



A Fair, and Efficient and Effective Toll and Infringement System for VictoriaBy Design!

In the Beginning is the Conclusion

This series of workshops hosted by the Centre for Innovative Justice with began a number of aims: to gain a shared understanding of Victoria's toll infringements system, its (unnecessary) complexity and the significant negative impact it was having on vulnerable people and the courts; to explore options for change to make it fairer, more efficient and effective, gain a shared commitment to the change, and to expose participants to the mindsets and tools of design thinking.

The challenge then was formulated as: how might we re-design the toll infringements system for all road users, so that: **high-levels of compliance** are maintained; **there is early intervention** so that people in genuine hardship don't get caught in a spiral of fines/debt and ultimately a conviction or jail; **pressure is taken off our courts** and justice system so that resources can be more effectively deployed to areas such as family violence, and **it is consistent** with government values and the desire of toll operators to ensure that 'time is better spent' and that transport truly '**strengthens communities**'.

This remains the challenge.

This process has generated important discussions, created some critical relationships and paved the way for some reforms (some of which are currently in the parliament).

While there is a shared understanding of the need for change and the benefits of doing so, those most able to drive the change are clearly the government and the toll operators.

This process has also generated plenty of ideas for government and operators to explore to change the existing system, if they genuinely wish to do, and a methodology to involve the users of the system in developing those solutions.

There remains an important issue for this process to explore: what system would we design if we were starting from scratch?

Tolls, Infringements and Design Thinking

Design Thinking or Human Centred Design is an approach to problem solving that puts the human experience at the centre of the design process. It challenges systems to design for the needs of the user rather than the needs of the system.

One of the biggest issues faced during design thinking workshops that aim to address challenges with strong social implications is the paradigm shift often required of government and/or industry stakeholders to let go of their assumptions or experiences of a particular groups) or individuals. Instead of claiming to know or to speak for those who are often vulnerable or negatively impacted by a policy or system it invites those who are impacted to participate in formulating innovative solutions (including ones might not have been explored otherwise). The design process doesn't eliminate professional knowledge or expertise. In fact these are crucial ... but they work best when combined with the experiences of people impacted by the system or policy.

The two workshops that are the subject of this report were preceded by other workshops that brought all stakeholders together to develop a shared understanding of the tolls and infringements system and its impact. This process was informed by a discussion paper and the development of a 'journey map' of the system.

These two workshops, however, brought the stakeholders from those previous workshops (essentially the designers of as well as those involved in or running the the system) together with those who were directly (and often adversely) affected by it. Due to the number of stakeholders involved and affected by Victoria's tolling and infringement system we believe a human-centred approach to these issues is long overdue and might be instrumental in finding an alternative way to identify new possibilities and options for action.

The Overarching Challenge

The overarching challenge of these workshops framed in the following way:

Victoria's tolling system is placing unsustainable pressure on Victoria's Magistrates' Courts, support services, communities and families. Victoria's infringement system criminalises private debt owed to the toll road operators, unfairly penalises those in genuine hardship and grossly inflates the original toll fees to unmanageably large and numerous fines.

The system delivers a disproportionate blow to people who, for a variety of reasons, are unable to pay their toll fees when they use the toll roads, but who want to do the right thing. Half of the impact on the Infringements Court results from the use of privately owned toll roads and toll road offences are the most prevalent offence dealt with by the Magistrates Court.

The scale and approach to enforcement is at odds with other Australian jurisdictions. And while the government is implementing reforms to Victoria's fines system, these do not address the disproportionate impact that toll fines have on individuals or the justice system. Toll operators have publicly stated they do not want unpaid tolls turned into fines.

Workshop 1

The first workshop was designed to examine the overarching challenge from the perspective of the users of the toll roads, including both compliant and non compliant users. As previously stated there is often a need for a paradigm shift from industry/government stakeholders to engage with vulnerable users and also from vulnerable participants who don't see themselves as 'designers' or solution makers (particularly when they are in a room filled with people from mixed professional backgrounds).

Participants included a cross section of lawyers from the legal assistance sector, representatives of the Magistrate Courts and Infringements Court, the Department of Justice and Regulation (including the the Sheriffs), Victoria Police, VicRoads, Yarra Valley Water, toll Operators, students and both compliant and non-compliant toll road users.



Persona Making

As a way to encourage the groups to maintain a user perspective throughout the workshop, they were invited to form smaller groups to create a series of 'personas'. 'Personas' are 'archetypes' (not 'stereotypes') and they are developed to help build a collective understanding of the real needs, motivations, frustrations and fears of many toll road users. Participants created personas that captured the real life challenge that might be experienced by a different toll road user (some of which were in the room).

Ten personas were developed across the two workshops. Three are reproduced here by way of example:



Role: Single mother and mature age student

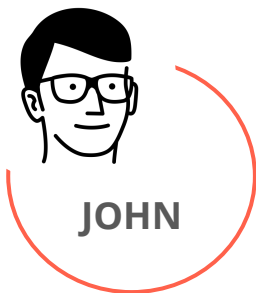
Background: Recent immigrant, arrived in Australia two years ago, and currently receives Centrelink. She has a non-english speaking background and has a background of trauma. There is a lack of understanding of what the toll road is, as well as cultural barriers.

Motivations: Family, taking kids to school, errands. adapting to a new culture, becoming independent, doing well, studying. Alia sends money back home.

Needs: Multilingual correspondence, signage, internet, greater awareness of the system.

Frustrations: The complexity of the system, lack of understanding, cost (the rapid escalation), possible fear of authority/police, getting access to the right help.

Notes: Alia is linked with a settlement service.



Role: Business owner and a family man with three kids.

Background: 45, Australian born; owns a small catering business. Lives in the northern suburbs and works in the south-eastern suburbs. He has recently downloaded the toll app. Uses the app and the toll roads with reluctance and as a last resort.

Motivations: John wants to minimise the time of commute. He's committed to his customers and make deliveries efficiently while getting home on time to spend time with his kids.

Needs: John needs to be at work on time and uses the toll road in off peak morning and night times.

Frustrations: He dislikes driving since he's suffering from lower back pain. The lack of flexibility in his travel options annoys him. He drives a light vehicle van that costs a lot. The public transport isn't easy from north to the south-east. In his line of work its essential to drive the delivery vehicle to different places.



Role: Working towards becoming an Actress/Singer.

Background: In her 20s, Australian born; occasional toll user, often loans car to housemates or family. Struggling to find roles or opportunities in the performing arts. Often does short courses to refine her craft and find opportunities. Works as a waitress

Motivations: Writing and performing songs, auditions, refining her skills and working to sustain here passion, often goes to gigs.

Needs: Stable income stream, easier way to pay tolls or track who used her car and when

(household log book), quick transport to get to auditions in between work, and to help friends and family out with lifts.

Frustrations: Tolls are an inconvenience especially as when she is not getting paid much. Can't take away the opportunity for others to use her car. Confusing who owes the toll when and if the car was driven by others. Due to the quantity of fines and tolling notices it's really hard to identify Citylink from Eastlink

Notes: How does she consolidate all the fines so she knows what she needs to deal with?

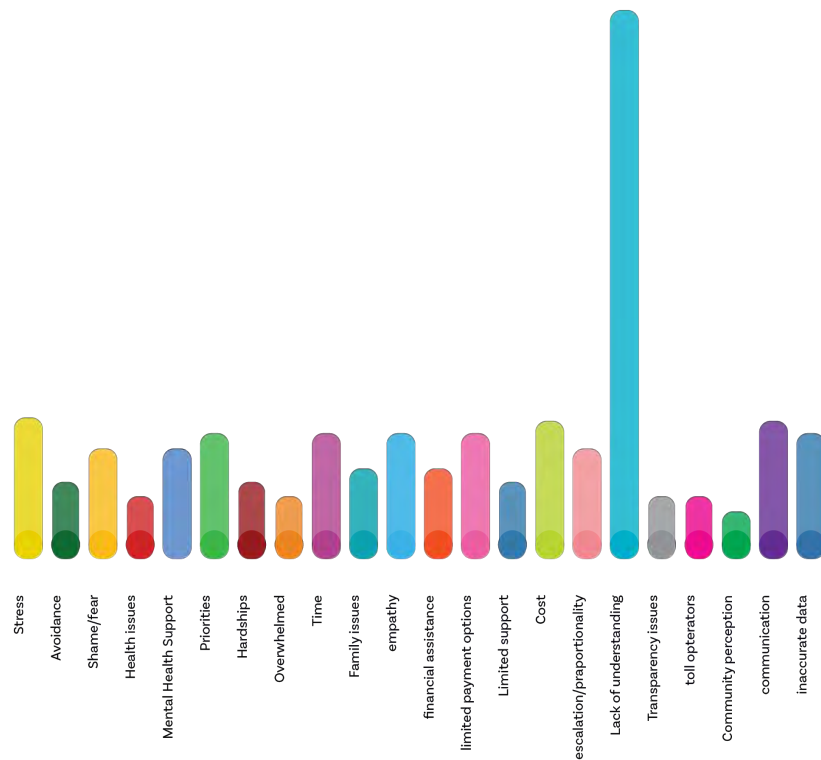
The Challenge Ecosystem

In order to gain an understanding of the broader picture, we leveraged the P.O.I.N.T (pains, observations, insights, needs, thoughts) technique to help attendees map out key areas of tension within the system. Guided by our user personas we thought about the different pain-points, obstacles, themes, that might affect the user-persona's involvement with the toll infringement system.

Beginning with our user-personas personal life and then moving to a macro view, we discussed how users engage (or are unable to effectively engage) with the system. Through our discussion we were able to achieve a broad and shared view of the system.

