

Legislative Assembly

Wednesday, 28 March 2007

THE SPEAKER (Mr F. Riebeling) took the chair at 12 noon, and read prayers.

ESPERANCE HOUSING AND LAND

Petition

DR G.G. JACOBS (Roe) [12.01 pm]: I present the following petition -

To the Honourable the Speaker and Members of the Legislative Assembly of the Parliament of Western Australia in Parliament assembled.

We, the undersigned, say that the Government immediately address the shortage of low cost affordable housing and land for Esperance residents, particularly pensioners, low income earners and people with disabilities.

Your petitioners therefore humbly pray that you will give this matter earnest consideration and your petitioners, as in duty bound, will ever pray.

The petition bears 206 signatures and I certify that it conforms to the standing orders of the Legislative Assembly.

[See petition 197.]

PAPER TABLED

A paper was tabled and ordered to lie upon the table of the house.

STATE ADMINISTRATIVE TRIBUNAL ANNUAL REPORT 2005-06

Correction to Tabled Paper - Statement by Speaker

THE SPEAKER (Mr F. Riebeling): I have received a letter dated 27 March 2007 from the Attorney General requesting corrections to the 2005-06 annual report of the State Administrative Tribunal, tabled on 17 October 2006. The Attorney General has requested amendments to pages 5 and 70 of the report, as they contain minor typographical errors. The reference on page 5 of the report to "section 50(1)" should read "section 150(1)". The reference on page 70 to "231%" should read "38%". Accordingly, under the provisions of standing order 156, I advise the Assembly that I have authorised that the necessary corrections be made to the tabled paper.

ESPERANCE LEAD POLLUTION - REFERRAL TO COMMUNITY DEVELOPMENT AND JUSTICE STANDING COMMITTEE

Notice of Motion

Dr G.G. Jacobs gave notice that at the next sitting of the house he would move -

That this house refers to the Community Development and Justice Standing Committee for consideration and report by 16 August 2007, the following -

The cause and extent of lead pollution in the Esperance area with specific reference to the following matters -

- (a) how the licensing process for the export of pelletised lead enabled the export of granulated lead;
- (b) the effectiveness of dust monitoring and reporting in relation to lead levels in the area and the adequacy of the response to those reported levels;
- (c) the extent to which handling and other practices at Esperance port gave rise to extremely high benthic lead levels in the harbour;
- (d) whether the Esperance Port Authority properly exercised its responsibilities in relation to the potential lead pollution; and
- (e) whether the existing responsibilities of the Department of Environment and Conservation in relation to the Esperance Port Authority processes, practices and procedures were adequate and were properly exercised.

PRISON ESCAPE - BROOME REGIONAL PRISON

Statement by Minister for Corrective Services

MS M.M. QUIRK (Girrawheen - Minister for Corrective Services) [12.05 pm]: Mr Speaker, it is with great pleasure that I inform Parliament of the recapture today of three high-security prisoners who escaped early

yesterday from the maximum-security section of Broome Regional Prison. While I understand the three are now being questioned by Broome police in relation to offences allegedly committed in the town overnight, including the alleged theft of a motor vehicle, the fact that they are now back behind bars is excellent news for residents of Broome and the wider west Kimberley. I take the opportunity of congratulating Broome police for their excellent work in tracking down and apprehending these escapees less than 36 hours after their escape. I am informed that, acting on information received, police arrested 24-year-old Cody Derek Coomerang in a house in Streeter Avenue just after half past nine this morning. This was quickly followed by the arrest of 18-year-old Rodney Brian Edgar in a house in Owen Street, and 19-year-old Lavin John Baird while walking on Pembroke Street - both within half an hour of the first arrest.

These three escapees had been serving sentences for serious offences, including threat to kill, aggravated burglary and assault occasioning bodily harm. Their escape was of grave concern to the government and the community, and their timely recapture is a credit to all involved. As I informed the house yesterday, the people of the Kimberley rightly expect that dangerous prisoners are held in secure environments for the protection of public safety. I anticipate that once the prisoners are processed at Broome Police Station, they will appear in court to face charges of escaping legal custody and any other offences they may have committed while on the run. Following that, they will be placed in the custody of the Department of Corrective Services and brought to Perth under secure escort, where they will ultimately be held in the Casuarina maximum-security prison.

AUSTRALIAN SURF LIFE SAVING CHAMPIONSHIPS

Statement by Minister for Tourism

MS S.M. McHALE (Kenwick - Minister for Tourism) [12.08 pm]: Mr Speaker, I would like to report to the house on the success of the Surf Life Saving Championships held last week at Scarborough Beach. The commitment and skills of the amazing men and women across Australia who dedicate themselves to patrolling our beaches and ensuring the safety of our families were on fine display. Given that this year is the Year of the Surf Lifesaver, it is timely to congratulate and thank the many thousands of volunteer surf lifesavers who keep our beaches safe. I extend my congratulations to everyone who took part in the championships: the 6 500 competitors from across Australia representing 200 clubs, the 400 officials, and the thousands of supporters who travelled to Perth to participate.

I was especially pleased to recognise some special people when Surf Life Saving Australia presented its centenary awards to its longstanding volunteers. Some very moving stories were told of heroic actions. It was heartening to hear the very positive remarks by the president of Surf Life Saving Australia, Mr Ron Rankin, about the government's support of the event, and the fantastic response from competitors and spectators.

I would like to pay tribute to the Western Australian surf lifesaving clubs that won medals in their respective events, including the City of Perth, North Cottesloe, Scarborough, Cottesloe, Sorrento, Trigg Island, Fremantle, City of Bunbury and Mullaloo clubs. My particular congratulations go to Mr Tony Snelling from the City of Bunbury and Dalyellup Beach clubs, who received the Surf Lifesaver of the Year Award.

The government won the rights to host the Australian Surf Life Saving Championships for three years against fierce competition in 2003. The government has invested \$5.4 million over three years to support the Aussies and they are expected to inject \$25 million into WA's economy.

My thanks also to the City of Stirling for the mammoth effort made in providing infrastructure and working collaboratively with all involved to provide an outstanding venue, particularly the amphitheatre. We now look forward to welcoming everyone connected with the Aussies back in 2008 and 2009 for another two years of outstanding surf-lifesaving competition and action.

EXCHANGE PROGRAM - UNITED STATES AND WESTERN AUSTRALIA

Statement by Minister for the Environment

MR D.A. TEMPLEMAN (Mandurah - Minister for the Environment) [12.10 pm]: I am pleased to inform the house of an exchange program between the United States and Western Australia that will contribute significantly to the conservation of our natural assets such as our national parks and nature reserves. The initiative aims to provide opportunities for Department of Environment and Conservation staff to expand their professional experience and expertise as well as bring new ideas, approaches and work methods home. The program is now in its second year and it is proving to be an invaluable tool for knowledge exchange and career development. Last year, five exchanges from the United States worked in various roles with DEC. This month, four Department of Environment and Conservation employees have gone to the United States for five months as part of the program, which is an initiative of DEC and the US Department of Interior, particularly that agency's Bureau of Land Management and National Park Service.

The four DEC staff have been chosen to spend five months, from April to August, living in the United States and working in a diverse range of projects in varied locations. I am particularly pleased that the four staff are all

from DEC's regional areas. They are Beverley Gardiner, a national park ranger at Collie, who will work on the West Eugene Wetlands Project in Oregon; Daniel Cock, a reserves officer at Katanning, who will work with the Carson City Field Office in Nevada; Kym Pearce, an operations officer from Dwellingup, who will be placed at the Arizona Strip Field Office in Utah; and Adam Rayner, a natural resource management officer from Kalgoorlie, who will join the Bureau of Land Management's Phoenix state office and the University of Arizona in Arizona. In return, DEC will be hosting five US representatives in positions around the state. The five chosen have expressed interest in a variety of locations and diverse projects. One has specifically shown interest in working with the Western Australian Herbarium.

Members will be aware that in the past six years, Western Australia has sent specialist fire management officers to the United States as part of the Australia-New Zealand contingent that helps out the US in times of need. Initiatives such as this are an excellent way to foster international cooperation and the sharing of knowledge, and reflect the Carpenter government's commitment to continuous learning opportunities in the field of conservation and environmental protection.

The US team will be welcomed to Western Australia at a function at DEC's Crawley offices on Friday.

INFORMATION PRIVACY BILL 2007

Introduction and First Reading

Bill introduced, on motion by **Mr J.A. McGinty (Attorney General)**, and read a first time.

Explanatory memorandum presented by the Attorney General.

Second Reading

MR J.A. MCGINTY (Fremantle - Attorney General) [12.14 pm]: I move -

That the bill be now read a second time.

As a community we have become very conscious of the extent to which our personal information is being collected, used and disclosed by government and private organisations. It is generally accepted that the protection for privacy available under the common law is inadequate and that legislation is needed, both to safeguard the privacy of personal information and to provide clear guidance on the circumstances in which government and private organisations can collect, hold, use and disclose personal information. Privacy legislation has been enacted to govern the handling of personal information by government agencies of the commonwealth, New South Wales, Victoria, Tasmania, the Australian Capital Territory and the Northern Territory. In Queensland and South Australia, administrative schemes have been established to govern the privacy of personal information handled by government agencies.

Health information is an especially sensitive category of personal information that warrants specific regulation both to ensure the privacy of that information and to provide clear guidance on the circumstances in which health information can be collected, used and disclosed. The commonwealth's Privacy Act 1988 covers the handling of personal information by the private sector, but does not provide a sufficiently detailed regulation of the handling of health information. Legislation directed specifically to the privacy of health information, and to provide rights of access to health records, has been enacted in New South Wales, Victoria and the ACT. In contrast, in Western Australia the handling of personal information by state government agencies is not subject to privacy legislation that is applicable to all government agencies. Although state legislation such as the Public Sector Management Act 1994 and the Freedom of Information Act 1992 regulates some aspects of the handling of personal information by state government agencies, more comprehensive regulation is warranted. There is no state legislation directed specifically to the privacy of health information, or access to health records, held by the private sector.

In line with Labor's policy commitments, in May 2003 I signalled the government's intention to introduce privacy legislation for this state and released a discussion paper outlining proposals for such legislation. The responses to that paper revealed near unanimous support and have helped shape the legislation that I am pleased to introduce today. This legislation recognises the fundamental principle that the privacy of personal and health information should be respected and protected, but at the same time recognises that such privacy protection cannot be absolute. Privacy must be balanced against other interests, such as the protection of the life, safety, health and welfare of individuals, especially children, and the community generally, and privacy protection should not hamper government accountability or hamper investigations into criminal or other improper activities.

The bill has five major planks: first, to regulate the handling of personal information by the state public sector; second, to regulate the handling of health information by the state public and private sectors; third, to create a right of access to, and amendment of, personal health records held by the private sector; fourth, to establish an accessible framework for the resolution of complaints about the handling of personal and health information; and, fifth, to facilitate the exchange of personal and health information held by the public sector when it is in the public interest to do so.

The information privacy principles: State government agencies and public service officers generally handle personal information responsibly and sensitively. However, there have been occasions when there has been controversy about the collection, use or disclosure of personal information by government agencies in this state. An Auditor General's report in 2002 concluded that although awareness of privacy issues was at a reasonable level in the departments examined, there was a real potential for personal information held by these departments to be disclosed inappropriately. The Commission on Government concluded in its 1995 report that arrangements for the protection of personal information by government agencies in this state were inadequate and recommended the enactment of privacy legislation to address issues surrounding the storage and use of personal data and data matching between agencies. To address these concerns, the bill requires most public organisations, and contractors to public organisations, to comply with a set of eight information privacy principles or IPPs insofar as those public organisations collect, hold, use or disclose personal information about individuals. The IPPs are contained in a schedule to the bill. They draw heavily on the national privacy principles contained in the commonwealth Privacy Act 1988 and on the information privacy principles in the Victorian Information Privacy Act 2000.

IPP 1 governs the collection of personal information. In general, personal information must only be collected if it is necessary for one or more of the public organisation's functions or activities. IPP 1 also requires public organisations to let individuals know that their personal information has been collected, how access may be obtained to it, and to whom the organisation usually discloses that kind of personal information.

IPP 2 governs the use and disclosure of personal information. In general, personal information must only be used or disclosed for the purpose for which it was collected. However, consistent with the need to balance privacy considerations with public interest considerations, there are a number of exceptions to this principle, including exceptions for law enforcement and for disclosures necessary to lessen or prevent serious threats to the life, health, safety or welfare of an individual or the public or to safeguard or promote the safety or wellbeing of children.

In accordance with IPP 3, which deals with data quality, and IPP 4, which deals with data security, public organisations must ensure the personal information they hold is accurate, complete, up-to-date and protected from misuse, loss, unauthorised access, modification or disclosure.

IPP 5 requires public organisations to clearly document their policies on the management of personal information and to make those policies publicly available. Safeguards in respect of the assignment and use of identifiers, which are numbers or codes which may be used to uniquely identify an individual, are imposed by IPP 6. The right of an individual to remain anonymous where it is lawful and practicable when dealing with a public organisation is protected by IPP 7.

