood, but they do not mean anything to anyone unless you actually tell them what to do. And it is the same with the wildlife things, you know. We feel like we are one of the wildlife that you just have to swerve and dodge if you see us, and it is not how it should be done. We need to actually tell the drivers what to do, and we feel that that should be to slow down to 40. It depends on the speed of the road. You do have some areas that are higher, but generally slow down to 40, and then at least it is educating the driver: 'This is what you do when you see a horse.' It is not swerve and dodge.

Dylan WIGHT: That slowdown to 40 on a 60-kilometre road is sort of similar to the safe passing distances that we have in legislation for cyclists.

Karri NADAZDY: Yes, that would really help, and that is why we suggested 40. Really, slower would be better, but it seems reasonable to expect 40.

Dylan WIGHT: Thanks.

The CHAIR: Sue, did you want to add anything to that?

Sue LEWIS: I agree in full with Karri. I think that is a major problem. It is also putting in place education and awareness, perhaps more with the old hand signal symbols so that drivers are aware that the horse rider is signalling to slow down or stop or pass widely around them. I think that is something that again comes back to education of road users.

The CHAIR: Yes. Thank you. Kim, I might head to you. Kim is a regional Member for Shepparton so she might have a bit more experience within this topic.

Kim O'KEEFFE: Look, I am really interested: we do not have that many horses that I have seen on the roads, but I was in local government for nearly six years, and I do remember some issues arising when it came to movement of horses and other types of animals on the roads. Just during today we have heard a lot from the cycling community, and a lot of the feedback and some examples have been the better practice overseas that they have been able to learn from. I am just wondering if there is any best practice from overseas that Victoria could adopt to improve the safety of horses and other riders on the road that you might have seen some examples of.

Karri NADAZDY: Yes, probably the most significant one—we did put it in the ACA submission, on page 11—is changes to the highway code in the UK. The thing I really liked about this was that it actually solves the problem for all vulnerable road users, not just equestrians. They made a hierarchy of the more vulnerable the road user, the more everyone else must give way to them. That is essentially it in a nutshell. At the bottom you have got your trucks and buses and then it goes to cars and taxis, so trucks and buses must always give way to cars and taxis. Then it went down to motorcyclists, horse riders, cyclists and then pedestrians. It meant that when drivers were learning to drive and professional drivers were updating their skills, they were reminded that you have to be aware of all of these vulnerable road users below you on the hierarchy.

I feel that that would solve a lot of the issues that you are dealing with in this inquiry, and it just happens that horses are in there as well. From our perspective we probably might dispute a little bit where we belong, with

cyclists or with horse riders, because a lot of the time we do not hear cyclists approaching, but in that context I am thinking about the guys in their lycra—they are speeding down the roads; they are road riders, proper road riders. But cyclists also include children and people just going down to the shops, so from that perspective you sort of go, 'Yeah, okay. That's fair enough.' Horse riders always give way to kids and to all of that. So I think what they have done is probably right and would work in Australia. There is no reason that this could not be adopted in Australia.

The CHAIR: Sue, do you have anything extra?

Sue LEWIS: No. Again I agree with Karri. I think she has covered it all very well.

The CHAIR: Okay. Thank you. Jess, I might head to you next. Thank you.

Jess WILSON: Thank you very much. Thank you for your time today. It is really interesting hearing from a different perspective. As an inner-city member of Parliament as well, for Kew, we do not see a lot of horses in our area, but certainly I have that recollection. I do not see them as much anymore, but in the CBD that used to be the case, and obviously police use horses as well, particularly around the Parliament at times. I am interested to understand this. We spoke briefly about one of the options for other jurisdictions, but what are some of the options that you think could be used in terms of technology—whether that is looking at using helmets with cameras on them or protective wear that could be put in place—just to increase visibility as a starting point? Obviously cyclists have put a lot of effort into that aspect, whether it is lighting, protective wear or reflective wear. What sorts of things do you think could be done or encouraged in the space with horses?

Sue LEWIS: We did find within the survey that a lot of the respondents were using high-visibility gear—helmets are almost a given these days, body protectors; and other protective gear. Some will put flags up and have boots and reflective gear on their horses to mark their horses out. So they are certainly taking large steps to make themselves identifiable on the roads to the other road users. I think that is something certainly that could be increased, but as a given these days, most people will wear reflective gear when they are on the roads, whether they are driving, whether they are walking or whether they are driving carriages or riding horses.