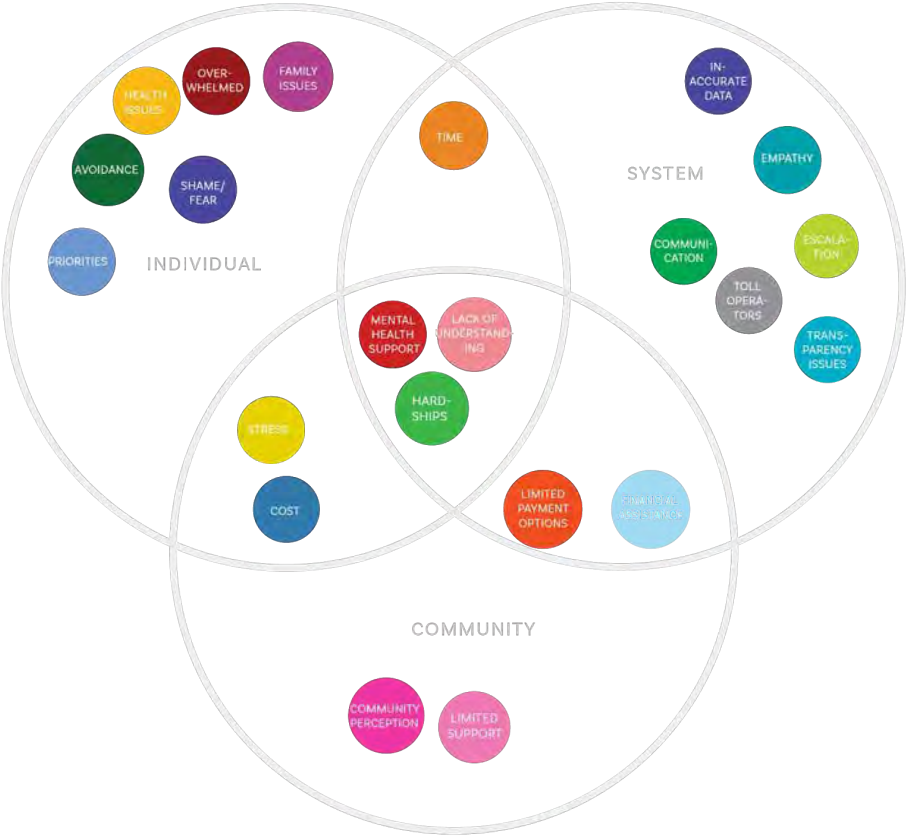
Pains, observations, insights, needs, thoughts (P.O.I.N.T's)

Participants in the workshop were formed into two groups. These combine the feedback of both groups.



The Relationship of the P.O.I.N.T's

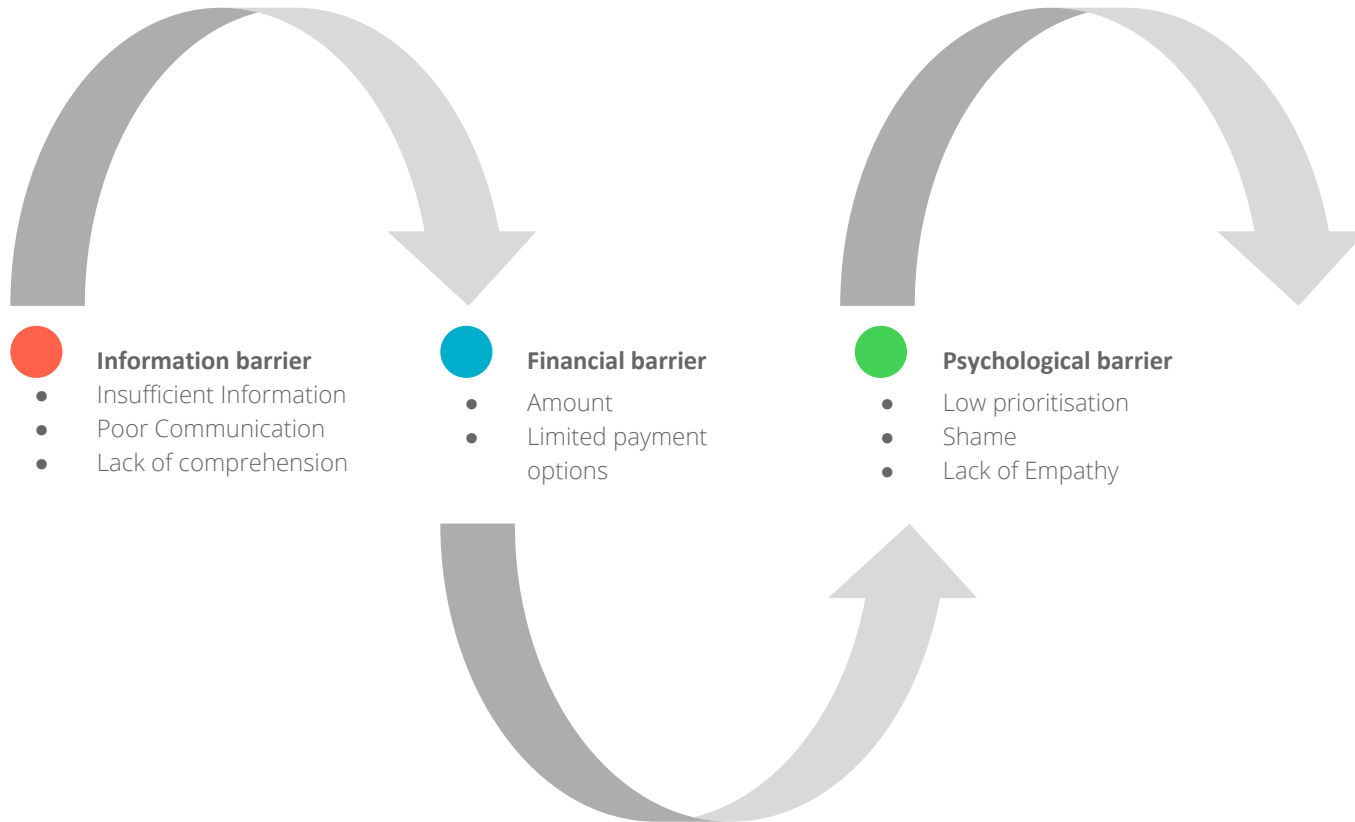
(Both groups)



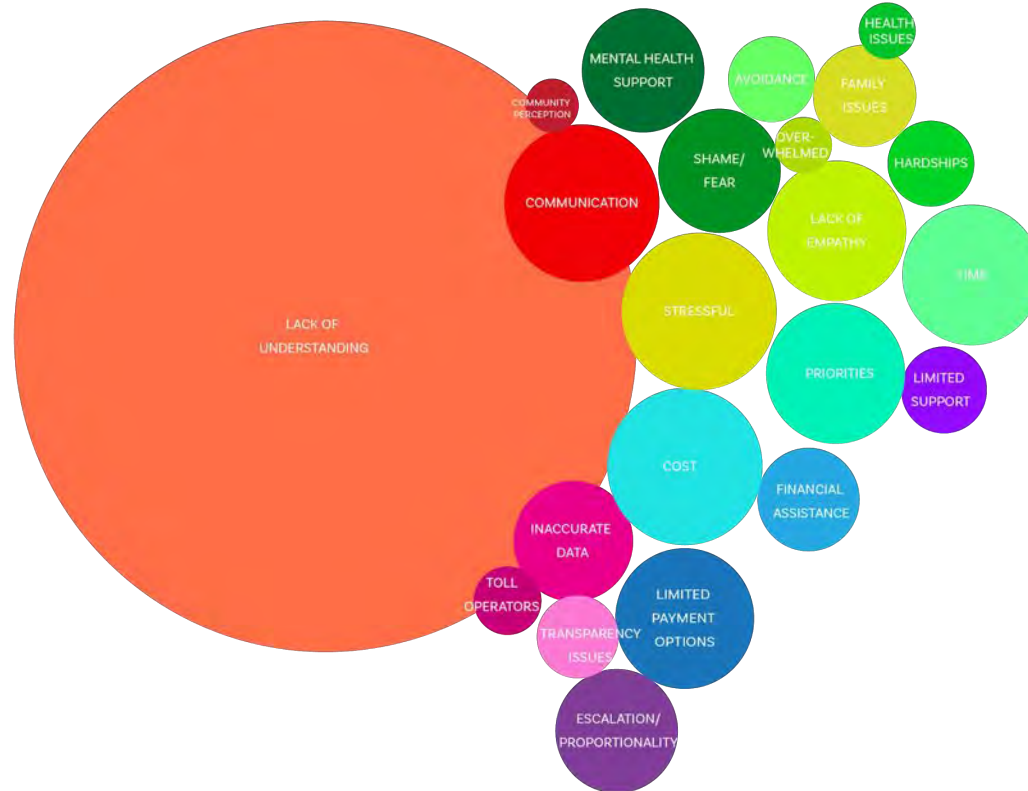
The Challenge Ecosystem Findings:

- Most users are perceived as stressed by: work pressures, parenting pressures, illness/deaths, homelessness, mental health issues, instability of housing and income (financial pressures), domestic violence.
- When faced with addressing the issue of fines, users did not view the toll system as a priority and tended to disengage particularly when they were stressed.
- Toll users had limited understanding of the system.
- The pain-points and problems identified in this exercise can be categorized into three overarching themes:

The Three Major Themes of the Challenge Ecosystem



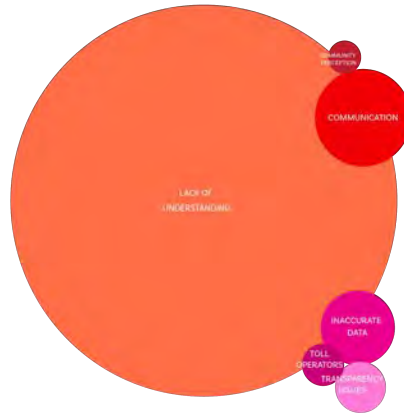
Identified P.O.I.N.T's relationships with Major Themes



Solution Making With : How Might We Questions

Having developed a shared and focused understanding, the next step in devising solutions is to ask the right questions. Using the personas, and the themes and findings from the previous activities we created a series of How Might We Questions (HMWQs). These were used to guide the generation of ideas to solve the problem statements.