Finally, IPP 8 limits the disclosure of personal information outside the state. Such disclosures are only permitted if the requirements of IPP 2 are met, and one of the additional requirements specified in IPP 8 is met. There is no specific principle relating to access to, or amendment of, personal information held by a public organisation. The reason is that individuals already have a right to request access to, or amendment of, documents containing personal information held by a public organisation under the Freedom of Information Act.

The health privacy principles: Turning to the privacy of health information, the inter-relationship of the public and private health sectors warrants the application of the same principles to govern the privacy of health information held by both the public and private sectors in Western Australia. Accordingly, the bill requires most public organisations, private sector health service providers, and persons or bodies in the private sector who hold health information about individuals, to comply with a set of 10 health privacy principles, or HPPs, insofar as they handle health information about individuals.

There is also much to be said for greater consistency in the regulation of the privacy of health information across Australia. It was with that objective that in December 2002 the Australian Health Ministers' Advisory Council issued a draft national health privacy code containing recommendations for a set of national health privacy principles. The HPPs are adapted from, and are consistent with, the draft national health privacy code. They are broadly similar to the general requirements of the commonwealth's national privacy principles, but are specifically tailored to the privacy of health information.

The core elements of HPPs 1 to 8 are consistent with their IPP counterparts. However, the HPPs are tailored specifically to ensure the protection of the privacy of health information and, in some cases, to balance that protection with specific contrary public interests. For instance, the HPPs regulate the collection of health information from a third party, such as a family member; regulate disclosure of health information where the individual is incapable of giving informed consent; prescribe the circumstances in which an individual's genetic information may be disclosed to another person; and regulate the circumstances in which the use and disclosure of health information may take place for the purposes of medical research.

There are also two additional HPPs which have no equivalent in the IPPs. HPP 9 prescribes what a health service provider, or the legal representative of the provider if the provider is deceased, must do with health

records if the provider's practice or business closes, is sold, transferred or amalgamated. HPP 10 specifies the circumstances in which a health service provider must give an individual's health information, or a copy or summary of that information, to another health service provider. Insofar as the bill applies to the private sector, small business operators with an annual turnover of less than \$3 million who are not health service providers, such as hairdressers, will not be required to comply with the HPPs even though they may incidentally handle personal health information. However, all health service providers, including small businesses that provide a health service, must comply with the HPPs. This reflects the approach adopted in the commonwealth Privacy Act 1988.

Access to, and amendment of, health records: Under the bill, individuals will also be given the right to apply for access to health records relating to them which are held by a private organisation and to apply for the amendment of health records relating to them which are held by a private organisation. The bill creates these rights in relation to only the health records of private organisations because, as I have already noted, individuals have a right to seek access to, and amendment of, documents held by public sector agencies which contain information about them under the FOI act. The procedures for making and dealing with access and amendment applications are closely modelled on those contained in the FOI act that currently apply to public sector agencies. As a result, the procedure for seeking access to, or the amendment of, health records, will, as far as possible, be the same, whether the health records are held by the public or private sector.

Codes of practice: In recognition of the desirability of a degree of flexibility and the need in some instances for more specific application of the principles, the bill provides for the making of information privacy and health privacy codes of practice. Codes of practice may apply in respect of any specified personal or health information or class of such information, any specified activity or class of activity, or any specified organisation or class of organisation. A code of practice may modify the application or operation of an IPP or HPP but only if the organisation bound by the code would otherwise be incapable of complying with the IPP or HPP, and only to the extent reasonably necessary to enable the organisation to comply with the IPP or HPP. An information privacy code of practice has effect only if it has received ministerial approval and has been published in the *Gazette*. If there is an inconsistency between an IPP or an HPP, and an approved code of practice, the code of practice prevails to the extent of the inconsistency.

For the purpose of dealing with complaints, part 5 of the bill establishes complaint processes that emphasise conciliation, at minimum cost to all parties.

The bill provides that a failure to comply with an IPP, an HPP or an approved code of practice constitutes an interference with privacy. An individual whose privacy has been interfered with may complain about that interference with privacy. A complaint may also be made by an individual in relation to a decision of a private organisation about an access or amendment application made by that individual. If a complaint is resolved by conciliation but the respondent organisation involved subsequently fails to comply with a requirement set out in the record of the conciliation, a complaint may be made about the respondent's conduct. In each case, the complaint will be made to the Privacy and Information Commissioner and if the complaint cannot be resolved, the individual may request the referral of the complaint to the State Administrative Tribunal for determination.

The commissioner's primary role in relation to complaints will be to endeavour to resolve complaints by conciliation. If the commissioner is unable to resolve the complaint by conciliation, or the complaint is of such a nature that it should be referred to SAT, the applicant can request the commissioner to refer the complaint to SAT. SAT will be able to deal with the complaint using its powers under the State Administrative Tribunal Act 2004 and make binding orders to resolve the complaint.

The bill gives SAT additional powers in the determination of complaints concerning interferences with privacy. In such a case, if SAT finds the complaint or any part of it substantiated, it may make one or more of a number of orders, including an order restraining the conduct of the respondent from repeating or continuing the interference with privacy; an order requiring the respondent to perform an act or course of conduct to redress any loss or damage suffered by the complainant; or an order for the payment of compensation by the respondent to the complainant of up to \$40 000 for loss or damage suffered as a result of the interference with privacy.

Part 6 of the bill deals with the exchange of personal and health information by public organisations in certain limited circumstances. Those circumstances encompass disclosure for the purpose for which the information was collected, and disclosures that fall within exceptions to the use and disclosure principles in the IPPs and HPPs. Part 6 permits the disclosure of personal or health information between government agencies, and, with the approval of the commissioner, by a government agency to a person or body in the private sector, in these limited circumstances. Part 6 provides that such disclosures may take place notwithstanding any statutory confidentiality or secrecy provisions, and provides protection from any civil or criminal liability, any breach of a duty of confidentiality or secrecy, or any breach of professional ethics or standards of conduct that might otherwise arise from the disclosure.

The provisions of part 6 are intended to implement key recommendations of the Gordon Inquiry into Response by Government Agencies to Complaints of Family Violence and Child Abuse in Aboriginal Communities, which

noted that information sharing between government agencies in relation to child protection was limited by the absence of legislation or by the existence of statutory restrictions on the sharing of information. The inquiry recommended that consideration be given to legislative and administrative changes to ensure information sharing between agencies.

Consistent with the core concerns of the Gordon inquiry, the circumstances in which disclosures are permitted, with the protections afforded by part 6, are primarily directed to those where the life, health and safety of individuals, including children, is involved, and to disclosures for law enforcement purposes. In addition, the protection afforded by part 6 also extends to the disclosure of health information for the purposes of medical research, in the circumstances set out in the exceptions in HPP 2(1)(f) and (g). These principles incorporate safeguards to ensure that the privacy of health information is maintained so far as is possible in the context of such research. The benefits for the community as a whole from the conduct of medical research require no elaboration. In view of the safeguards governing disclosures under HPP 2(1)(f) and (g), concerns about legal liability should not impede public organisations from disclosing health information for the conduct of medical research in the circumstances set out in those principles.

Privacy and Information Commissioner: For the purposes of administering the act, the bill creates an independent statutory office of Privacy and Information Commissioner. As well as promoting understanding of and compliance with the IPPs and HPPs, and reporting to the minister on the impact on privacy of personal or health information of any proposed legislation or on data processing and computer technology, the commissioner will have an important role in monitoring compliance with the act. This will encompass auditing records of personal, health and safety information maintained by organisations so as to ascertain whether they are being maintained in accordance with the IPPs, HPPs or any applicable code of practice. It will also involve reviewing and reporting on an organisation's procedures for handling personal or health information, or for giving access to health records or amending health records, to determine compliance with the act.

In addition to performing these functions under the Information Privacy Act, the bill provides that the commissioner will be responsible for the performance of the functions presently undertaken by the Information Commissioner under the FOI Act. Accordingly, the bill abolishes that office. In the interests of economy and administrative efficiency, the bill also permits, but does not require, the offices of the Parliamentary Commissioner and the Privacy and Information Commissioner to be held concurrently.

Conclusion: In conclusion, this bill is intended to create specific rights and obligations in relation to the privacy of personal information and health information and to provide readily accessible and fair dispute resolution mechanisms for complaints relating to the handling of such information by public and private organisations. The bill creates a right to apply for access to, and amendment of, health records held by the private sector. The bill does not give rise to broader rights and obligations otherwise than as expressly provided for in the bill. The bill also contains specific provisions intended to remove impediments to the exchange of personal or health information held by the public sector when the disclosure of that information is in the public interest, such as in the case of child protection matters. I commend the bill to the house.

Debate adjourned, on motion by **Mr T.R. Sprigg**.

FREEDOM OF INFORMATION AMENDMENT BILL 2007

Introduction and First Reading

Bill introduced, on motion by **Mr J.A. McGinty (Attorney General)**, and read a first time.

Explanatory memorandum presented by the Attorney General.

Second Reading

MR J.A. MCGINTY (Fremantle - Attorney General) [12.34 pm]: I move -

That the bill be now read a second time.

For government to be truly accountable to Parliament and the people of Western Australia there must exist an effective regime for access to the information held by government. To that end the government has pledged to ensure that the Freedom of Information Act 1992 will remain an effective tool in ensuring open and accountable government. The proclamation of the FOI act in 1993 created a legal right of access to documents held by all state and local government agencies. The FOI act requires agencies to apply the act to assist members of the public to obtain access to documents promptly, and at the lowest reasonable cost, and to ensure that the personal information contained in documents held by those agencies is accurate, complete, up to date and not misleading.

Since the FOI act was proclaimed, there have been numerous recommendations and suggestions for its improvement. These include those arising from the report of the statutory review of the FOI act tabled in Parliament on 11 November 1997 - Legislative Council paper 996 - and those contained in the 1995 Commission on Government report. Others have been suggested by the Information Commissioner and agencies such as the

Department of Indigenous Affairs. The bill that I introduce today gives effect to many of these recommendations.

In overview, the bill includes amendments relating to access to documents under the FOI act; relating to the determination of complaints under the FOI act; relating to the ongoing review of the FOI act and its operation; and which address practical problems relating to the operation of the FOI act, and which are intended to enhance the effective operation of the FOI act. In addition, the bill addresses several matters of a minor or technical nature. For the information of members, I will comment on each of these in turn.

Amendments relating to access to documents: The FOI act presently permits an agency to refuse access to a document on the basis that it contains matter that is exempt under one of the exemptions set out in schedule 1 to the act. These exemptions include the exemption in clause 1 for matter that would reveal the deliberations or decisions of an executive body, such as cabinet, and the exemption in clause 2 for matter that could reasonably be expected to damage intergovernmental relations or to reveal confidential information communicated by another government. Ordinarily, the FOI act requires that when an agency refuses access to a document on the ground that it is exempt, the agency must be able to substantiate that claim to exemption. However, part 2, division 4, of the FOI act permits the Premier to sign a certificate that operates as conclusive proof that a document referred to in the certificate contains matter that is exempt under clause 1 or 2 of schedule 1 to the FOI act.

Part 2, division 4, has not been used since it was enacted. If a document is exempt under clause 1 or 2, it is appropriate that that claim to exemption be substantiated by an agency in the same way as any other claim to exemption. Consistent with the discussion in the 1997 report of the statutory review, the bill repeals part 2, division 4, of the FOI act.

Clause 8(1) of schedule 1 to the act provides that matter is exempt matter if its disclosure, otherwise than under the act or another written law, would be a breach of confidence for which a legal remedy could be obtained. An enforceable obligation of confidence can arise in a number of ways, such as pursuant to the common law - such as through a contractual obligation - in equity or pursuant to statute. Although clause 8(1) refers to a "legal remedy", it arguably contemplates any remedy for a breach of confidence that can be obtained under the law. However, the Information Commissioner has interpreted the exemption as limited in its application to a breach of confidence for which a remedy is available at common law, and does not include a breach of confidence for which an equitable remedy is available. The bill amends clause 8(1) and clause 8(3) to make clear that matter is exempt matter if its disclosure would found any action for a breach of confidence. This will ensure that if the disclosure of matter would give rise to a remedy, whether under the common law or in equity, that matter will be covered by the exemption.

Currently, the act contains no specific provision to protect from release Aboriginal cultural information that is required by Aboriginal tradition to be kept confidential. For some years, Aboriginal people and organisations have expressed concern about the protection of sensitive cultural information that has been provided to the Department of Indigenous Affairs by Aboriginal people, especially information provided under the Aboriginal Heritage Act 1972. The bill creates a new exemption to protect matter the disclosure of which is prohibited by the body of traditions, observations and customs of Aboriginal people generally, or of a particular community or group of Aboriginal people. The exemption is subject to a public interest test, so information may be required to be disclosed in a particular case if a sufficiently strong and countervailing public interest exists in favour of that disclosure.