The CHAIR: Karri, do you have anything further?

Karri NADAZDY: Yes. It seems pretty common these days, but we notice there are something like 3% or 8%—I cannot remember the number, sorry—that are not wearing helmets on the roads. Perhaps it is something that should be legislated, that if you are on the road you have to have this gear—because at the moment it is voluntary. Whether it is effective or not, we just do not have any stats on that. We assume it is.

The other thing that you mentioned is technology. In some states, like here in New South Wales where I am, we do actually have a Crime Stoppers facility where you can report repeat offenders. The way they have set this up—I have forgotten what the website is called, but I will take it on notice and get it to you—is they have set up a website where if you have dashcam or helmet cam footage of an incident, you can then report it to Crime Stoppers. At this stage what they are doing is they are actually going and talking to those people. They are not fining them or anything, but they are going and talking to these motorists, and what they are actually looking for in collecting this data is the repeat offenders. They are looking for the same numberplates coming up over and over and over again. I know in my local area those numberplates are racking up, so it means that at some point they will get fined.

I am not sure if Victoria has a similar system where you can self-report and put up your data or your footage, but that would be really helpful, and that would encourage the horse riders to then have helmet cams, which is really rare—I have very rarely seen anyone having them. But again, that is really common in the UK. People do it all the time for the same reason: they can report it.

The CHAIR: That is interesting. So, Karri, you are saying that riders are not really doing that webcam or anything like that at this stage—it is not something that the industry push.

Karri NADAZDY: No. I tend to see it more on trail rides, where people want to film for their social media and whatnot. We are not really seeing it being used on roads. What I am seeing in the UK, where there is a big push at the moment to resolve these sorts of problems, is people are finding that all they have to do is point to say, 'I have a helmet cam on,' and drivers slow down. So if it is that effective, we should be doing it.

The CHAIR: Interesting. I am just mindful of time. I think, Wayne, we will have a last question from you, if that is okay.

Wayne FARNHAM: Thank you, Chair. Thank you for your submission. I actually live in Warragul, so I have seen horses on our roads, and probably there are a couple more on this Committee that have. I suppose one thing we have got to talk about is driver education. I do know when I used to ride a horse on the road the drivers would not really care about the horses. What do you think the Government could do better in regard to driver education?

Karri NADAZDY: I think the first thing is we need a law to educate them on. I went through the actual legislation and looked for horse references. I also checked the cyclist references to see if the hand signals and things were also included. The laws are more about what the horse rider's responsibility is on the road and not so much about the driver's responsibility. The drivers' handbook recommends that people slow down, but it does not say to what speed. For someone flying past me at 110 it feels like, 'Well, I slowed down by slowing down to 80,' but a car or a truck going by with a flapping tarp on the trailer at 80 kilometres is going to cause an accident to that horse and cause an incident. A lot of it is more awareness and knowing that they need to slow down to a certain speed; it is not just 'Well, I did slow down.' I had an incident here where a truck did not slow down when I was asking them to, and I reported it to the company. They came back to me and said, 'We looked at the GPS. He slowed down to 6 kilometres an hour.' But what he did not do was stop, and I asked him to stop. So they actually verified that he did not stop, but they used that as a defence. He should have been fined or at least had consequences from his company. That is what that education is missing, where they go, 'Well, I made a half attempt; that should be enough.' That is not good enough.

The CHAIR: Sue, is there anything you would like to add just to finish that question?

Sue LEWIS: Yes. Look, I have certainly had my own experiences on the road with people again. They do not slow down; they expect you to get out of their way. They just have no respect. You get verbally abused. There are certainly people who will take fun in just sort of teasing and tormenting the horses just for the hell of it. It is definitely an area that needs to be looked at more broadly. As Karri said, there definitely need to be laws in place in order to encourage people to make the changes necessary or to have the awareness necessary.

The CHAIR: Yes. I am really sorry that I have to wrap it up there, because it has been a really interesting conversation and your submissions have been wonderful for us to consider for this inquiry.

Thank you so much for your time today and for answering our questions. Like I said, if there is anything further that you would like to add—and we have got your extra submission too, so that is great—you are more than welcome to write to the Committee again if you need to. Thank you so much for your time.

Witnesses withdrew.