HMWQs Addressing the Information Barriers



Q.1. How might we appropriately communicate the rules and consequences of the toll system?

Potential solutions:

- 1) Fines Victoria to provide information to users about how to link in with support workers.
- 2) Provide case managers for more complex and difficult cases and for those incurring fines above a maximum limit.

Q.2. How might we get better driver/registration, dates & accurate contact details?

Potential solution:

Improve driver's license and rego data (To improve the communication and contact people through their correct addresses).

Q.3 How might we communicate better with irregular toll users?

Potential solutions:

- 1) Add financial hardship policy/ information to the invoice.
- 2) Toll payment through Google maps integration ('would you like to pay now?' option when the user passes through the toll point).

HMWQs Addressing The Financial Barriers



Q. 1 How might we make it easier to pay & receive tolls/ fine?

Potential solution:

- 1) Data accuracy: use 'My VicRoads' portal.
- 2) Send toll invoices to mobiles/ bank apps at the end of the journey.
- 3) Give e-tags to all registered cars. Live registration and creation of toll accounts.

Q.2 How might we relieve the financial burden on the individual?

Potential solution:

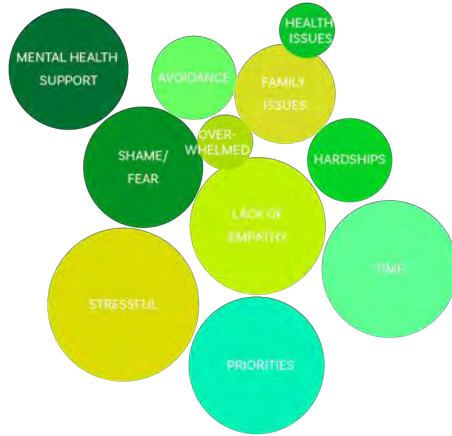
- 1) Toll infringements issued on a monthly invoice rather than individually.
- 2) Concession toll road rates and cheaper rates for people who use the toll roads a lot.

Q.3 How might we shift toll fines from the criminal to the civil system?

Potential solution:

- 1) End the debt recovery model.
- 2) Reform the law so that fines, toll debts do not become fines.

HMWQs Addressing The Psychological Barriers



Q.1 How might we enable people to engage when they are ready and able to?

Potential solution:

- 1) Genuine hardship arrangements/ policy.
- 2) Not overwhelm with invoices, fees and fines, perhaps placing fines on hold.

Q.2 How might we structure a waiver program that is not dependant on 'special circumstances'?

Potential solution:

- 1) Shift court system costs to a budget used for an Energy Relief Grant Scheme equivalent concession.
- 2) Mandatory financial hardship policies for toll operators.
- 3) Waive tolls for welfare recipients.
- 4) Provide magistrates and judicial registrars the power to 'prove & dismiss' without the offender getting a criminal record.

Q.3 how might we better identify people that are caught up in the system?

Potential solution:

- 1) Pull Back: Pulling back from the past back to present
- 2) Have a Cap.
- 3) Dedicated hardship team : trained to have the right conversation and assist in problem solving.

Workshop 2

A system can be understood as a set of things working together as part of a mechanism or interconnecting network, created to carry out specific activities or solve a problem. When these systems are broken, the impact can be immense.

The second workshop was designed to use what the participants learned in the first workshop to inform and guide new empathetic ideas of possible solutions to problems in the existing system. The specific area of concern was the challenges faced by the Magistrates Court, where the impact is greatly felt.



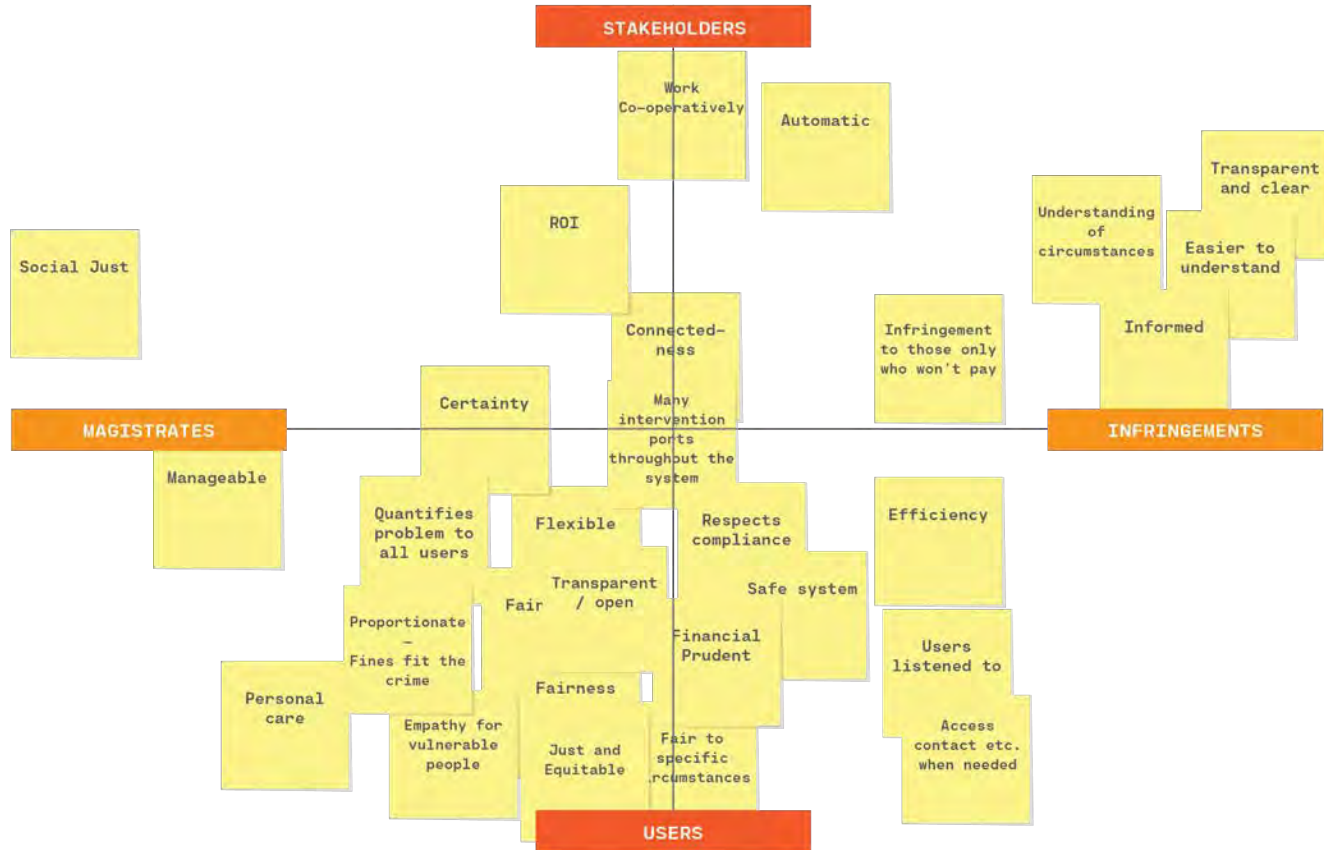
Developing A Shared Ethos

The workshop began with participants in their groups creating a shared ETHOS statement to guide and filter ideas and solutions.

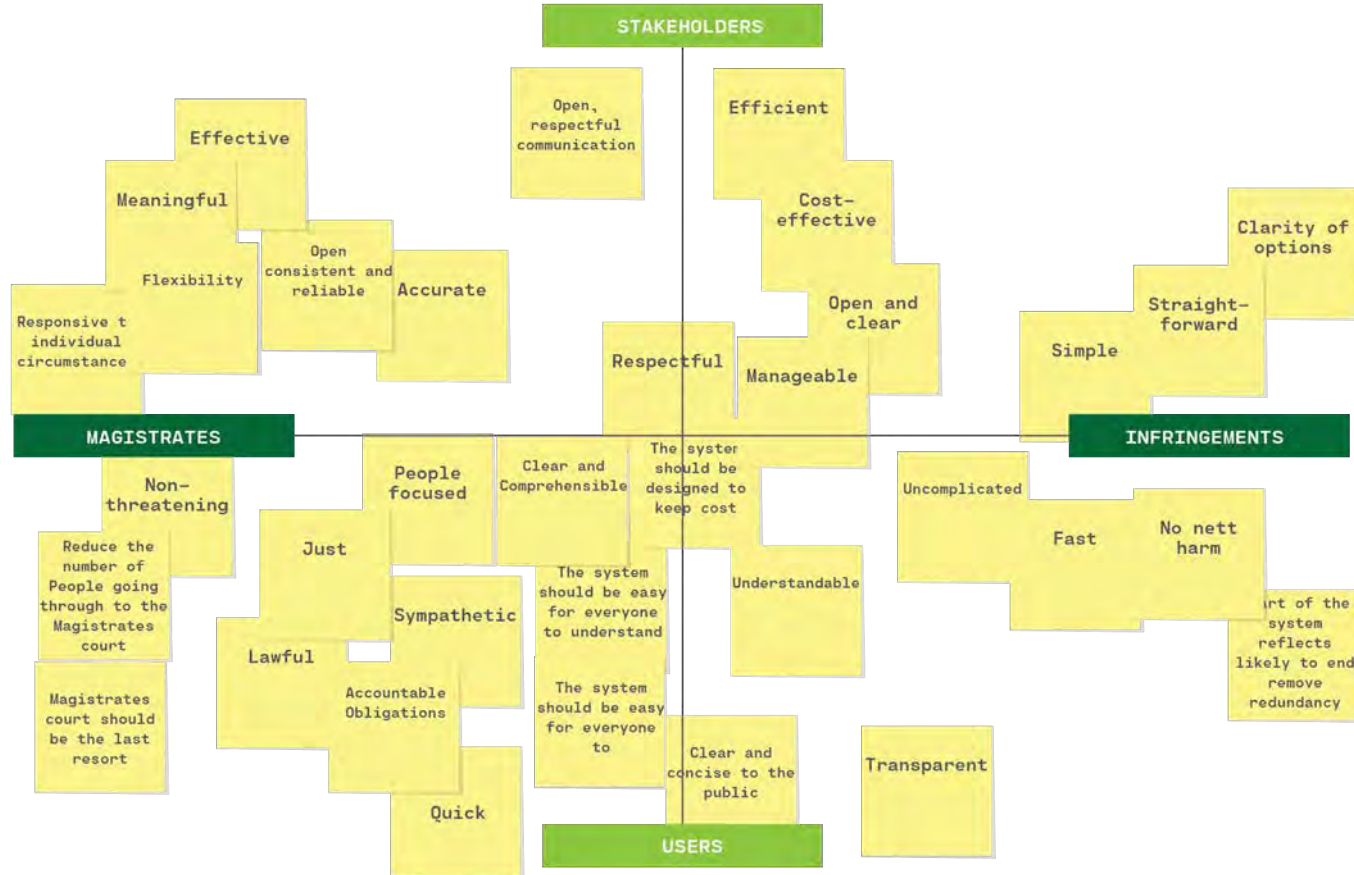
An ETHOS statement can be understood as the spirit of a culture that is reflected in their aspirations and attitudes. It is the underlying sentiment that informs belief, values, customs and practice (or behavior) of people.