Amendments relating to the determination of complaints: The conduct of the external review of decisions under the FOI act is currently a function of the Information Commissioner. The effect of the amendments made by the bill is that the Information Commissioner will continue to receive complaints - for example, relating to a refusal by an agency to give access to a document - and will endeavour to conciliate them, but will no longer have the power to determine them. Instead, the power to determine complaints will be exercised by the State Administrative Tribunal, or SAT. If a complaint is resolved by conciliation, the Information Commissioner, in consultation with the parties, will prepare a document setting out the terms on which the complaint has been resolved and any requirement that is to be complied with by the agency. If the Information Commissioner endeavours to conciliate but the complaint cannot be conciliated, or if the nature of the complaint is such that it should be referred to the State Administrative Tribunal, then the complainant may require the commissioner to refer the complaint to SAT. If a complaint is resolved by conciliation but an agency subsequently fails to comply with a conciliation requirement to do or to not do a particular thing, a complaint may be made about the agency's conduct to the Information Commissioner. If that complaint is unable to be resolved by conciliation, the complainant may require the Information Commissioner to refer the complaint to SAT. SAT will deal with the complaint in accordance with the provisions of part 3, division 3 of the SAT act and applicable provisions of that act as amended by this bill. When exercising its complaint jurisdiction under the FOI act, the presiding member of SAT must be a legally qualified member. Part 5 of the SAT act will apply to appeals from decisions of SAT to the Supreme Court, except as otherwise provided for by the FOI act. Consistent with the position of

the Information Commissioner under the FOI act, the bill amends the FOI act to make SAT an exempt agency under the FOI act.

The transfer of the jurisdiction to determine complaints under the FOI act to SAT is consistent with the consolidation of the jurisdiction of other tribunals, such as has occurred with the adjudication of guardianship and administration, equal opportunity and other similar matters. As I outlined when I introduced the State Administrative Tribunal Bill, the benefits of this approach are numerous and include, among others, simplifying and streamlining the avenues for redress in relation to administrative decisions.

The changes made by the bill in relation to the review of decisions build on the strengths of the present system and also seek to remedy some of the deficiencies in the present review procedures under the FOI act. One of the great strengths of the present system is that the Information Commissioner has been very effective in conciliating complaints. The Information Commissioner will retain that role under the changes made by the bill. However, on occasion there have been delays in the time taken by the Information Commissioner to resolve complaints that require formal determinations. Under the bill, complaints that cannot be resolved by the commissioner through conciliation will be referred to SAT. Since it was established, SAT has demonstrated an ability to quickly determine the matters that come before it. The resources of the tribunal, particularly in terms of the number of tribunal members, will enable SAT to deal expeditiously with complaints under the FOI act. An additional strength of the present FOI review process is that it affords a cheap and informal way in which to resolve complaints. That strength will be retained under the bill.

Reviews by SAT are cheap, and conducted with little formality: The SAT act requires SAT to act according to equity, good conscience and the substantial merits of the case without regard to technicalities and legal forms. Applicants in FOI reviews are often self-represented and SAT frequently deals with reviews of decisions in which unrepresented applicants are involved. The SAT act requires that SAT must take measures to ensure that the parties to the proceedings before it understand the nature of assertions made in the proceedings, and must explain any aspect of the procedure of SAT or any decision or ruling by SAT that relates to the proceeding.

At the same time, SAT's experience in dealing with the review of government decisions in other contexts means that the determination of complaints under the FOI act will be carried out by an independent decision maker that is able to apply rigorous scrutiny to the access and amendment decisions it is called upon to review.

Finally, a considerable advantage of the amendments made by the bill is that the review procedures under the FOI act and the Information Privacy Act, when enacted, will be the same. Given the close relationship between the subject matter of the two acts, it will be a considerable advantage to applicants that the same procedures will apply in both instances. A practical difficulty that has occasionally arisen under the FOI act is that on appeal, counsel for an applicant will not have seen a document in dispute - for example, a document to which access has been refused by an agency - and may therefore be at a disadvantage in presenting submissions on why that document is not exempt. This may also leave the court in a position in which it is acting without the advantage of receiving considered submissions from the opposing parties. To address this problem, the bill amends the FOI act to permit SAT and the Supreme Court, if it is necessary to do so in the interests of justice, to permit a solicitor or counsel representing a party to examine a document in dispute, on such terms and conditions as SAT or the court thinks fit. Permission will be subject to the solicitor or counsel not disclosing exempt matter or information on the existence or non-existence of a document containing matter that is exempt under clause 1, 2 or 5 of schedule 1 to the FOI act. The occasions on which it will be necessary and appropriate to exercise this power may arise infrequently; nevertheless, if the interests of justice require that counsel be permitted to see a document, subject to appropriate conditions, then SAT or the court will be able to make an order to permit this to occur.

Review of the act: The FOI act required the minister administering the act to carry out a review of the operation and effectiveness of the act as soon as possible after the expiration of three years from its commencement. I have already noted that the report of that statutory review was tabled in 1997. There is no requirement in the FOI act for an ongoing review of the act by the minister. The government considers that an ongoing review of the FOI act is an important element in ensuring that the FOI act continues to operate effectively and that the openness and accountability of government is maintained. To that end, the bill amends the FOI act to require a review of the act every five years. This was the time frame recommended in the report following the statutory review of the FOI act in 1997.

An additional element that is important in ensuring that the FOI act continues to operate effectively is that the Information Commissioner is able to monitor the operation of the FOI act and agencies' procedures for providing access to documents and amending personal information in accordance with the act. The bill amends the FOI act to expand the functions of the Information Commissioner to include conducting reviews of the internal FOI procedures of an agency. The bill gives the commissioner the power to obtain information or documents relevant to such a review, requires a report to be prepared in respect of such a review, and permits details of any such review to be included in the Information Commissioner's annual report to the Parliament. In addition, the Information Commissioner presently has the power to report on breaches of duty or misconduct in

the administration of the FOI act. However, that power does not include a power to report on breaches by principal officers of local government authorities and other agencies for which a minister is not directly responsible. The bill amends the FOI act to provide that in such cases the Information Commissioner may report the breach to Parliament in the commissioner's annual report.

Amendments that address practical problems relating to the operation of the FOI act and are intended to enhance its effective operation: The bill makes a number of other amendments to address difficulties identified in the practical operation of the FOI act. At present, the FOI act provides protection against civil or criminal actions that might otherwise arise against officers of agencies who release documents under the FOI act, but the extent of the protection afforded by those provisions is uncertain in cases in which the decision is made to give access to an exempt document or to not delete exempt matter from a copy of a document to which access is granted. The bill amends the FOI act to clarify that the protection from civil and criminal liability afforded to agencies and officers applies even when an agency or officer decides in good faith to not claim that a document is an exempt document or to not delete exempt matter from a document.

Secondly, the bill makes clear that the Information Commissioner and the commissioner's staff cannot be compelled to disclose confidential information obtained under the FOI act, except for the purposes of the FOI act or proceedings arising under or in relation to the FOI act. Currently, the FOI act requires the Information Commissioner and the commissioner's staff to maintain secrecy in respect of confidential information obtained under the FOI act. However, the wording of the provision leaves open the possibility that the commissioner may be required to disclose such information to a court as a result of an action completely unrelated to freedom of information issues. The bill amends the FOI act to ensure that neither the Information Commissioner nor the commissioner's staff can be compelled to disclose confidential information obtained under the act other than for the purposes of the act. At the same time, there may be occasions when the Information Commissioner and the Ombudsman are dealing with complaints in relation to the same, or related, subject matter. The secrecy provision in its present terms prohibits the commissioner or the commissioner's staff from disclosing confidential information obtained under the FOI act, even if it is relevant to the functions of the Ombudsman. The bill amends the FOI act to permit the commissioner or an authorised member of the commissioner's staff to disclose confidential information to the Ombudsman, the Deputy Ombudsman or an authorised member of the Ombudsman's staff if the information concerns a matter relevant to the functions of the Ombudsman.

Thirdly, the bill amends the FOI act to clarify when an agency may regard an access application as having been withdrawn. Specifically, an agency will be permitted to treat an application as having been withdrawn in circumstances in which the applicant has not responded within 30 days to a written request by the agency to consult on an application, to nominate a person to whom access is to be provided, or to collect requested documents. The bill creates a right of review in respect of an agency's decision to treat an application as having been withdrawn. The benefit of the amendment is that it will allow an agency to close the file on an inactive application.

Fourthly, the bill simplifies situations in which an agency may delete exempt matter and matter that may reasonably be regarded as falling outside the ambit of an access application, before providing access to a document. Applicants often seek access to information that is located in documents containing some exempt matter or matter unrelated to the application. The amendments will allow agencies to give access to copies of documents from which irrelevant matter, in addition to exempt matter, has been deleted. Agencies will be required to include in their reasons for decision an explanation of why irrelevant matter has been deleted, just as they are required to do so in relation to the deletion of exempt matter. Applicants' rights of review will continue to apply in respect of decisions to provide access to edited copies of documents.

Fifthly, the bill streamlines the requirements for consultation with officers of agencies prior to the release of documents. The bill removes the requirement on agencies to consult with officers of agencies in relation to the disclosure of personal information that constitutes details prescribed in the regulations for the purposes of subclause 3(3) of schedule 1 of the FOI act. Those prescribed details include the officer's name, qualifications, the position held by the person in the agency, the functions and duties of the officer as described in the officer's job description form and anything done by the officer in the course of performing those functions and duties. Even though personal information of this kind is clearly not exempt under the FOI act, the act presently requires agencies to consult with officers prior to the disclosure of documents containing such personal information about them. These consultations can be very time consuming. The removal of the obligation to consult in relation to personal information of this kind is intended to reduce the workload for agencies in processing access applications and to facilitate the speedy provision of access to documents. An agency will still be required to consult with an officer of the agency if the agency proposes to release any other personal information about the officer.

Finally, the bill makes a number of minor, but nevertheless important, technical amendments to the FOI act. These include amendments to provide that the FOI act does not apply to a person's access to a document if the person can access the document otherwise than under the FOI act; permit an individual who has made an

application to access a document to withdraw the application by giving written notice to the agency; permit an agency to request an individual who has lodged an access application to consult with the agency about the application; require an agency to notify an applicant if the charges for dealing with an access application might exceed \$60 or such greater amount as may be prescribed by the regulations; permit regulations to be made prescribing the refund of an application fee or advance deposit in the event of the withdrawal of an application or the agency refusing to deal with an application; permit an agency to refuse to deal with access applications that are frivolous or made to harass the agency; provide a right of review to a person aggrieved by a decision to give access to a document in a way other than that requested; permit an officer other than the principal officer of the agency to approve the late lodgement of an application for internal review; insert definitions of the terms "nearest relative" and person with a "mental disability" and substitute those terms for the terms "closest relative" and "intellectually handicapped person"; specify that the "principal officer" of a court or tribunal is the officer of the court or tribunal declared by the rules of court or the regulations to be the principal officer, but not a person holding a judicial office or an office the functions of which include judicial functions; and amend references to a number of exempt bodies to reflect their contemporary names.

In conclusion, the amendments contained in this bill are intended to enhance the operation of the Freedom of Information Act as an effective tool in ensuring open and accountable government. It builds on the sound foundation of the present act and will be recognised nationally as best practice in freedom of information legislation. It will further enhance transparency of government decision making, and in respect of this it will complement the provisions of the State Administrative Tribunal Act 2004, which establishes the right of members of the public to obtain written reasons for administrative decisions, and the Public Interest Disclosure Act 2003, which affords protection for whistleblowers. I commend the bill to the house.

Debate adjourned, on motion by **Mr A.J. Simpson**.

HUMAN REPRODUCTIVE TECHNOLOGY AMENDMENT BILL 2007

Introduction and First Reading

Bill introduced, on motion by **Mr J.A. McGinty (Minister for Health)**, and read a first time.

Explanatory memorandum presented by the minister.

Second Reading

MR J.A. MCGINTY (Fremantle - Minister for Health) [12.57 pm]: I move -

That the bill be now read a second time.

The Human Reproductive Technology Amendment Bill will enable more life-saving and cutting-edge medical research to be undertaken by our scientists in Western Australia. The amendments will allow for further improvements in fertility treatments and important medical breakthroughs in the treatment of complex diseases such as motor neurone disease, type 1 diabetes, Huntington's disease and Parkinson's disease. The bill amends the Human Reproductive Technology Act 1991 in respect of the regulation of embryo research and prohibited practices that relate to reproductive technology.

In April 2002, the Council of Australian Governments agreed to develop nationally consistent legislation to regulate human embryo research and ban human cloning. The commonwealth passed the Prohibition of Human Cloning Act 2002 and the Research Involving Human Embryos Act 2002 - the commonwealth acts - and all jurisdictions except the Northern Territory have since enacted complementary legislation. In WA this was done by amending the HRT act in 2004.

In 2005, a committee chaired by the late John Lockhart, AO, QC, a former judge of the Federal Court, reviewed the commonwealth acts and the corresponding state and territory legislation, including the HRT act. The Legislation Review Committee was appointed by the commonwealth minister with the agreement of all the states and territories and included Western Australian Nobel laureate, Professor Barry Marshall. The committee consulted the community extensively in the course of the review through a review website, written submissions, face-to-face meetings with key stakeholders, public hearings and some private meetings - at stakeholders' requests - facilitated stakeholder discussion forums and selected site visits. In addition, the committee reviewed the latest results of focus group and telephone survey research by the Public Awareness Program of Biotechnology Australia, and a literature review - commissioned by the National Health and Medical Research Council on behalf of the Minister for Health and Ageing - of recent scientific and technological advances in human cloning, human embryo research and related matters, including stem cell technologies. As a result of the review, the committee produced a report containing 54 recommendations. I tabled this report on 29 March 2006.

