
**VICTORIAN PARLIAMENTARY LAW
REFORM COMMITTEE - REPORT**

RECOMMENDATIONS

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Recommendation 51

Transport Companies ensure that they maintain a consistent and even-handed approach to the enforcement of the Transport Act 1983, in particular by training transport inspectors not to target particular groups of the Community

Recommendation 52

Transport Companies ensure that transport inspectors receive training in how to deal appropriately with people who do not speak English as a first language, people with an intellectual disability, and those who rarely use the public transport system

Recommendation 53

the Office of the Director of Public Transport commission independent research to establish the extent of fare evasion

Recommendation 54

the distinction between detention and arrest in the Transport Act 1983 be clarified to differentiate the circumstances under which the powers can be exercised and to more clearly define the persons who can exercise these powers

Recommendation 55

the Transport Act 1983 be amended to allow inspectors to detain persons only for the purpose of asking for their names and addresses where the inspector suspects on reasonable grounds that an offence against the Act has been or will be committed, and for obtaining verifying information

Recommendation 56

the Transport Act 1983 be amended to require that inspectors use the power of arrest rather than detention, on the grounds that the person has committed an offence under the Act, where a person refuses to give a name and address or where the inspector suspects on reasonable grounds that the information given is false and it is not subsequently verified

Recommendation 57

Transport Company inspectors receive mandatory training prior to accreditation on the use of detention and arrest powers, including the application of section 464 of the Crimes Act 1958 to arrest situations, and that they receive ongoing training as a condition for retaining accreditation

Recommendation 58

Transport Companies develop or improve transport system design and procedures to assist people to comply with their obligation to buy a ticket under the Transport Act 1983

Recommendation 59

Transport Companies develop or improve procedures which provide inspectors access to frequently updated lists of out of order ticket machines

Recommendation 60

only where reasonable attempts have been made to verify a passenger's claims that a machine is not functioning should inspectors ask for a name and address

Recommendation 61

existing transport network communication systems, including the red button security arrangements in operation throughout the metropolitan train network, be adapted for use by members of the public to report malfunctioning ticket machines and that consideration be given to utilising the same system to record the names of people who endeavoured to purchase a ticket but were unable to do so

Recommendation 62

the Transport Act 1983 be amended to allow authorised officers to demand verification of names and addresses of passengers where they believe on reasonable grounds that the passenger has given a false name and/or address

Recommendation 63

subsequent to the Act being amended as per Recommendation 62, signs be placed at stations, trams and bus stops informing passengers of their obligation to verify their name and address if they are found without a valid ticket on public transport

Recommendation 64

any verification information establishing true identity be sighted only and not recorded

Recommendation 65

the public transport ticketing system be improved urgently in order to enhance ticket availability and reduce fare evasion opportunities

Recommendation 66

the Ombudsman Act 1974 be amended to ensure that the inspectorate function of the Transport Companies is formally subjected to the oversight of the Victorian Ombudsman

Recommendation 67

a separate public transport unit be set up within the Office of the Victorian Ombudsman to consider complaints concerning the public transport system, including complaints relating to the actions of authorised officers employed by Transport companies

Recommendation 68

the Government give consideration to introducing a common identification badge for authorised officers employed by the Transport Companies

Recommendation 69

the Transport Act 1983 be amended to preserve specifically the privilege against self-incrimination with the exception of the requirements to give a correct name and address and verifying information

Recommendations 51, 52, 54, 55, 56, 57, 58, 59, 60, 63, 64 and 68 are relevant to the Terms of Reference for this Review. Recommendations 62, 66, 67 and 69 have already been acted upon by Government. Recommendations 53, 61 and 65 do not relate to this Review.