Boths groups each mapped ideas, aspirations, attitudes, themes or values, (all potential components of their ethos statements) in relation to the four quadrants: User/Stakeholder/Infringement section/Magistrates section and then collaboratively created an ethos statement that was intended to guide their solution making activities.

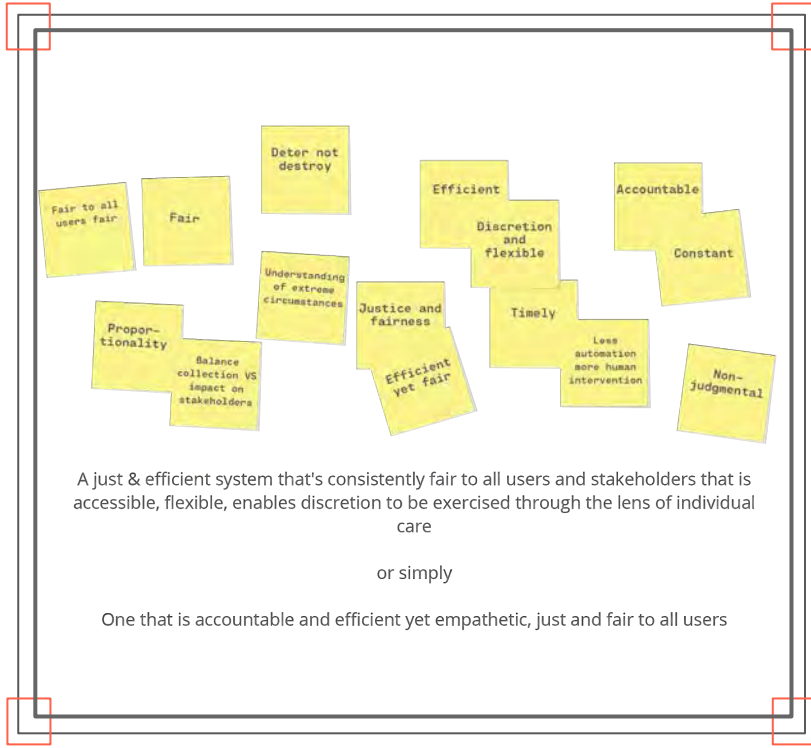
Position Map (1) --- Shared Understanding Of the Perceived Challenges of the System



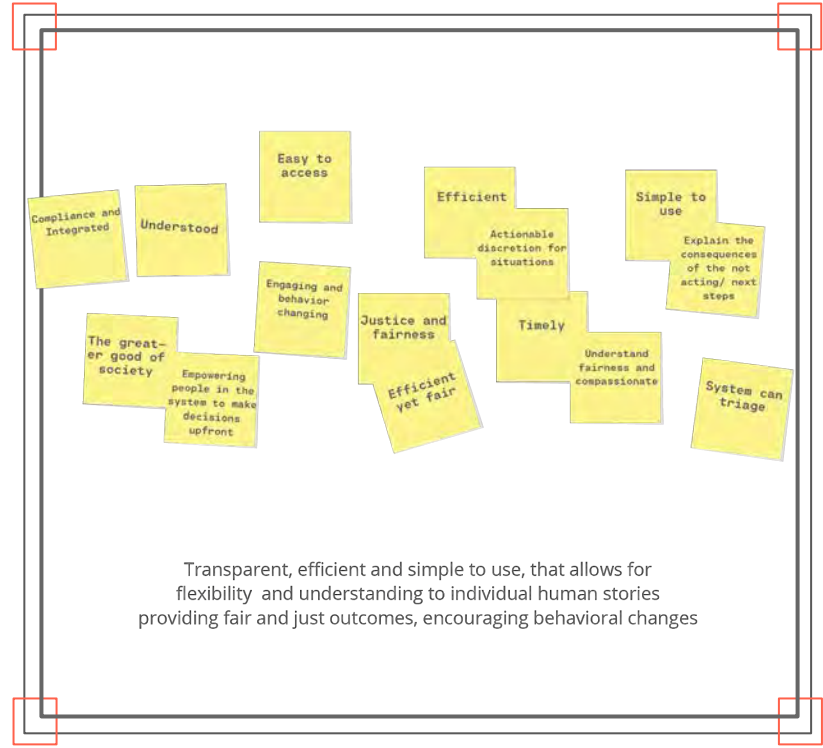
Position Map (2) -- Shared Understanding Of the Perceived Challenges of the System