In December 2006 the commonwealth acts were amended by a private member's bill introduced by Senator Kay Patterson to give effect to most of the recommendations of the Lockhart review. The amendments to the commonwealth acts will come into effect on 12 June 2007. The bill amends the HRT act to maintain consistency with the commonwealth acts.

In summary, the amendments: firstly, retain the existing framework in relation to embryos created by fertilisation of human eggs by human sperm. Such embryos can only be created for the purpose of achieving pregnancy in a woman. If at the end of assisted reproductive technology - ART - treatment the embryos are excess to the needs of the people for whom they were created, they can be donated for research. Any use of the excess ART embryos for research will continue to be subject to the strict licensing requirements that are provided in the HRT act.

Secondly, the amendments retain the ban on human cloning for reproductive purposes. Thirdly, they allow for the creation of embryos by means other than fertilisation and the use of those embryos for research. Both the creation and the use of the embryo are subject to the same strict licensing that applies to excess ART embryos. Embryos created by means other than fertilisation cannot be developed by any means for more than 14 days and must not be used for reproductive purposes. Fourthly, the amendments require the tabling of reports prepared by the relevant commonwealth minister regarding the establishment of a national stem cell bank, the establishment of a national register of excess ART embryos that have been donated for research and the feasibility of a national approach to non-blood human tissue based therapies. Fifthly, the amendments require the WA minister to cause a further independent review of the legislation in three years, which may be undertaken as part of the required review of the commonwealth acts.

Research that may be licensed under the bill includes research aimed at improving ART services as well as research into understanding and treating a range of diseases.

Allowing the creation of embryos by methods other than fertilisation would allow the creation of embryos under licence using somatic cell nuclear transfer - SCNT - whereby a cell from a patient, such as a skin cell, is placed into a human egg that has had its nucleus removed. This is sometimes called therapeutic cloning. Embryos created using SCNT can be used as a source of embryonic stem cells that have a specific genetic disease. The stem cells can be used to undertake research about the progression of the disease and also research about the effect of treatment options. This could be helpful in gaining a better understanding of complex diseases such as type I diabetes, motor neurone disease, Huntington's and Parkinson's diseases and genetic disorders such as familial breast cancer. A further potential benefit is the opportunity to screen possible new drug treatments by allowing testing of drugs on stem cells, which are human tissue, with the genetic and molecular characteristics of a particular disease.

Stem cells obtained from an embryo that is a genetic match to a person with a disease also holds the potential for therapeutic application. It is possible that stem cells created with the same genetic make-up as the patient could be directed to form specific types of cells such as nerve cells or muscle cells that can then be reintroduced into the patient to replace damaged tissue without the problem of tissue rejection. Further research is required to investigate the effectiveness and safety of the potential therapeutic application of embryonic stem cells.

The other activities that may be licensed are directed at facilitating research to improve ART treatment. The bill will assist research into freezing human eggs and developing mature eggs from ovarian tissue by allowing testing of the viability of the resulting eggs. A number of women have had ovarian tissue stored prior to undergoing chemotherapy that may destroy their reproductive capacity. If egg cells in the ovarian tissue can be developed to maturity, these eggs could be used to allow those women to have a child that is genetically related to them. Research into infertility caused by diseases in the mitochondria - which is found in the cytoplasm of cells and which does not affect the characteristics of the person - would also be facilitated. Testing of sperm quality by attempting fertilisation of animal eggs could be licensed, as could training and research on human embryos that are not fit for implantation.

As the legislation review committee noted, there is a divergence of views in Australian society about the issues encompassed by this legislation. The committee noted a broad community support for medical research and clinical practice aimed at understanding, preventing or treating disease, and for research and clinical practice aimed at assisting people to have children. In making its recommendations, the committee considered the need to balance the social and moral value that some people in the community attach to the human embryo against the social and moral value that is attached to the treatment of disease and to helping people to have a family. The bill reflects the balance by allowing some research opportunities under rigorous licensing requirements that require the licensing committee to consider the likelihood of significant advances in knowledge or improvements in treatment before a licence authorising the creation or use of an embryo may be granted. The legislation also ensures individual values are recognised by requiring that research can only be conducted where all the parties who provide genetic material to be used in connection with the licensed activity have given informed consent to that use.

Ultimately, this bill extends medical research aimed at saving lives and assisting people to have children. It is both safe and sensible.

I commend the bill to the house.

Debate adjourned, on motion by **Mr T.R. Sprigg**.

**NATIONAL ENVIRONMENT PROTECTION COUNCIL (WESTERN AUSTRALIA) AMENDMENT
BILL 2007**

Introduction and First Reading

Bill introduced, on motion by **Mr D.A. Templeman (Minister for the Environment)**, and read a first time.

Explanatory memorandum presented by the minister.

Second Reading

MR D.A. TEMPLEMAN (Mandurah - Minister for the Environment) [1.06 pm]: I move -

That the bill be now read a second time.

Nationally consistent and effective environmental protection standards are important goals that must be strived for in Australia to address pollution and other environmental issues. Western Australia has contributed, and will continue to contribute, significantly to establishing national environmental protection standards, primarily through its active involvement with the National Environment Protection Council. The National Environment Protection Council is a ministerial body created through the commonwealth National Environment Protection Council Act 1994, and through complementary legislation in all states and territories. This council has the responsibility for making national environment protection measures with the objective of ensuring that the people of Australia enjoy the benefit of equivalent protection from air, water, soil and noise pollution, wherever they live. The council also works to ensure that decisions by businesses are not distorted and that markets are not fragmented by inconsistencies in the adoption or implementation of environmental protection measures across jurisdictions. A service corporation assists the council by providing secretariat, project management and administrative services.

The council has made seven national environment protection measures covering ambient air quality, air toxics, assessment of site contamination, movement of hazardous waste between jurisdictions, a national pollutant inventory, diesel vehicle emissions, and used packaging. The purpose of the National Environment Protection Council (Western Australia) Amendment Bill is to implement nationally agreed minor amendments to the National Environment Protection Council (Western Australia) Act 1996. The amendments contained in the bill will ensure that Western Australia's legislation complies with the 1992 Intergovernmental Agreement on the Environment, in which it was agreed that commonwealth legislative changes affecting the commonwealth National Environment Protection Council Act 1994 would be incorporated into the corresponding legislation in all states and territories.

In 2001 the commonwealth, state and territory acts were reviewed as required by section 64 of the commonwealth act. The review analysed the operation of the legislation to determine the degree to which the objects of the act were being attained. In responding to the review, the council concluded that substantial progress had been made on issues of national environmental protection and that only minor amendments to the legislation, which were highlighted in the review, were needed. These amendments are the establishment of a simplified procedure for implementing minor variations to national environment protection measures, allowing the National Environment Protection Council Service Corporation to provide support and assistance to other ministerial councils, and the introduction of five-yearly reviews of the act. At present, under the Western Australian act, every variation to a national environment protection measure, regardless of its significance, must go through a widespread, resource-demanding consultation and impact assessment procedure. This is appropriate for significant variations, but a streamlined process for minor administrative variations, such as correcting spelling errors and name changes to organisations, will enable changes to be made without a complete revision of the national environment protection measure.

The proposed amendments mean that minor variations could only occur after agreement by the ministers on the National Environment Protection Council. This will enable Western Australia to consider the impact of minor variations before committing to them. Any proposed variations that would substantially alter a national environment protection measure, for example, by changing monitoring procedures, would still require the full statutory public consultation process to be implemented. The establishment of five-yearly reviews will provide an instrument for the National Environment Protection Council's objectives to continue to meet the requirements and expectations of the Australian community.

The third amendment in this bill follows from a review of ministerial councils by the Council of Australian Governments. The result of this review is that the National Environment Protection Council now meets jointly with the Environment Protection and Heritage Council. The new council also deals with environment protection and heritage issues previously dealt with by the Australian and New Zealand Environment and Conservation Council - ANZECC - and the heritage ministers meeting. This amendment confers the legal capacity for the National Environment Protection Council Service Corporation to expand its secretariat and project management services to the Environment Protection and Heritage Council.

The remaining amendments contained in the NEPC (WA) amendment bill are administrative in nature and will have no significant impact on Western Australia. The amendments in this bill have been implemented into commonwealth legislation and mirrored by our state and territory counterparts. I commend this bill to the house.

Debate adjourned, on motion by **Mr A.J. Simpson**.

MEDICAL PRACTITIONERS BILL 2006

Second Reading

Resumed from 27 March.

MR J.A. McGINTY (Fremantle - Minister for Health) [1.12 pm]: When we last debated this matter I sought to adjourn my remarks until the shadow Minister for Health was present because he raised a number of questions during the course of the debate. I would like to be able to deal with those now in closing the second reading debate on this bill. The member for Dawesville raised the question of medical students and their coverage by the legislation. The preliminary report of the review of the Medical Act proposed that medical students should be registered by the board. As a result of a considerable number of responses, the final recommendation in the review was for the primacy of medical schools to be recognised in dealing with a medical student with an impairment that might affect his or her involvement in clinical practice. The review recommended that the board should have a residual role when the dean of the medical school was unable to secure the cooperation of the student in addressing the fact or consequences of an impairment. On referral from the dean, the board may investigate the matter, and it may order the medical examination of the student, and make orders about involvement of the student in clinical activities. This approach has the support of the dean of the medical faculty at the University of Western Australia and the WA Medical Students Society, and is provided for in the bill on that basis.

Dr K.D. Hames: I am not unhappy with that, but it is different from what we did with the dentists, isn't it?

Mr J.A. McGINTY: Yes. As the member and others have observed, there are in respect of medical practitioners some departures from what has been done in other circumstances. It no doubt reflects the relationships that have built up between the various faculties and also the strength of the bodies that represent them. That was the outcome of those deliberations and it is now reflected in the bill.

A question was also raised about ownership of medical practices. The approach that has been taken in the bill is to require anybody employing medical practitioners to notify the board. There is also the possibility that a corporate provider could be prohibited from involvement in providing health services if convicted of offences relating to unduly influencing the clinical practice of medical practitioners. I think this adequately addresses concerns about the possibility of non-medical interference in clinical decision-making, which I think is the real issue. The member is, again, quite right; this is different from what has been adopted with, for instance, pharmacies, because a pharmacist can own a medical practice but not vice versa. Again, it has its own history and perhaps its own justification.

Dr K.D. Hames: I do not think there is a justification, just a history.

Mr J.A. McGINTY: There is certainly a history, let us put it that way.

The third issue raised was the investigation of public sector medical practitioners by the board. Public sector staff can and do refer concerns about medical practitioners employed in the public sector to the Medical Board for investigation and that will remain the case.

Dr K.D. Hames: There was a particular case where it did not happen. What is different about this legislation that will make it happen this time when it did not happen last time?

Mr J.A. McGINTY: If in a particular case someone is not reported to the board, the issue is whether there is the capacity to do that.

Dr K.D. Hames: In the other case, the doctor in question was referred to the board but the board did not take any action because it was not required to do so. The board had no evidence of improper behaviour. I do not know whether the minister had a look at that case.

Mr J.A. McGINTY: I did not have the opportunity. Again, it is something that we can look at when we come to consideration in detail.

The next issue that was raised related to advertising. The Medical Rules 1987 were recently amended, for which I am grateful, in response to a request from the Medical Board to remove the overly restrictive regulation of advertising. The rules currently reflect the position that is provided for in the bill. The rules no longer deal with issues such as the size of nameplates and details of format of advertising, but focus on the content of any advertising to ensure that advertising is accurate and supported by scientific evidence. A similar issue has been raised in the context of legal practitioners advertising their services. My impression is that there is a greater

capacity for legal practitioners to advertise their area of operation than for medical practitioners, but it would require detailed consideration. I cannot see why there should be restrictions, quite frankly.

Dr K.D. Hames: I do not either, but what concerns me are those outside the medical field. I wonder what you, as Minister for Health, could or should do in terms of the plethora of alternative medical products, some of which I agree with and support. They claim everything from curing cancer to raising the dead almost. I wonder whether there should also be requirements in that area in some other forum, not this legislation, to look at the requirement for scientific evidence to support a product relating to health.

Mr J.A. McGINTY: That is probably beyond the scope of this bill.

Dr K.D. Hames: It is; it is a long way beyond it.

Mr J.A. McGINTY: To the extent that people - whether a Filipino faith healer, to which the member for Roe referred, or to anyone practising alternative medicine - are thought to be or are purported to be practising medicine, they will be caught by the ambit of this legislation.

Dr K.D. Hames: Yes, but they are not, and that is what I am saying. This is not something that has to do with this legislation; I am just suggesting at this opportunity that it is something the minister could consider at some stage down the track. People are being duped by alternative medicines that have no scientific basis or evidence to support them. There are strong and strict controls over the medical and dental professions in what they are allowed to say. For example, it is illegal to advertise food products as low cholesterol without proof that the cholesterol level is low. However, these alternative medicines seem to be proliferating and a huge amount of money is spent on them. Some of them are proving to be dangerous if they are not properly managed and doses are incorrect.

Mr J.A. McGINTY: Yes, that is undoubtedly correct. One of the opportunities this house will have to debate that matter further will be in the second half of the year when I anticipate introducing a traditional Chinese medicine regulation bill. Part of the impetus for the bill was a number of claims that there is some risk to the public from people who are not appropriately qualified practitioners of those supposedly traditional skills.