Group 1 --- Ethos Statement



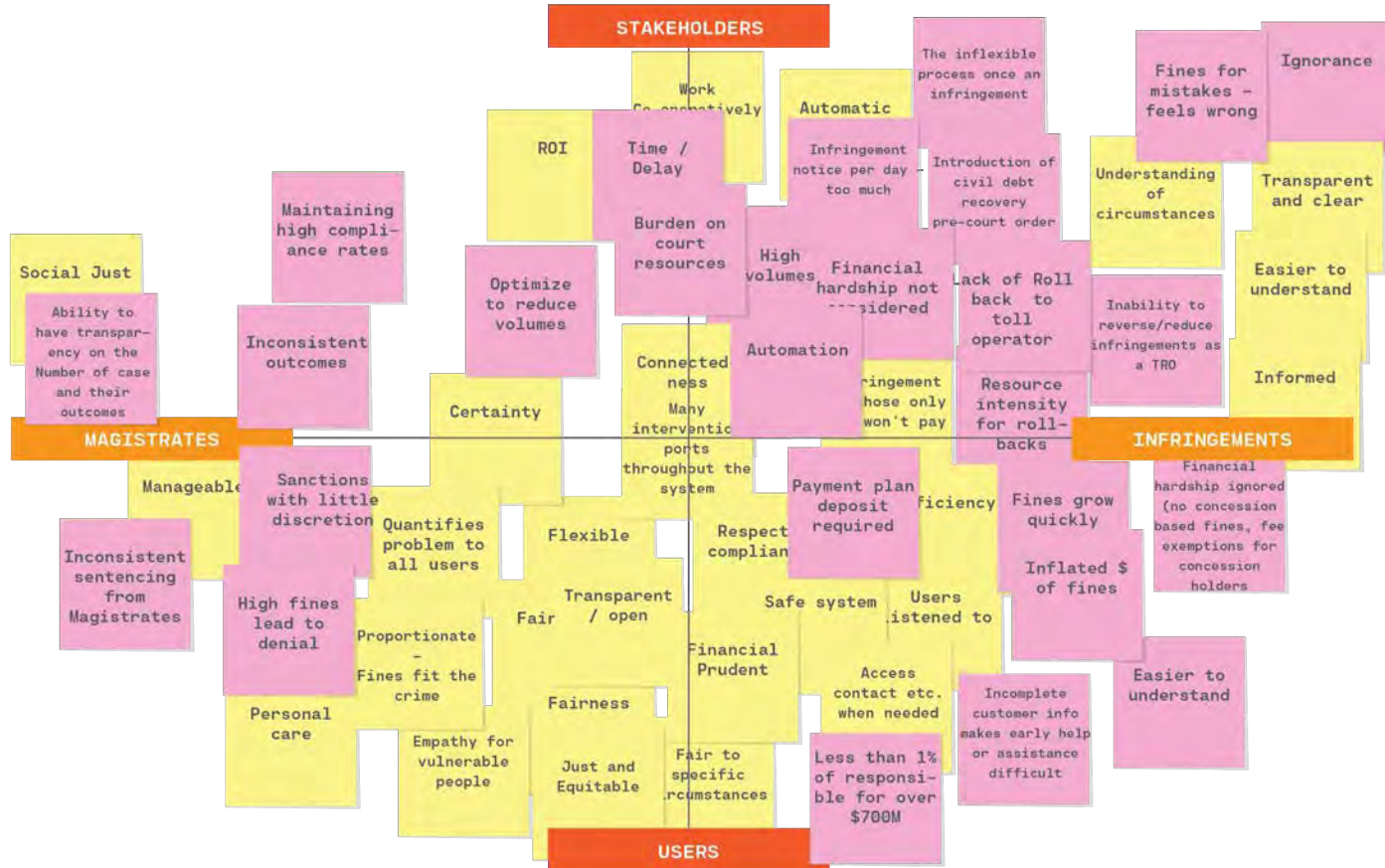
Group 2 --- Ethos Statement



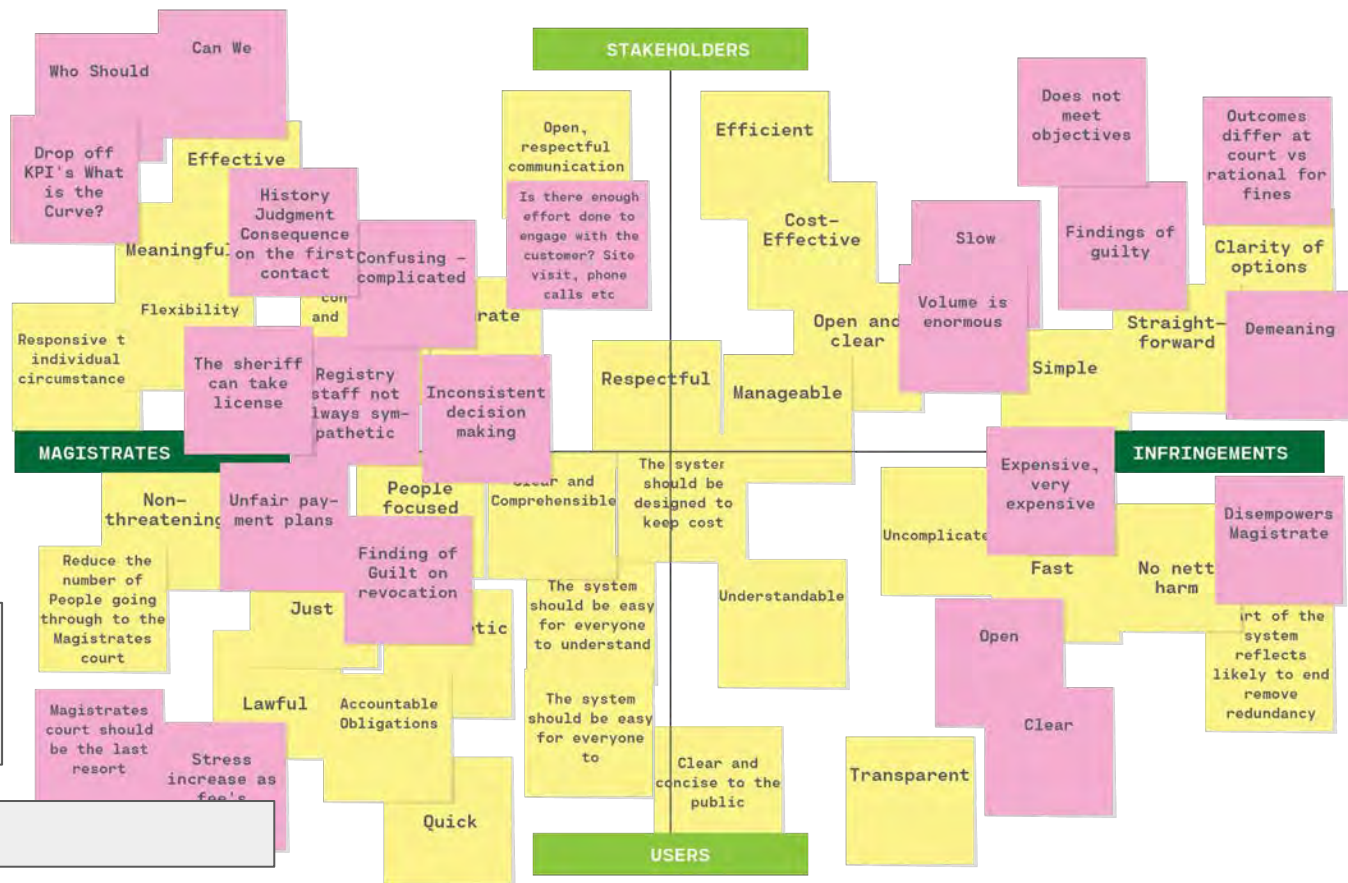
A New Perspective

Using the newly framed perspective provided by the 'Shared Ethos' participants were asked to review the large 'Toll and infringement Journey Map' and write down on individual post-it notes the key issues they now identified within the existing system. Participants were then placed in pairs and asked to discuss what they had identified and to prioritise these issues, with the top six being placed on a matrix with four quadrants: User/Stakeholder/Infringement section/Magistrates Court.

Group 1 - Issues and Priorities



Group 2 - Issues and Priorities

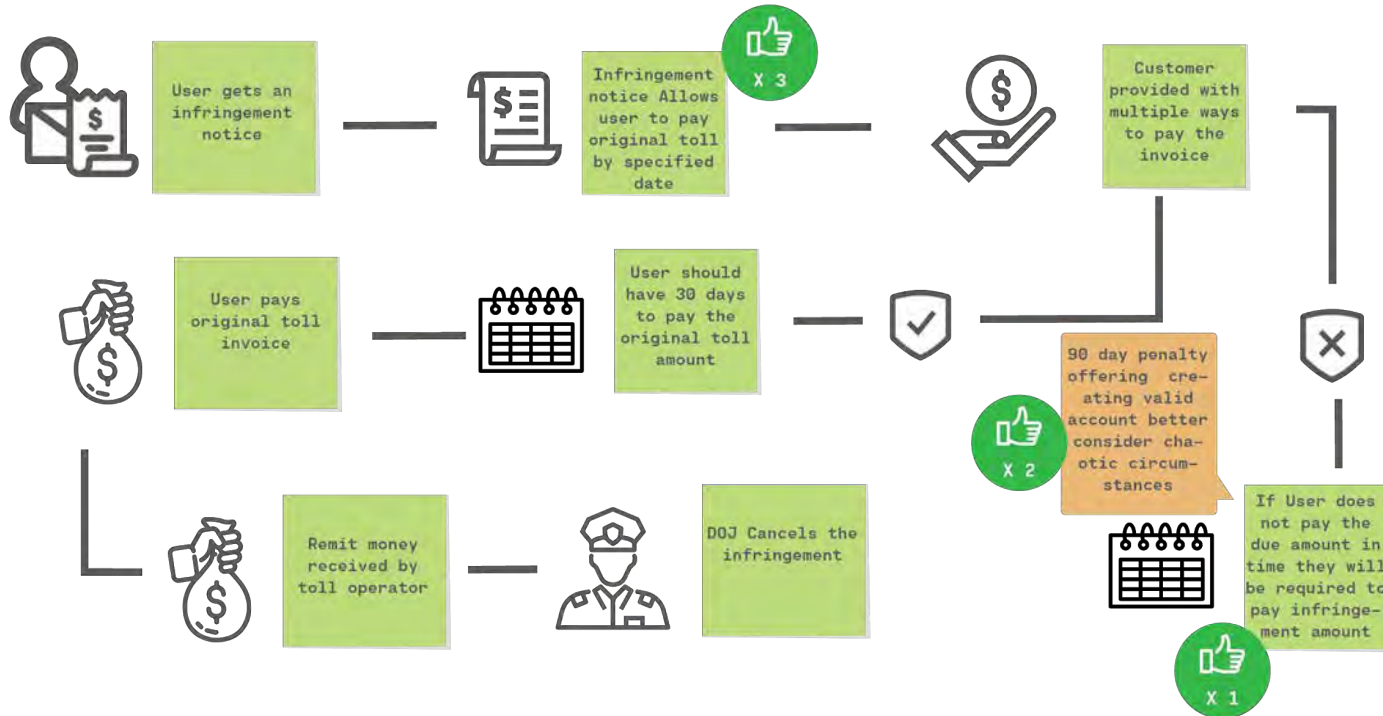


How Might We's and Modeling Solutions

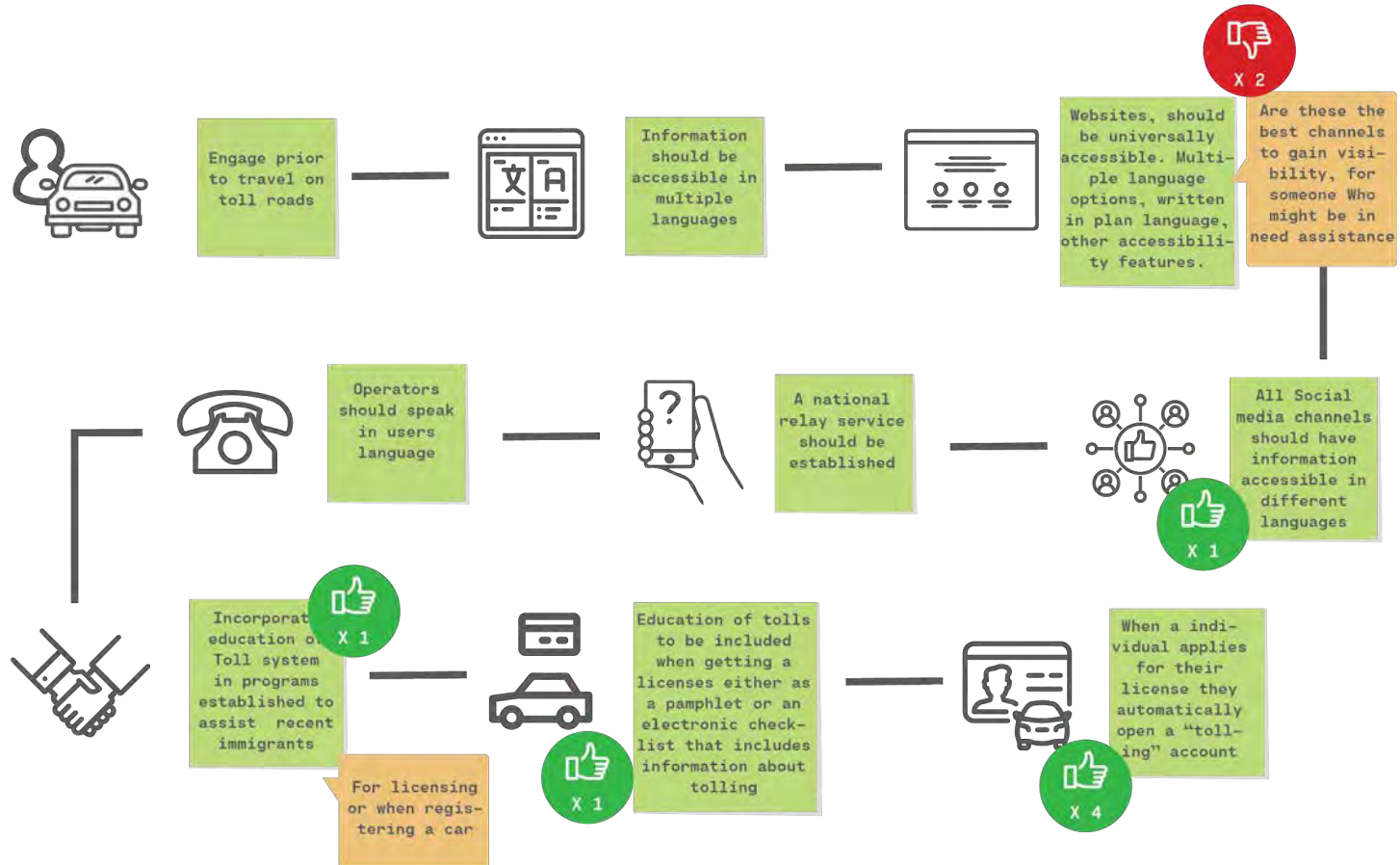
For this exercise, one group was asked to focus on the infringements section of the system while the other looked specifically at the Magistrates Court. Using the 2x2 matrix the teams were asked to generate a series of How Might We Questions (HMWQs). A good HMWQ does not prescribe a solution; rather it opens up a series of avenues to creatively explore 'possible' solutions. They are often the ones that are both, narrow enough and broad enough, meaning there is enough 'creative space', to explore/grow tangible ideas.

The main activity saw each group use a range of icons to create 'prototypes' of their solutions to at least 3 to 4 questions. These were then reviewed by all participants. Green dots were placed on the ideas that participants believed were viable and adhered to the ethos statement. Red dots were placed on ideas that participants believed were not viable and didn't adhere to the ethos statement or (Comments are made in Orange).

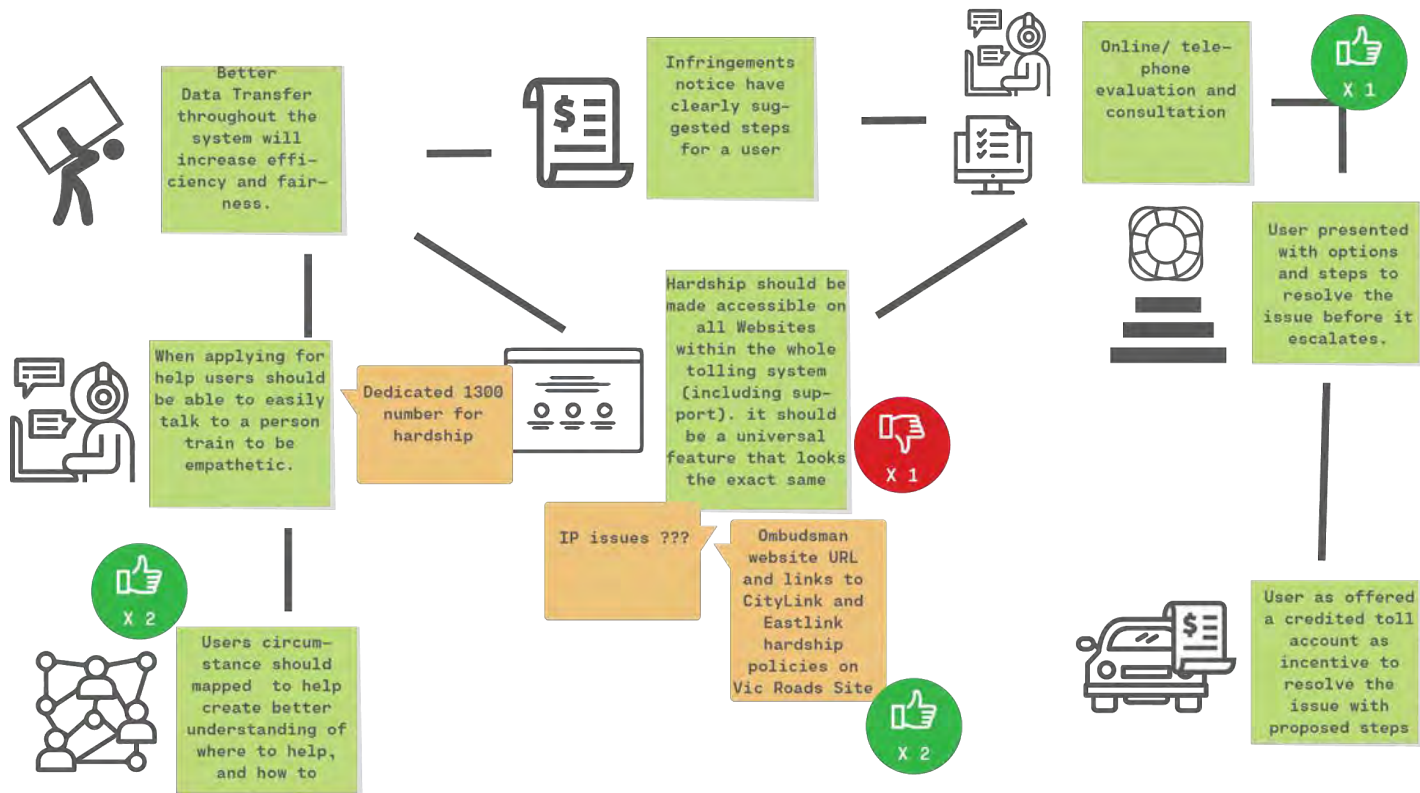
How might we create an automated roll back process of infringements (2)?



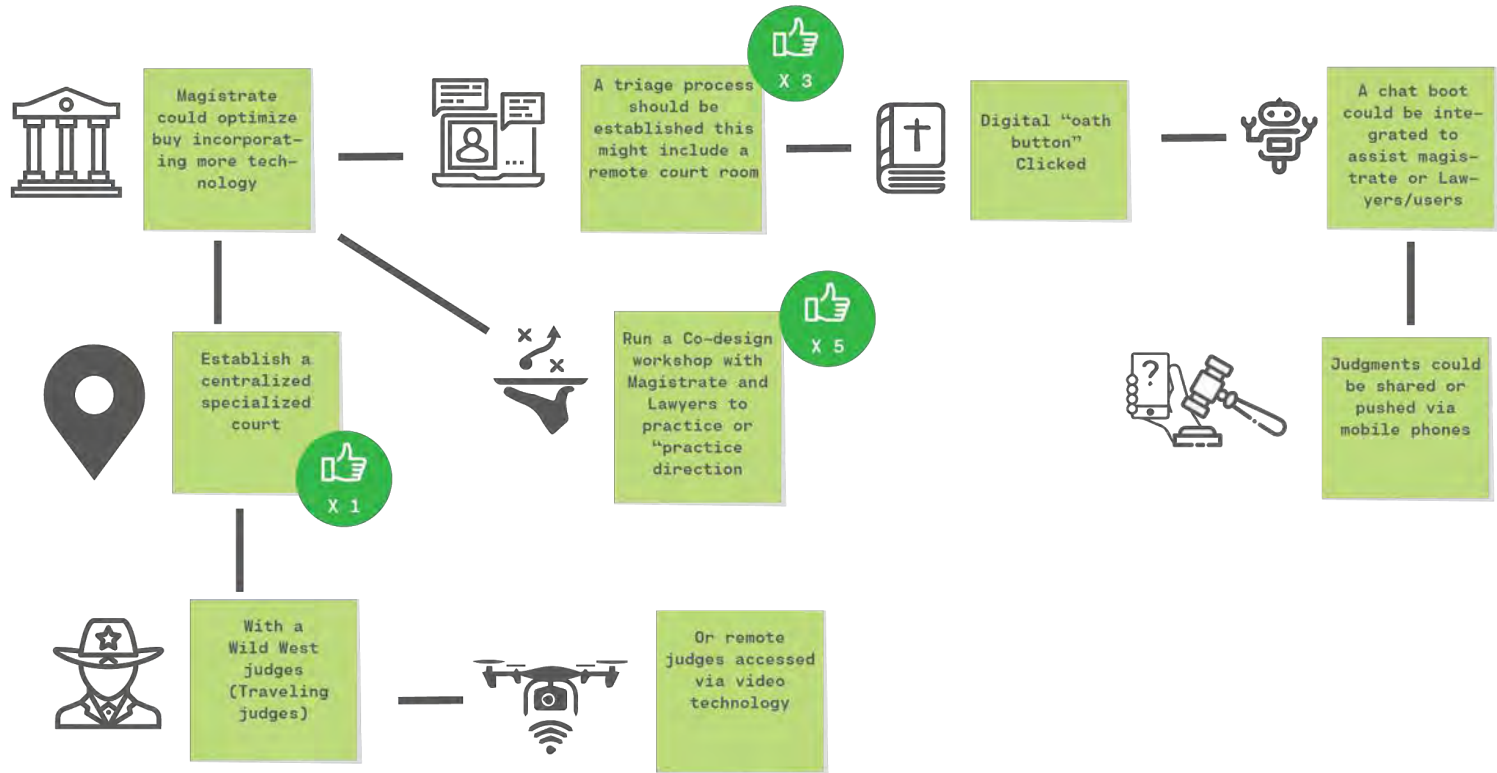
How might we improve compliance through education (1) ?