Dr K.D. Hames: You are right, and I have looked at that over a number of years, but it is not just Chinese medicine.

Mr J.A. McGINTY: No, it is far wider than that. I just said that as one manifestation.

Dr K.D. Hames: The seed from the flower of the southern cactus is suddenly a great cure for cancer. People say that it cures cancer, so everyone buys it.

Mr J.A. McGINTY: Given the member for Roe's infatuation with Filipino faith healers, maybe he would be interested in that one as well!

The next issue that was raised was the impairment review committees. All the health practitioner legislation has provision for the separation of impairment and disciplinary matters. All provide for the relevant board to establish an impairment review committee. There is nothing unusual about this legislation. In my discussion with the chair and members of the board, they certainly welcome this measure, but it is standard to all the health practitioner bills.

The next issue raised was urgent action in respect of impaired practitioners. There is capacity for the Medical Board to make an interim order to immediately suspend a medical practitioner or prohibit him or her from carrying out a particular activity if there is a risk of imminent injury or harm to the physical and mental health of any person. Such an order can be made without further inquiry by the board. In most cases, such as the doctor being too affected by drugs or alcohol to practise safely, this would be a last resort if staff or hospital administrators are otherwise unable to deal satisfactorily with the immediate problem through their own procedures. That most probably touches a little on the point we were discussing a few minutes ago.

Dr K.D. Hames: Hospitals have the power, don't they, to immediately stop a doctor from operating if they suspect there is a problem?

Mr J.A. McGINTY: Yes, totally, and it is to be expected that hospital administrators, senior medical staff and even peers would take that action without reference to the board. Only if they have found themselves incapable of controlling someone who was not capable of performing, a reference to the board could be used as a formal legal mechanism to stop that medical practitioner from operating.

The next issue that was raised was national registration for health practitioners. The notes I have been provided with say that the passage of the majority of the health practitioner legislation predated the Council of Australian Governments' decision about a national registration scheme for health practitioners, and followed a lengthy process of review and consultation on existing legislation. Transition to a national scheme will be assisted by the standardised approach that has now been adopted to health practitioner legislation in Western Australia. Although the original COAG agreement was for a single registration authority that would cover all health

practitioner groups, recent comments suggest that this may be revised to provide for separate bodies for each of the professional groups. A number of other issues about the implementation of a national scheme have not been resolved, including how complaints about practitioners would be handled in the states and territories. The bill reflects the government's commitment to implementing the recommendations arising from the review of the Medical Act 1894 and has been progressed to cover the possibility of delays in the commencement of the national scheme. Other states and territories are also continuing to work on their current legislation reform programs in respect of health practitioner regulation as well as providing support for the COAG reform agenda. Following representations from, among others, the Australian Medical Association and some of the other peak bodies representing the different health professional groups, it is my view that the best arrangement is that each of the state-based registration schemes that are now set up and regarded as very good in WA could feed into a national database with reciprocal rights of practice, but that registration be retained at the state level. If that were done - I think this is consistent with the view put by the member for Dawesville yesterday - it would honour the intention of saying that if the doctor is registered in Queensland, he or she should be able to practise in Western Australia and vice versa.

Dr K.D. Hames: Isn't that covered under the mutual recognition legislation now?

Mr J.A. McGINTY: To a degree, it is.

Dr K.D. Hames: So what does it offer that we don't already have?

Mr J.A. McGINTY: That, I think, is the issue. There is a commitment from the Prime Minister and each of the Premiers to move towards a more national approach. I personally would not support the state moving out of this field, and I think the opposition and the government are of similar minds on this. The details are still evolving. I have a health ministers' meeting in Melbourne on Friday, where this will no doubt be subject to further consideration.

Dr K.D. Hames: My understanding is that the Premier has at that COAG meeting supported the concept of a national registration scheme.

Mr J.A. McGINTY: That is right. That scheme might apply through greater liaison between each of the state registering bodies, with each of those feeding into one national super-register with the registration functions remaining at a state level. That would satisfy what the Premier, the Prime Minister and others have signed up to.

Dr K.D. Hames: I don't think that's what the commonwealth is talking about. It is talking about a national medical registration board, with no state boards.

Mr J.A. McGINTY: I think the member will find that the commonwealth is now changing its view on that as a result of significant input. If the commonwealth is changing its view, I support that change of view.

Dr K.D. Hames: I hope you'll get into the Premier's ear and tell him that you and this state are strongly opposed to any concept of a national register without state registration boards. The Premier asks us to support you guys enough times on issues related to the commonwealth. This is one area where we need to make sure that the Premier understands that when he goes over there trying to push them around.

Mr J.A. McGINTY: I would put that somewhat differently. I think there is a way in which the Premier can more effectively implement the COAG undertaking; that is, by retaining registration at a state level feeding into a national database or register, but with the registration and disciplinary functions remaining at the state level. That is what I have discussed with the AMA, the Pharmaceutical Council, the Australian Dental Association and one other.

Dr K.D. Hames: It would be okay as long as doctors did not then have to pay significant extra dollars to cover the cost of running a national registration system.

Mr J.A. McGINTY: Those details remained to be resolved, but I am pleased to see that the federal government seems to be rethinking its position on this, and I am at one with it on that rethink.

Dr G.G. Jacobs: As I said in my second reading contribution, I am most concerned that there is a case for Western Australia during its own homework when it comes to registration of medical practitioners. It should not assume that, because the practitioner is registered in Queensland, for instance, it is automatically okay for us. There is an argument that having both the national as well as a Western Australian register will enable checks and balances to be applied. There will be two ways of making sure that nothing falls between the cracks. More and more we hear about issues of negligent practice, such as the Queensland experience of a surgeon with a past history of negligent and poor outcomes who somehow escaped scrutiny in the appropriate registration process. As the member for Dawesville said, we do not want to get copped with two registration fees - one national and one Western Australian - although the board registration fees are not enormous. To be a member of the Australian Medical Association costs \$880 or something like that. To be a registered medical practitioner with the Medical Board costs about \$50, isn't it?

Dr K.D. Hames: I can't remember.

Dr G.G. Jacobs: Those registration costs wouldn't break the bank in any case, but I think there is a view perhaps that two registration jurisdictions would not be a bad thing.

Mr J.A. McGINTY: There is a problem with the current system. The member for Dawesville will remember the case of Dr Wahu; I think that was his name. When he wished to come and work in Western Australia, the Medical Practitioners Board of Victoria wrote and said that it had nothing on record against that man. What the board did not tell us was that it was currently conducting an investigation, and he had left the state while that investigation was taking place. In my view, the Medical Practitioners Board of Victoria was negligent in not giving a full description of the circumstances of that doctor. As it turned out, as soon as the matter was brought to the attention of the Medical Board of WA, it responded tremendously, very appropriately and expeditiously, and suspended his conditional registration in this state. The Medical Board of WA granted him that on the basis of the information from the Medical Practitioners Board of Victoria being no doubt technically correct but also being highly misleading. We must get the medical boards to integrate their work far more than is currently the case. I suspect that if we can retain state registration but have some greater integration at a national level, there might be more checks and balances involved in that and a more efficient system.

My view is that if a person has graduated from the medical school at the University of Western Australia and he wants to practise in Queensland - doctors are highly mobile - there should not be any restriction on his doing that. If a person is sufficiently competent to work in this state, he should be sufficiently competent to work in any state, provided all the background information is shared between the different medical boards. It did not occur in that case. A similar situation arose recently with nurses from Zimbabwe, who had forged documentation, registered in South Australia. In dealing with that issue, there was a need to make sure that it was properly investigated and dealt with on a national basis, again because of the mobility of nurses. That is an issue, and national registration is currently a moveable feast; that would be the best way to describe it.

The member for Avon spoke about conditionally registered practitioners working in rural and remote areas. I provide this information: following the passage of the bill, the Western Australian Centre for Remote and Rural Medicine will continue its important role in providing support, supervision and mentoring for overseas-trained doctors working in rural and remote areas. Conditions on registration will also be monitored by the Medical Board. If a conditionally registered medical practitioner wanted to transfer to another state or territory, he or she would need to apply to the relevant board for that registration.

The other matter to which I should refer is that the member for Roe raised the question of a specialist medical tribunal. The review of the Medical Act proposed that a new medical tribunal be established to deal with more serious disciplinary matters. This was intended to address concerns about the board performing potentially conflicting roles in investigating, prosecuting and adjudicating the outcome of more serious complaints. When the State Administrative Tribunal was established, the Medical Act was amended to provide that the State Administrative Tribunal, rather than a separate medical tribunal, would take on the role of hearing more serious matters. This approach has been continued in this bill, and the powers and composition of SAT when hearing matters under the bill reflect the recommendations contained in the review. Therefore, I think we have achieved that outcome by using the State Administrative Tribunal.

Dr G.G. Jacobs: The State Administrative Tribunal has, if you like, some appropriate medical input; is that what you are saying?

Mr J.A. McGINTY: Yes. From memory, two of the four members who would sit to deal with any serious disciplinary matter involving a medical practitioner would be medical practitioners. I am fairly sure that the chair is required to be a judicial member. Again, the provisions for the disciplining of medical practitioners are different from those for any of the other health professionals who are also disciplined in serious cases by the State Administrative Tribunal. The feedback I have from Con Michael and other members of the Medical Board is that the new arrangements are working well, whereas previously the Medical Board was burdened and running into financial problems as a result of the onerous workload that existed. I have the sense now that they are happy with the new arrangements of allowing the board to intervene quickly in minor disciplinary matters but referring major disciplinary matters to an independent tribunal.

Dr K.D. Hames: I think it also placed a fairly severe emotional burden on those on the board, because often people like Con Michael, who is very well respected and who has a big circle of friends and acquaintances within the medical profession, would have to make decisions on the future careers of other doctors. Therefore, separating it like that, I think, has worked well.

Mr J.A. McGINTY: I think that is another benefit that has flowed from it, yes.

Dr G.G. Jacobs: There would not be a medical practitioner who would not know of Con Michael and whom Con Michael would not know of.

Mr J.A. McGINTY: Yes, that is right.

Dr K.D. Hames: He delivered half our children.

Mr J.A. McGINTY: Yes. He is a very great contributor, I must say, to the state. There must be something strong in the genes of that family.

The member for Roe also raised the committee structure. The bill provides for the establishment of committees to undertake the preliminary investigative work in respect of complaints and to report to the board with recommendations. Rather than making the process more tortuous, it is intended to provide a more flexible and efficient mechanism for dealing with complaints, while ensuring procedural fairness.

I believe that covers most of the matters that were raised. I think we can cover any others in consideration in detail, when we come to it, which will not be now.

Question put and passed.

Bill read a second time.

PUBLIC TRUSTEE AND TRUSTEE COMPANIES LEGISLATION AMENDMENT BILL 2006

Consideration in Detail

Clauses 1 to 4 put and passed.

Clause 5: Section 1A inserted -

Ms S.E. WALKER: Is the object of the act as outlined in proposed section 1A any different from the current object of the act?

Mr J.A. McGINTY: I am told there is currently no objects clause in the act. This clause inserts a new section 1A, headed "Object" -

The object of this Act is to provide community services in respect of trusts, estates and related matters.

The purpose of this proposed new section is to add to people's understanding of the services that are provided by the Public Trustee.

Clause put and passed.

Clause 6: Section 2 amended -

Ms S.E. WALKER: This clause will amend section 2 of the act by inserting a number of definitions. One of those definitions is "client". Does the act currently contain a definition of client?

Mr J.A. McGINTY: The act currently contains no definition of client. This no doubt reflects the relative age of this legislation and the fact that it does not appear to have been properly reviewed over time. I am told that paragraphs (a) to (g) of the definition of client describe the kinds of people on whose behalf the Public Trustee may provide services. The proposed definition is somewhat broader than the current conception of client, because a number of additional services will now be provided by the Public Trustee.

Ms S.E. WALKER: Who are the current clients of the Public Trust Office? What additional categories of client are envisaged?

Mr J.A. McGINTY: I am told that two examples of clients of the Public Trustee are contained in paragraphs (f) and (g) of the definition; namely, a person who has appointed the Public Trustee to act as the person's agent, or a member of a class of persons prescribed by the regulations. It is envisaged that, depending upon the nature of the new services that will be provided to the community by the Public Trustee, people in addition to those listed in paragraphs (a) to (g) may also be included.

Ms S.E. WALKER: There is currently no class of persons prescribed by the regulations. Therefore, we do not know who those persons may be.

Mr J.A. McGINTY: It will depend upon the nature of the new services that the Public Trustee will be providing.

Ms S.E. Walker: What types of new services are envisaged?

Mr J.A. McGINTY: That will be contained in the annual agreement between the Attorney General and the Public Trustee. At this stage, because the legislation has not been passed, there is obviously no annual agreement. Therefore, it would be speculative to answer that question at this stage.

Ms S.E. WALKER: The Attorney General has brought in this bill, but we do not know what services the Public Trustee will be providing.

Mr J.A. McGINTY: Yesterday, I described a range of services, particularly on the investment front, that the Public Trustee cannot currently provide but that it is intended the Public Trustee will provide in the future. The provision of investment services is a fairly important part of the functions of the Public Trustee. A range of

services that are not currently being provided will be able to be provided under the more expansive framework that is proposed in this legislation.