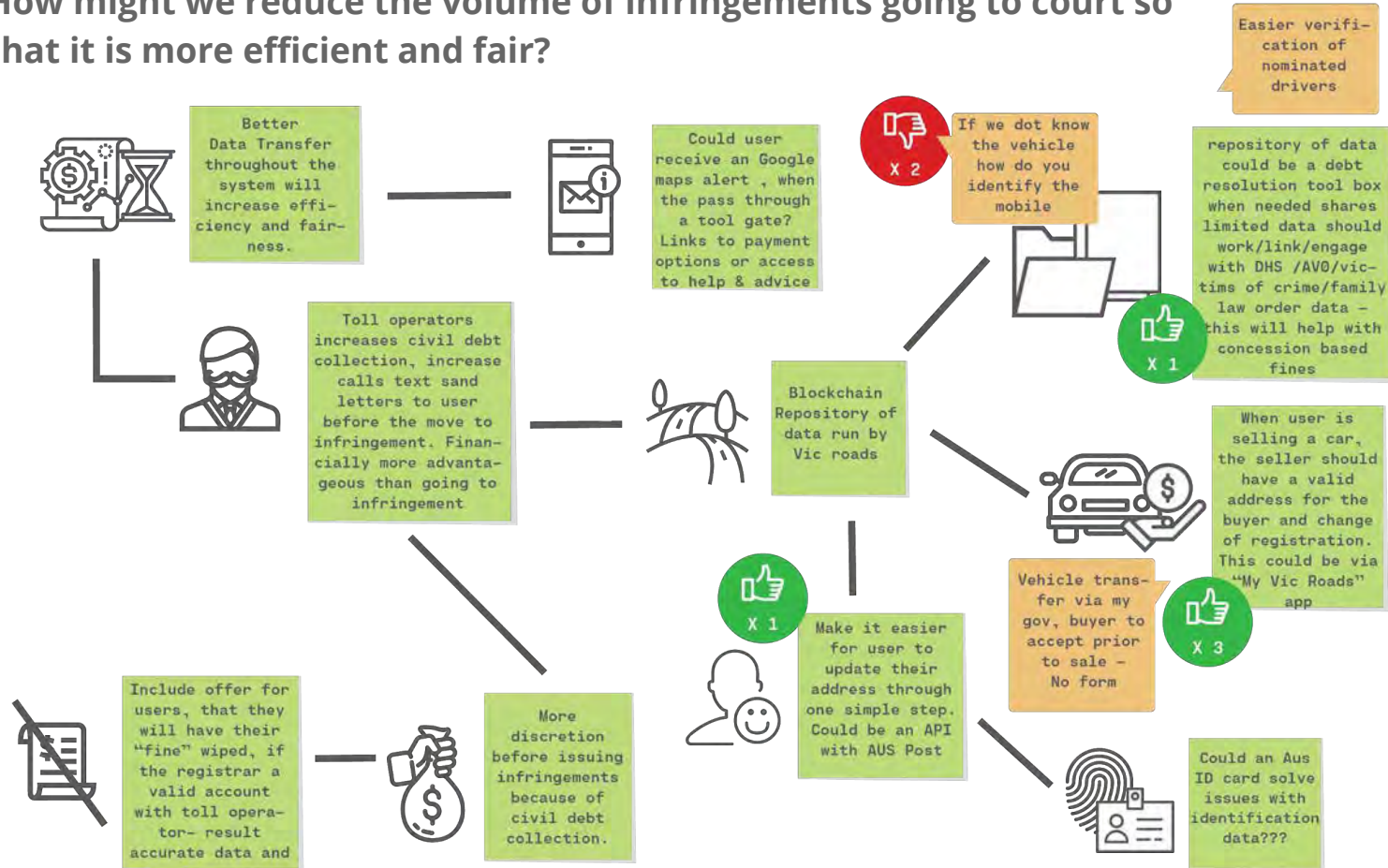
How might we better understand options to address high levels of fines for vulnerable users?



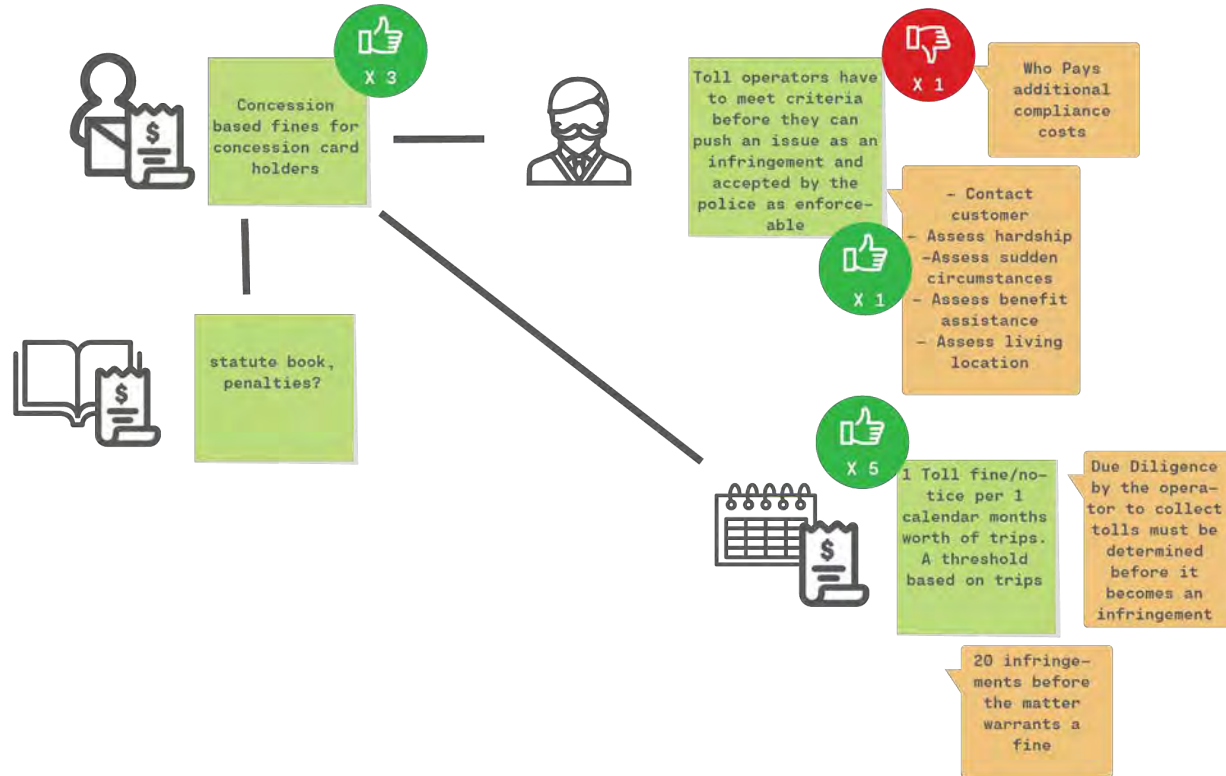
How might we enhance consistent outcomes in the Magistrates Court?



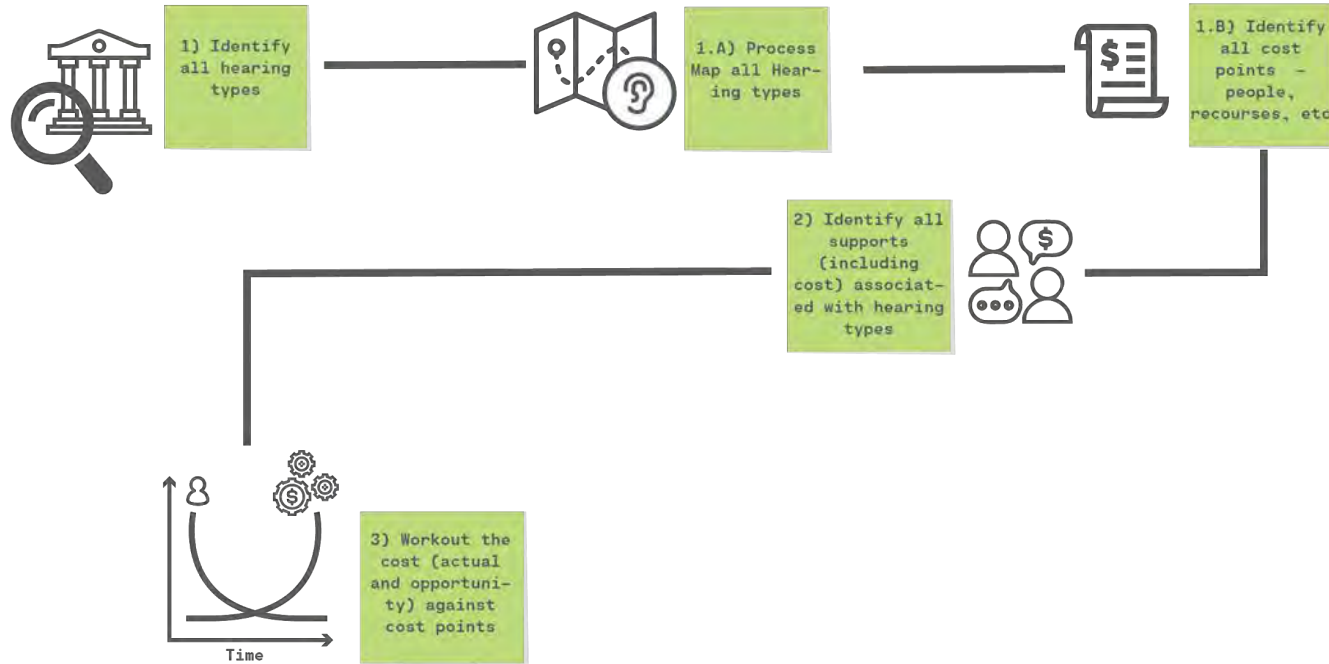
How might we reduce the volume of infringements going to court so that it is more efficient and fair?