Ms S.E. WALKER: There is no list of the range of services that may be provided.

Mr J.A. McGINTY: That is because that is speculative at this stage. The Public Trustee gave a briefing to members on the sorts of services that he envisages will be provided.

Ms S.E. WALKER: I am asking for the sake of the public record.

Mr J.A. McGINTY: I do not have a list.

Ms S.E. WALKER: Perhaps the Public Trustee could answer that question. I want the Attorney General to put on the public record, because it is not before the Parliament, what new services the Public Trustee may be providing to Western Australians. It is proposed in this bill to expand the range of services that may be provided by the Public Trustee. However, we do not know what that range of services will be. We also do not know who the clients may be, because a client may be a member of a class of persons prescribed by the regulations, but as yet we know nothing about the regulations. What is the possible range of services that may be provided by the Public Trustee?

Mr J.A. McGINTY: I am advised that the services are estate planning, financial planning, investment management and deceased estate services.

Ms S.E. WALKER: Does that mean that the Public Trustee will be competing with the private sector in the provision of these services?

Mr J.A. McGINTY: To some degree the Public Trustee already competes with other providers of trustee services.

Ms S.E. Walker: In what way?

Mr J.A. McGINTY: The drafting of wills, to give one simple example, and all the other services that are provided at the moment, which I understand the member has been briefed on.

Ms S.E. WALKER: It does not matter whether I have been briefed, Attorney General. I want to get this on the public record. Is it intended under this legislation that the Public Trust Office will do further forays and compete with the private sector in providing services that other trustee companies and insurance companies are currently providing?

Mr J.A. McGINTY: The pejorative language used by the member is not something that I would agree with.

Ms S.E. Walker: Which part of my language was pejorative?

Mr J.A. McGINTY: "Forays" is one example.

Ms S.E. WALKER: Come on, Attorney! The Attorney General may have read three long second reading speeches this morning, but he is very testy. I want to get this on the public record, because there is an important philosophical shift in this legislation in relation to the moneys of vulnerable people. A lot of money is at stake. I presume the Attorney General has not read the KPMG report on the Public Trust Office. That report refers to the relationship between the private sector and the Public Trust Office. I am asking a simple question about whether the Public Trust Office will be extending further the range of services that it provides and thereby drawing upon the same client base as the private sector.

Mr J.A. McGINTY: The extension of services in the areas that I have indicated is substantially in response to the request of existing clients who want to access these types of services. Certainly, the provision of expanded investment services is at the request of existing clients who believe they are not getting the return on their investments that they should be getting. In each of those areas it would be for the same clients. Given the expanded range of available services and the more attractive basis upon which they can be offered, I expect the client base may well be expanded.

Ms S.E. WALKER: Is it true that the government has introduced this bill not just for existing clients? Is estate planning already done by the Public Trust Office?

Mr J.A. McGinty: Only for people for whom the Public Trustee is the executor. There is a demand to also provide that service for people for whom the Public Trustee is not the executor.

Ms S.E. WALKER: The Attorney General mentioned demand. How many people have asked for that?

Mr J.A. McGinty: I do not know.

Ms S.E. WALKER: The Public Trustee is sitting next to the Attorney General.

Mr J.A. McGinty: I do not know the answer to that.

Ms S.E. WALKER: Is the Attorney General saying that he did not know that the Public Trustee was sitting next to him?

Mr J.A. McGinty: You asked me how many people have made that demand. I do not know the answer to that.

Ms S.E. WALKER: I am asking the Attorney General to ask his advisor.

Mr J.A. McGinty: I could ask, but I have already given you the answer.

Ms S.E. WALKER: The Attorney General is not going to ask the Public Trustee?

Mr J.A. McGinty: I have given you the answer.

Ms S.E. WALKER: The Attorney General said that the government has introduced this legislation because of demand. What is the demand? I overheard the Public Trustee say that he does not have the statistics.

Mr J.A. McGinty: That was the initial answer I gave you.

Ms S.E. WALKER: No, the Attorney General said that he did not have the answer.

Mr J.A. McGINTY: I move -

Page 4, lines 19 and 20 - To delete the lines and substitute -

“Common Account” means the account established and continued under section 39A(1).

Ms S.E. WALKER: This amendment seeks to delete the word “fund”. I want to establish that the common fund and common account are one and the same. The annual report of the Public Trust Office refers to common fund. It is generally known as the common fund, but in the act it is known as the common account. Is that why the amendment has been moved?

Mr J.A. McGINTY: As a result of the commencement of the Financial Management Act 2006, it is necessary to amend the Public Trustee and Trustee Companies Legislation Amendment Bill 2006. These amendments have no effect on the purpose and intent of the changes to the Public Trustee Act 1941. The amendments flow from the requirements of the new Financial Management Act 2006 that apply to a number of related pieces of legislation, including the Public Trustee Act. The amendments are essentially of a technical nature involving minor drafting amendments that change the terminology from “fund” to “account” and the substitution of the new Financial Management Act 2006 for the repealed Financial Administration and Audit Act 1985. Specifically, in respect of clause 6, these changes are required to ensure consistency with the terminology used in the Financial Management Act 2006. The changes will delete the words “common fund” and replace them with “common account”, which means the account established and continued under section 39A(1); define the word “fund” to be the common account for strategic common account; and define “strategic common account” as an account established under section 39B(1) in place of a fund established under section 39B(1).

Ms S.E. WALKER: I am aware of the changes that came about as a result of the Financial Management Act. Page 65 of the 2005-06 Public Trustee annual report refers to investments in loans and investments in the common fund. Is that the same as the common account?

Mr J.A. McGinty: Yes, it is.

The ACTING SPEAKER (Mr A.P. O’Gorman): The question is that -

Ms S.E. WALKER: Attorney General -

The ACTING SPEAKER (Mr A.P. O’Gorman): The member for Nedlands does not have the call because she sat down.

Dr K.D. HAMES: I think the member for Nedlands would like to ask something else.

Ms S.E. WALKER: Is the common fund that is referred to at page 65 of the 2005-06 annual report the same as the common account that under section 42 of the Public Trustee Act 1941 is guaranteed by the state?

Mr J.A. McGinty: Yes, that is right.

Amendment put and passed.

Mr J.A. McGINTY: I move -

Page 4, lines 23 and 24 - To delete the lines and substitute -

“Fund” means the Common Account or a strategic common account.

Amendment put and passed.

Mr J.A. McGINTY: I move -

Page 4, lines 27 and 28 - To delete the lines and substitute -

“strategic common account” means an account established under section 39B(1).

Amendment put and passed.

Clause, as amended, put and passed.

Clause 7: Section 3 amended -

Ms S.E. WALKER: Can the Attorney General explain why the government is repealing section 3(2) of the principal act?

Mr J.A. McGINTY: Parliamentary Counsel's Office suggested this change to simply modernise the Public Trustee Act. Schedule 1 shows the extent to which the acts set out therein have been repealed or amended. Those acts are therefore simply no longer relevant to the operation of this act.

Ms S.E. Walker: What are the acts? Are you referring to acts that existed prior to the Public Trust Act coming into being? Why are those being repealed in the schedule? Is there reference to the Lunacy Act?

Mr J.A. McGINTY: Yes, the Lunacy Act is included in the schedule.

Ms S.E. Walker: Why are the Mental Treatment Act and the Curator of Intestate Estates Act being removed?

Mr J.A. McGINTY: My understanding is that they have all been repealed. We want to modernise the legislation.

Ms S.E. WALKER: Is it not an historical record?

Mr J.A. McGINTY: They are no longer of any relevance; therefore, we do not want a provision in the act that does not have any meaning.

Ms S.E. Walker: When I did some research I decided that it had meaning because it underpins why the act came into being in the first place.

Mr J.A. McGINTY: Parliamentary Counsel decided that it was a redundant provision.

Clause put and passed.

Clause 8 put and passed.

Clause 9: Section 4 amended -

Ms S.E. WALKER: I am pleased that the Attorney General has put this provision in the bill. It states -

The Public Trustee is an agent of the Crown in right of the State and enjoys the status, immunities and privileges of the Crown.

Can the Attorney General tell me why he has included that provision?

Mr J.A. McGINTY: There are a number of reasons; for instance, the liability to pay certain taxes and things of that nature that flow from the status of the organisation and whether it is -

Debate interrupted, pursuant to standing orders.

QUESTIONS WITHOUT NOTICE**AUDITOR GENERAL'S REPORT - PUBLIC SECTOR PERFORMANCE****101. Mr P.W. ANDREWS to the Premier:**

Can the Premier please respond to the Auditor General's report on public sector performance in relation to public sector management?

Mr A.J. CARPENTER replied:

Sorry, Mr Speaker; I was caught off guard.

The SPEAKER: It was a question without notice, Premier!

Mr A.J. CARPENTER: Yes, it was.

I thank the member for Southern River for the question; it was very kind of him. The Auditor General's report on public sector performance has been presented today. The report has made some interesting and challenging findings, and the government needs to meet those challenges. The Department of the Premier and Cabinet worked closely with the Office of the Auditor General during the audit. At the same time, an Auditor General's officer seconded to the Department of the Premier and Cabinet undertook a review of the chief executive officer performance agreement framework and process, which is to be presented imminently to the Director General of the Department of the Premier and Cabinet.

Many of the findings in the report have been addressed as part of the DPC review, and I will go through some of those findings. The first finding was that performance agreements do not require measurable criteria and few contain them. The government's response to that finding is that a range of improvements will be incorporated into CEO performance agreements from 2007-08. This will include the need to report on the achievement of targets contained in agency resource agreements established as part of the budget process. Another finding was

that performance agreements are signed midyear. The response is that the time frames for issuing and completing performance agreements have been reviewed and will be amended for future agreements. The next finding was that arrangements do not apply to acting CEOs. The response is that legal advice has confirmed that acting CEOs are not required to enter into performance agreements. Regardless, this requirement will be introduced from 2007-08. The next finding in the report is that the Department of the Premier and Cabinet's oversight is limited and will not identify the lack of targets or the lack of quantitative data to support assessments. The response is that the review of the CEO performance agreement framework and process initiated by DPC has identified a range of improvements to address this finding. Action has commenced to incorporate those improvements into performance agreements from 2007-08.

DEPARTMENT OF HOUSING AND WORKS - ALAN PIPER CONSULTING

102. Mr T. BUSWELL to the Minister for Housing and Works:

- (1) Can the minister confirm that in October last year the Department of Housing and Works engaged Alan Piper Consulting to conduct an internal strategic review?
- (2) Can she confirm that the contract awarded to Mr Piper was worth more than \$80 000?
- (3) Can she confirm that this is the same Alan Piper to whom her government gave a management-initiated retirement payment worth \$276 000 when he was forced out of the position of Director General of the Department of Justice?
- (4) Why has the minister given a plum government contract to a failed former bureaucrat who oversaw a series of fiascos in the Department of Justice?

Mrs M.H. ROBERTS replied:

I thank the member for the question.

- (1)-(4) Yes, I can confirm that the member is correct; Alan Piper was awarded a contract.

With regard to his being awarded a contract, I understand that a tender process was undertaken by the department. It was not a matter of our government or cabinet appointing Alan Piper to any position or awarding him or his company a contract.

Several members interjected.

The SPEAKER: I call the Leader of the Opposition and the Deputy Leader of the Opposition to order.

Mrs M.H. ROBERTS: I understand that the department ran an open tender process and that Alan Piper was the successful tenderer.

Mr T. Buswell: Is that like the ones in education?

Mrs M.H. ROBERTS: If the Deputy Leader of the Opposition is suggesting that anything improper has gone on here, he is quite wrong. The fact of the matter is that there was work to be tendered for, and the proposal and the price obviously stacked up as the best tender. Those people who were in a position to award the tender awarded it to Mr Piper.

DEPARTMENT OF HOUSING AND WORKS - ALAN PIPER CONSULTING

103. Mr T. BUSWELL to the Minister for Housing and Works:

As a supplementary question, what is the purpose of this internal strategic review?

Mrs M.H. ROBERTS replied:

I understand that the contract awarded to Mr Piper involved a range of technical matters, including matters that he and whomever he is in partnership with had expertise in.

Mr T. Buswell interjected.

The SPEAKER: Order, member!

Mrs M.H. ROBERTS: It is not something that I initiated. I understand that it was initiated by the director general of the department. It is for departmental purposes.

Mr T. Buswell: What a wishy-washy answer!

Mrs M.H. ROBERTS: I am sorry, but it happens -

Several members interjected.

The SPEAKER: I call to order the members for Darling Range and Vasse.

Mrs M.H. ROBERTS: It was not a matter of my choice; it was a matter of a fair and open tender process. He won the tender.

DEPARTMENT OF HEALTH - ALAN PIPER CONSULTING

104. Dr K.D. HAMES to the Minister for Health:

- (1) Can the minister confirm that one week ago the Department of Health engaged Alan Piper Consulting to provide it with strategic business services?
- (2) Can he confirm that the contract awarded to Mr Piper was worth \$99 000 for a six-month contract and that no other potential suppliers provided tenders for this contract?
- (3) Can he confirm that this is the same Alan Piper to whom his government gave a management-initiated retirement package worth \$276 000 when he was forced out of the position of Director General of the Department of Justice?
- (4) Why has the minister given another plum government contract to a failed former bureaucrat who oversaw a series of fiascos in the Department of Justice?

Mr J.A. McGINTY replied:

- (1)-(4) No, I cannot confirm that. I am aware that Mr Piper has been engaged to work on the information technology development program at the Department of Health, but I cannot confirm the details to which the member has referred.

DEPARTMENT OF HEALTH - ALAN PIPER CONSULTING

105. Dr K.D. HAMES to the Minister for Health:

As a supplementary question, what strategic business services would Mr Alan Piper and his firm have the ability to provide?

Mr J.A. McGINTY replied:

As I have said, I am unable to provide details of that matter.

Several members interjected.

The SPEAKER: I call to order the Deputy Leader of the Opposition for the third time, and the member for Dawesville.

RESOURCES SECTOR EXPANSION - BHP BILLITON LTD

106. Mr S.R. HILL to the Premier:

Can the Premier please advise the house of the latest major expansion of Western Australia's resources sector?

Mr A.J. CARPENTER replied:

I thank the member for Geraldton for the question. Last Friday, BHP Billiton Ltd announced a major capacity expansion of its Western Australian iron ore operations. BHP Billiton has approved the rapid growth of project 4, which will increase its iron ore operation capacity to 155 million tonnes per annum. BHP Billiton will contribute approximately \$2.3 billion for its share of the project. Initial production is expected to commence in the first half of 2010. Obviously, it is very good news for BHP Billiton and its shareholders. It is also astoundingly good news for Western Australia, and the Pilbara in particular, because of the business opportunities and additional infrastructure that will be provided. Given that the Western Australian economy is going so well, it was quite remarkable that an announcement of this magnitude barely created a ripple. There was coverage in the financial pages and I think there may have been some minor coverage in the electronic media. There was very little coverage of a \$2.3 billion expansion program, whereas in earlier times in Western Australia the fact that an expansion of that magnitude was taking place in this state would have been a huge story. It speaks volumes for the state of Western Australia at the moment, in that there is so much activity going on, so much expansion and so much economic strength, that a project of that size created a relatively small reaction.

Since we came to government, investment and confidence in the Western Australian economy has gone through the roof. It has gone from a \$73 billion economy to an economy approaching \$125 to \$130 billion. Very few other places in the world could match that sort of growth. In the December quarter of 2000, capital expenditure across all industries in WA was \$1.3 billion, 12 per cent of the total of such investment in Australia. In the December quarter of 2006, capital expenditure across industries in Western Australia was \$4.6 billion, 25 per cent of the total of such investment in Australia. Mining investment in WA in 2000 was \$2.6 billion, 43 per cent of total mining investment for Australia. At the end of 2006, mining investment in WA was \$8.2 billion, 61 per cent of the total mining investment for Australia. Those figures speak for themselves. They are a great reminder of the wonderful economic times that we are enjoying in this state, thanks in part - not totally - to the efforts of this government in applying itself to resolving issues of infrastructure, procedural matters, approval processes and so on.

Mr C.J. Barnett interjected.

Mr A.J. CARPENTER: It is timely that in a discussion on the resources sector, we have an interjection from the member for Cottesloe. Yesterday in this chamber during a debate about uranium mining, I asked the member for Cottesloe whether he had indicated previously that Western Australia should be a nuclear waste dump site. He categorically said no, he had not done that. I said that I was pretty sure he had, so I would check the records to determine whether what he had just told the chamber was true or false. It did not take long to find out. According to my notes, on 23 January 2002, on ABC radio, the member for Cottesloe stated, in relation to this very subject, that Western Australia does not produce uranium at the moment but there are significant uranium reserves in Australia. He said, "I think it's inevitable at some stage there'll be uranium mining in Western Australia and I think as part of that, as part of Australia - indeed, as part of the world community - any country which either produces or uses uranium in significant amounts has a shared responsibility for the storage and ultimate disposal of the waste products." That is a pretty unequivocal statement that if we mine and export uranium, we have to receive the waste. I wondered whether the statement made by the member for Cottesloe in Parliament yesterday was deliberately false or just a memory lapse. There are numerous other examples of where this member produces stunning memory lapses in exchanges across the floor and in general debate. It is worth noting that that is the case, because there are probably people on his own side of the chamber who understand perfectly well that it is a common characteristic for the member for Cottesloe to behave in that way. When he describes his own members of Parliament as petty crims and underachievers, it speaks volumes for the nature of the person indulging in the debate. Which category does the member for Vasse fit into - petty crims or underachievers? Is the member for Cottesloe denying he made that comment? I can spend a lot of time quoting examples where the member for Cottesloe makes statements and denies point blank that he has made them, and not just about people on this side. Yesterday he accused Dr Gallop of lying.

Several members interjected.

Mr T. Buswell: A bit shaky, are we?

Mr A.J. CARPENTER: Mr Speaker, I think there is a design fault in the new seating arrangements; I lost my balance.

The member for Cottesloe accused Dr Gallop of lying about the power provided for the desalination project. Does he stand by that project as well?

Mr C.J. Barnett: Dr Gallop told the people of Western Australia that a desalination plant would be powered by wind. Is it? No. It is a general contract on baseload fossil fuel.

Mr A.J. CARPENTER: A trail of contracts demonstrates that what Dr Gallop said was perfectly correct. I find it offensive that this member makes those sorts of remarks about the previous Premier. I am certain that the members of his own side who hear him describe them as petty crims and underachievers do not find that very amusing either.

Mr C.J. Barnett: Who's that?

Mr A.J. CARPENTER: The member has said that; he knows that. He has said it numerous times. Anyway, we are enjoying great times. The resource industry in Western Australia -

Mr C.J. Barnett: Can you substantiate that, Premier, or will you apologise?

Mr A.J. CARPENTER: I have substantiated the comments I have made. I will leave it to the members in the chamber, knowing the track record of the member for Cottesloe, and after he demonstrably misled Parliament yesterday about whether he said that Western Australia should become the site for a nuclear waste facility -

Mr C.J. Barnett: Never.

Mr A.J. CARPENTER: He did. I will leave it to members on his own side to make a judgement as to whether he is telling the truth now or whether I am telling the truth.

OVERSEAS-TRAINED TEACHERS - CHANEL DE KLERK

107. **Mr G. WOODHAMS to the Minister for Education and Training:**

I refer to the much-reported teacher shortages in schools across rural Western Australia and the government's registration process for overseas teachers.

- (1) Can the minister explain why South African-trained teacher Chanel De Klerk has not been issued with a Department of Education and Training employee number after beginning the registration process last November?
- (2) Can the minister explain why Ms De Klerk was advised it would take eight weeks to assess her application for an employee number before she would be eligible to complete the required orientation program and 10-day practical assessment?

- (3) Will the minister concede that the registration process for overseas-trained teachers, which involves both the department and the Western Australian College of Teaching, needs to be streamlined to avoid such lengthy delays for suitable teachers?
- (4) Given that Ms De Klerk notified the department of her wish to teach in a regional school and the desperate need for teachers, how can the minister justify this situation?

Mr M. McGOWAN replied:

I thank the member for Greenough for his question.

- (1) Ms De Klerk's application for employment with DET was received by the department on 12 February 2007. There is not as great a need for early childhood teachers such as Ms De Klerk as there is for secondary teachers.
- (2) Escalating workloads have placed pressure on the unit and five officers left the unit within two weeks last month. While replacements have been found for four of them, the new staff members are in training and are not yet fully productive.
- (3) In the past there have been issues regarding the suitability of some overseas teachers to work in Western Australian public schools. The department has adopted measures to ensure that all recruits meet the department's requirements. An independent consultant is currently reviewing recruitment processes within the department.
- (4) There was no unfilled position that matched Ms De Klerk's qualifications and she was not accorded priority over other applicants. Ms De Klerk's application is being finalised. Had the need arisen to place a teacher with her qualifications, her application would have been assigned priority for immediate processing.

OVERSEAS-TRAINED TEACHERS - CHANEL DE KLERK

108. Mr G. WOODHAMS to the Minister for Education and Training:

I have a supplementary question. Given that Chanel De Klerk has Western Australian College of Teaching number 33062680 and given the amount of time the department has had her application, what is the delay in her receiving a registration number from the Department of Education and Training?

Mr M. McGOWAN replied:

I think I just answered the broad thrust of the member's supplementary question. Ms De Klerk lodged her application on 4 February, which was last month. The second point the member must bear in mind is the shortage of some 60 teachers around the state, predominantly in secondary school maths and English. Early childhood teaching is not an area in which there is a shortage. The member says that there is a shortage that Ms De Klerk could fill, but I cannot send an early childhood teacher out to teach maths to year 12 students. Many people say there are teachers out there in the community waiting for jobs, but early childhood teachers cannot teach algebra to year 12 students.

YARRAGADEE AQUIFER - PUBLIC COMMENTS

109. Mr R.C. KUCERA to the Minister for Water Resources:

Before I ask the question, I acknowledge in the public gallery a number of volunteers from West Oz Welcomers who do such a great job for visitors to this state. In particular I note Murray and Helen Edinger, two of the founder members of that organisation. My question without notice is to the Minister for Water Resources.

Mr P.D. Omodei: You didn't give him the call!

The SPEAKER: I do not know whether the Leader of the Opposition is hard of hearing, but I gave the member for Yokine the call. Did the Leader of the Opposition want to make a point of order?

Mr P.D. Omodei: No, I just sought the call. I am sorry, I did not think you had given him the call.

Mr R.C. KUCERA: I will start again. Given the many and varied comments being made about the south west Yarragadee aquifer, will the minister advise the house on the value these statements have in the current debate?

Mr J.C. KOBELKE replied:

I thank the member for his question. Clearly a lot of people are saying things about the south west Yarragadee aquifer and they are not all necessarily of the same view.

Point of Order

Mr M.W. TRENORDEN: Mr Speaker, does that question actually comply with the requirements of the house? From what I heard, the member is asking the minister for a point of view.

The SPEAKER: I was not taking particular note. I presume the member for Yokine asked a question of the Minister for Water Resources on the topic of the south west Yarragadee aquifer. If that is what was asked, it is within the minister's scope.

Questions without Notice Resumed

Mr J.C. KOBELKE: It is quite appropriate that we look at the facts and use them to measure the value of the comments that have been made by a range of players. The south west Yarragadee is a very important issue. It is a fantastic resource. It is estimated that there are in excess of one million gigalitres of water in the south west Yarragadee; that is one million billion litres, or about 2 000 Sydney Harbours. That is an incredible resource that is important for the environment and important for the south west. There have been scientific investigations and a review process involving a range of people over four and a half years. I have attended meetings in the south west where people have come forward and put their views. Specifically, in answer to the member's question, many of those people have expressed very important views and are concerned that the environment and the interests of water users in the south west will be protected. There is therefore a range of players. However, 70 independent experts have investigated different parts of the project as part of the review over those four and a half years. Their work has been released for peer review and people have commented on it. Experts have commented on it, people in the community have commented on it, and some people have commented on areas in which they claim to be experts but clearly have no expertise. I will refer to just one expert, and members can judge the credibility of this expert. On developing the Yarragadee, this expert said -

The Yarragadee formation will probably last 1 000 years.

A bit further on, the same person said on the record -

The Government should be . . . carefully and progressively developing the Yarragadee source . . .

That person claims to be an expert. The member for Cottesloe said that in *Hansard* on 14 August 2002.

AUDITOR GENERAL'S REPORT - CHIEF EXECUTIVE OFFICERS

110. Mr P.D. OMODEI to the Premier:

I refer to the Auditor General's report tabled today.

- (1) Will the Premier explain why a massive 25 per cent of chief executive officers employed in the public sector are in acting positions and do not even have performance measures?
- (2) What has the Premier done to address the service issues raised by the Commissioner for Public Sector Standards, Maxine Murray, in relation to this matter?

Mr A.J. CARPENTER replied:

- (1) There are issues related to the appointment of CEOs and acting CEOs. Processes have to be undertaken, and they take time. People have left those positions and it takes time to appoint people, as correct procedures must be followed for the appointment of their substantive replacements. That is the answer to that.

What was the second part of the question?

Mr P.D. Omodei: What have you done to address the serious issues raised by Maxine Murray in relation to this matter? Can't you remember that report?

Mr A.J. CARPENTER: The answer is -

- (2) I know that the Commissioner for Public Sector Standards made a range of comments about the performance of the public sector. It is in the interests of government, no matter which party is in government, to make sure that substantive people are placed in substantive positions. Real life dictates that sometimes that is not possible. I do not believe a question has ever been raised with any seriousness about the propriety or otherwise of the procedures that we have adopted in the appointment of people to those most senior positions in the public service. It is undesirable to have so many people in acting positions; I acknowledge that. However, the correct procedures must be followed and anybody who is advocating that they should not is advocating the wrong course.

AUDITOR GENERAL'S REPORT - CHIEF EXECUTIVE OFFICERS

111. Mr P.D. OMODEI to the Premier:

I have a supplementary question. Why has the Premier kept Paul Frewer in an acting position at the Department of Water, despite Maxine Murray identifying a more than suitable permanent replacement for him?