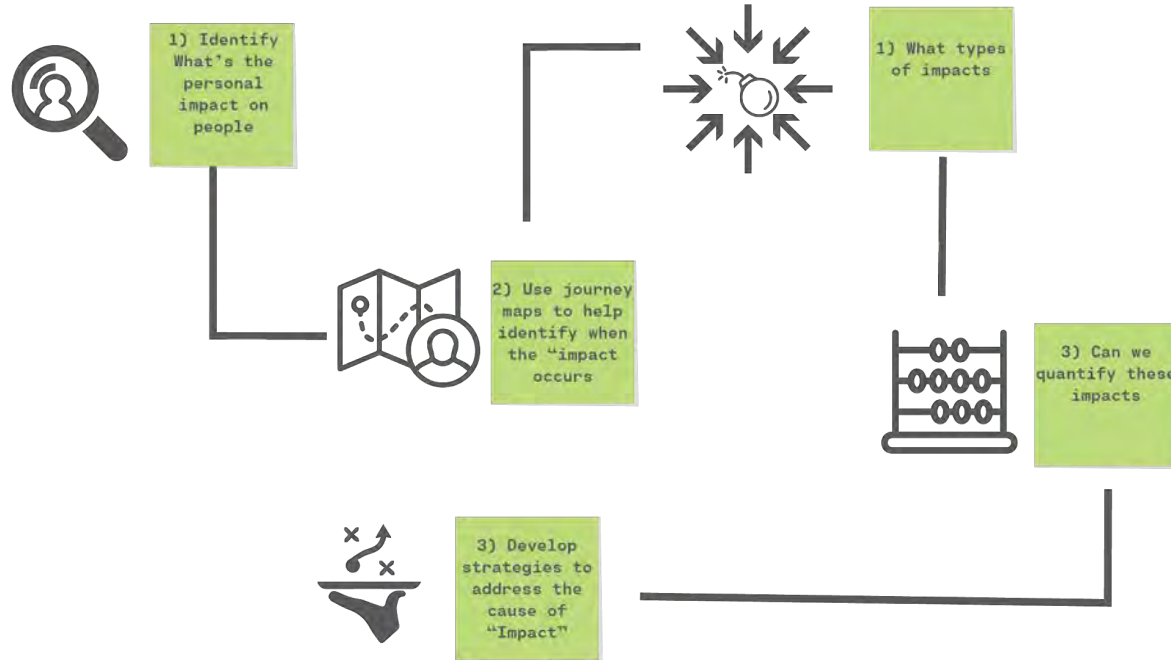
How might we reduce high escalation of fines so it's fair and more efficient?



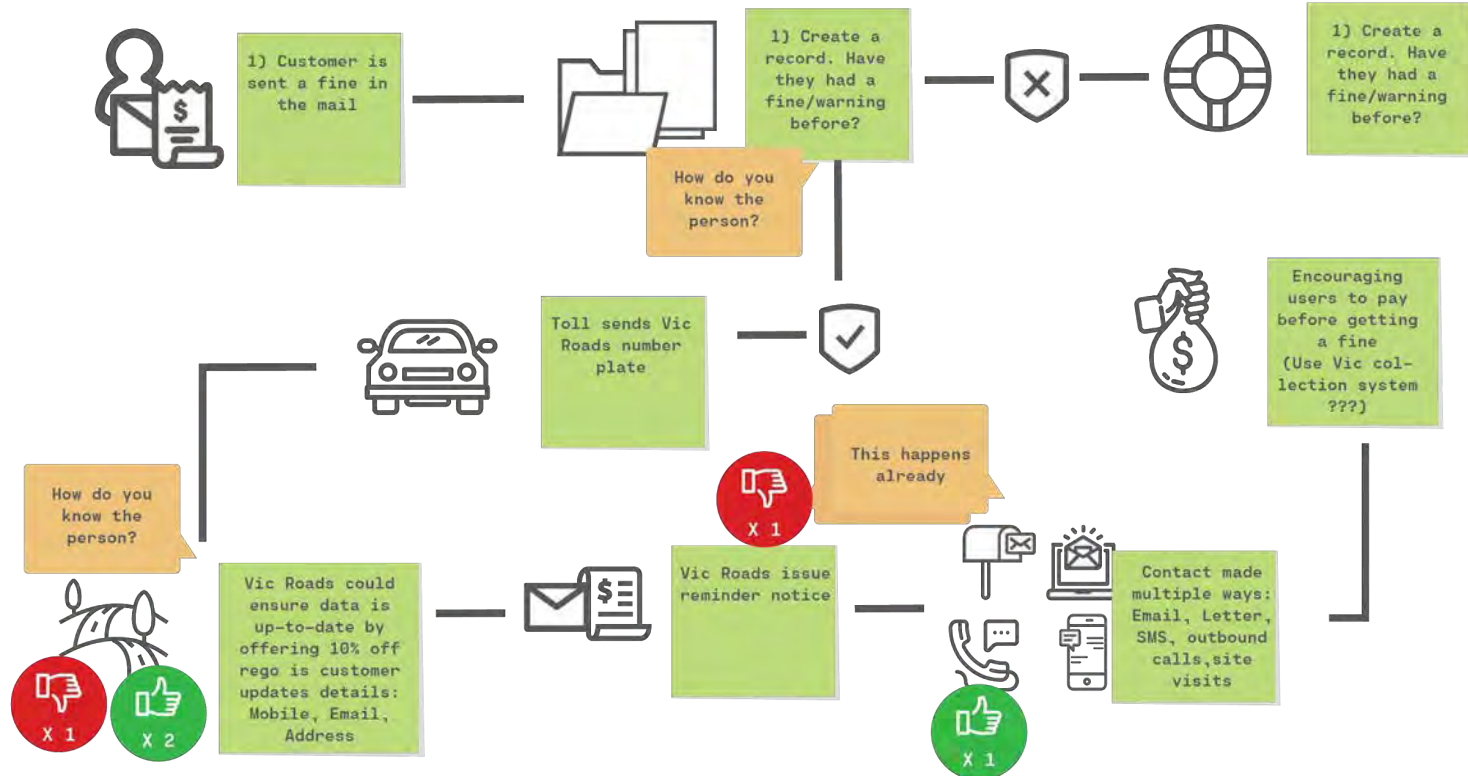
How might we better understand the cost?



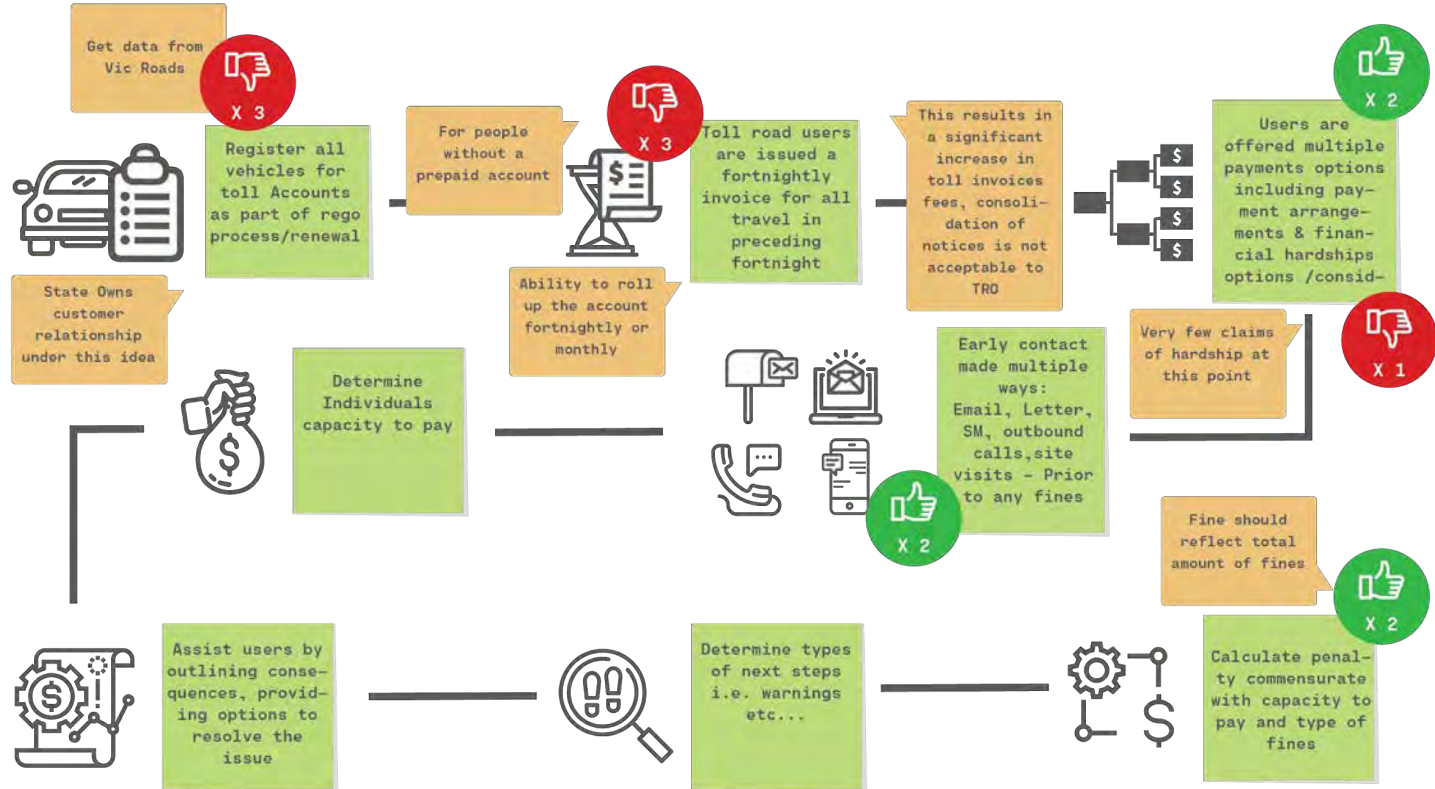
How might we treat people with more respect?



How might we reduce the volume of fines?



How might we reduce the number of cases?





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