Mr A.J. CARPENTER replied:

I think this question has been asked in the Parliament before, and it was directed to the responsible minister.

Mr T. Buswell: I don't think so.

Mr A.J. CARPENTER: I think it has.

Mr P.D. Omodei: Why is he there; full stop?

The SPEAKER: Order, members!

Mr A.J. CARPENTER: The question has been asked in the Parliament.

Mr T. Buswell interjected.

The SPEAKER: Order, member for Vasse!

Mr A.J. CARPENTER: I do not have a particular view on the appropriateness or inappropriateness of the appointment. I understand that it was made according to correct procedure.

Mr P.D. Omodei interjected.

The SPEAKER: The Leader of the Opposition believes he can answer the question much better, but that is not his role in this place.

Mr P.D. Omodei: Maxine Murray identified a replacement and the Premier refused to put that person there. Since then, Paul Frewer has been discredited by the Corruption and Crime Commission through his connections with Brian Burke.

The SPEAKER: I call the Leader of the Opposition to order for the second time. If the Leader of the Opposition wishes to speak while I am on my feet, I will name him. Does he understand that?

Mr A.J. CARPENTER: The office and officer in question fall under the direct ministerial approval or direction of the Minister for Water Resources.

Mr P.D. Omodei: You are the Minister for Public Sector Management.

Mr A.J. CARPENTER: If the Leader of the Opposition is suggesting that there has been some impropriety, he should take his suggestion to the appropriate authority. While he is there, he might report himself and ask it to investigate his activities when he was the minister responsible for water.

Mr P.D. Omodei: You are a smart alec!

Mr A.J. CARPENTER: The Leader of the Opposition should go to the CCC, turn himself in and say, "Listen, there's a whole range of things that I did when I was a minister that I think really deserve investigation, because they were totally improper and I'm lucky that I'm not in jail." Go down to the CCC and say, "By God, I think I'm lucky I'm not in jail; I did so many improper things when I was a minister." He should go down and turn himself in.

As far as I am aware there has never been a suggestion that matters relating to the appointment or otherwise of Paul Frewer would fall into the category of improper. If the Leader of the Opposition is making those suggestions, he should take his concerns to the appropriate authority.

Mr P.D. Omodei: You are the minister responsible. I raised it with you.

Mr A.J. CARPENTER: If the Leader of the Opposition has an issue and feels as though the matters are not being properly dealt with or there is some form of impropriety or corruption, there now exists in the state of Western Australia an authority that can investigate his claims. Please go down there and give a full confession.

GOVERNMENT VEHICLE FLEET - CUTTING CARBON EMISSIONS

112. **Mrs J. HUGHES to the Treasurer:**

Can the Treasurer advise the house on what initiatives are being taken to cut carbon emissions from the government's vehicle fleet?

Mr E.S. RIPPER replied:

There is now substantial scientific consensus that climate change is real and it is caused by human activities. StateFleet, for which I have responsibility, has taken some action to neutralise the impact of the government fleet on our environment. In fact, its actions have been nationally recognised. StateFleet has won the Australasian Fleet Managers Association's national environment award 2006. As Treasurer, I am particularly pleased because its actions are not only protecting the environment but also containing fleet costs. I will outline those actions to the house. First, the size of the majority of vehicles in the government fleet has been reduced from six to four cylinders. That has been a significant change in the composition of the fleet which has resulted in a reduction in greenhouse gas emissions of 1 078 tonnes per annum. StateFleet also requires that at least 25 per cent of the eligible six cylinder vehicles be powered by liquefied petroleum gas.

I confirm that the member for Vasse has ridden in the back of the four cylinder vehicle that I have as a minister. I can confirm, though, that we did not actually have a meeting in that particular vehicle.

Several members interjected.

Mr E.S. RIPPER: The most significant initiative within StateFleet has been the introduction of the carbon neutral program. It was introduced as a one-year program in 2006, and it has been successful. Therefore, a panel contract with a range of providers has been put in place for the next five years. Basically, the program locks up enough carbon to offset the estimated 63 000 tonnes of emissions generated by StateFleet.

I am very happy that these three programs of StateFleet, for which it has won a national award, are a positive contribution to the environment and to the efficient use of taxpayers' funds.

Most members in this house drive a vehicle that is part of StateFleet and I would like them to proudly put on their vehicle the "Carbon Neutral Vehicle" sticker. I will table a bundle of stickers and I ask all members of this house to contribute to public awareness of the problem of climate change by displaying a sticker on their vehicle to indicate that as a result of the actions of StateFleet their vehicle is carbon neutral.

I might say the stickers have a dual purpose. During question time we have been dealing with too many CO₂ emissions from the member for Vasse and the sticker, properly applied, can deal with that question. I table the stickers.

The SPEAKER: One of those documents can be tabled and if members approach the Treasurer, he can do what he likes with the others.

[See paper 2540.]

SCHOOL BUSES - STUDENTS FROM FURNISSDALE-BARRAGUP

113. **Mr M.J. COWPER to the Minister for Planning and Infrastructure:**

The Public Transport Authority has put the safety of 12 students from the Furnissdale-Barragup area at risk by refusing to transport these children to Pinjarra schools and threatening parents with intervention by police and the Department for Community Development, all because the minister's department has failed to properly discuss plans to phase out the school bus service in the area with the school community, Department of Education and Training and parents.

- (1) Why were children as young as three refused entry onto the school bus service, bearing in mind that according to the government's policy all students under five travel free of charge?
- (2) Why have school bus contractors been gagged from speaking out on this issue and threatened with having their contracts cancelled?
- (3) What formula was used to determine that some students of Greenwood Way, Barragup, are entitled to a free bus service while others are charged the prescribed fee of 50c for each trip?
- (4) How much did it cost taxpayers to have a specially chartered bus sitting around the corner from the very bus stop that these students were waiting at for two hours this morning?
- (5) On whose authority was the PTA acting?

Ms A.J.G. MacTIERNAN replied:

- (1)-(5) I think the people who have been extremely irresponsible are the parents of those families and, indeed, the member for Murray.

Mr M.J. Cowper: You are an unmitigated disgrace.

Ms A.J.G. MacTIERNAN: It is appalling that this member would encourage parents to leave their young children unattended or, perhaps even worse, in his company in order to make a political point.

Withdrawal of Remark

Mr T. BUSWELL: I heard the minister say that it would be unacceptable for parents to leave young children in the company of the member for Murray. It is a gross insult to the member for Murray. I ask you, Mr Speaker, to direct the minister to withdraw that comment.

The SPEAKER: I did not hear it. If that was said, I find it hard to think that it is an attack on somebody's character or honesty.

Questions without Notice Resumed

Ms A.J.G. MacTIERNAN: I was referring to the member's penchant to use the children simply as pawns in a political process.

The member for Murray has come into this place pontificating about his concern for these children when he has been inviting cameras to the area and inciting parents into this conduct.

Several members interjected.

The SPEAKER: I call the members for Avon and Dawesville to order.

Ms A.J.G. MacTIERNAN: I understand that in opposition one does, from time to time, want to engage in dramatic behaviour.

Mr M.W. Trenorden interjected.

The SPEAKER: I call the member for Avon to order for the second time.

Ms A.J.G. MacTIERNAN: However, to use these children in the way that they have been used, I find clearly reprehensible.

Mr D.F. Barron-Sullivan: You are criticising the parents as well.

The SPEAKER: I call the member for Leschenault to order for the first time.

Ms A.J.G. MacTIERNAN: It is very interesting that the issues have been recast. It is no longer the issue of paying the 50c fare, which, each day, 25 000 students pay to get to school. The 50c fare is a great initiative of our government.

Mr M.W. Trenorden interjected.

The SPEAKER: I call the member for Avon to order for the third time and the member for Carine.

Ms A.J.G. MacTIERNAN: I will have one last go, otherwise I will simply sit down.

Several members interjected.

Ms K. Hodson-Thomas interjected.

The SPEAKER: I call the member for Carine to order for the second time.

Ms A.J.G. MacTIERNAN: I will speak over the interjections because I want to get this done with.

The issue that has been recast is not one of refusing to pay the fare, which each school day 25 000 students pay and which 140 students who are from the area in question and are attending schools in Pinjarra pay. This has been recast as a problem of what will happen in five years, because in five years there may not be a bus service between that area and Pinjarra. To leave young children unattended on a bus stop because the member is concerned that in five years there might not be a bus for them is absolutely indefensible.

The reality is that we are building new schools in Mandurah.

Mr M.J. Cowper: Where? Name one.

Ms A.J.G. MacTIERNAN: We are building new schools in Mandurah and Halls Head.

Mr M.J. Cowper interjected.

The SPEAKER: Order, member for Murray!

Ms A.J.G. MacTIERNAN: It is quite possible that within the next two to three years the boundaries and the capacity of the schools within the Mandurah and Halls Head areas to take the students will have changed. We are prepared to commit to the fact that as long as those children do not have reasonable access to the schools in Mandurah we will continue to provide a school bus for them. We have done that. Strictly speaking and according to the PTA policy, we would not be providing the current bus service we provide to Pinjarra but we recognised that that was not fair. It was not fair to the parents when they could not be guaranteed that they could get access to schools in Mandurah - which are their nearest schools - and they would therefore be required to go to Pinjarra. It was not fair that we did not provide a bus service, so we put a bus service on. We said that we would phase that out in five years on the understanding that there was a building program going on for schools within Mandurah and that the likelihood was that within the five years those students could go to the schools that were nearer to them. We are prepared to say that if those schools are not available to them within that area, we will continue to run the school bus service to Pinjarra beyond the five years. We are not prepared to say that we will not charge the 50c fare. As I said, the 140 other students who go to school from that area to Pinjarra are paying that 50c fare. Twenty-five thousand students a day pay that fare. There will always be an area where there is a boundary and if a person is on one side he does not pay but if he lives on the other side he does pay. That is a consequence of having differential policies for regional and metropolitan students.

There is no basis for this irresponsible behaviour led by the member for Murray of leaving young students unaccompanied outside a bus stop because in five years there may not be a bus for them.

SCHOOL BUSES - STUDENTS FROM FURNISSDALE-BARRAGUP

114. Mr M.J. COWPER to the Minister for Planning and Infrastructure:

I have a supplementary question. Is it true or not true that the Public Transport Authority threatened parents with the authorities; namely, the Department for Community Development and the police?

Ms A.J.G. MacTIERNAN replied:

If parents are leaving their children unaccompanied and are not prepared to collect their young children, we need to put in place some way of dealing with that.

Several members interjected.

The SPEAKER: That is the end of that question.

PUBLIC HOSPITAL BEDS

115. Dr J.M. EDWARDS to the Minister for Health:

Can the minister please outline what is being done to free up more beds in public hospitals and what effect this is going to have?

Mr J.A. McGINTY replied:

Members will have seen on the television news on Sunday night the most pleasing recent figures about the reduction in the number of people on the elective surgery waiting lists to a historic all-time low of about 14 000 people, which is a very significant achievement by the doctors, nurses and hospital administrators who work in this area. More importantly, they will have seen a very significant reduction in the time that people wait for their surgery, down from about five months when the opposition was last in power to about three months now. People in Western Australia know that they are waiting less time and that there are fewer people waiting for surgery in Western Australia. We also have an objective that by July this year we will ensure that not one single patient waits longer than 12 months for his surgery. Obviously, urgent cases will be dealt with expeditiously. I advise the house that we are determined to drive down the list so that the days of, particularly, elderly people waiting for hip and knee replacements - they often used to wait for years - is well and truly a thing of the past.

In order to drive that even further we have been involved in negotiations to secure 150 beds outside the acute hospital sector in the residential sector to transfer people who are either occupying an acute bed while waiting for an aged care placement - that is, a bed, which is the responsibility of the commonwealth government and a responsibility that it is not living up to very well, which is causing repercussions in our public hospital system - or who are subacute patients. Creating an additional 150 beds in our public hospital system will allow us to treat 18 000 additional patients in a year in acute beds in acute public hospitals. Eighteen thousand extra patients each year will be able to be treated as a result of freeing up those 150 beds. The cost is approximately \$20 million. It is a cost that should be borne by the commonwealth rather than by the state. We will be putting a fence around 30 per cent of those beds and dedicating them to surgery so that there will be no excuse for hospitals to cancel surgery because of a shortage of beds. In particular, we will make sure that we use the availability of 30 per cent of those beds to do more elective surgery. That will very much complement the work being done at the two new surgicentres, at Osborne Park Hospital and Kaleeya Hospital, which service north and south of the river respectively.

The other 70 per cent of beds will be used to reduce the pressure on our emergency departments. Doctors and nurses working in emergency departments have been hit with unrelenting increases in demand for their services. Additional tens of thousands of Western Australians every year are fronting up for emergency care in our public hospital system. The estimate for the north metropolitan region is that, as a result of the beds being made available, the access block will fall from 44 per cent to 30 per cent. That will have a tremendous impact on the emergency departments and the pressure under which the doctors and nurses work. When I met with the heads of the emergency departments last week, they were, to put it politely, extremely pleased at the initiative and the effect it will have on their capacity to continue to deliver high-quality care in our public hospitals.

In respect of the question from the member for Maylands, I am very pleased that about half the beds in question in the private residential sector will go to a facility in her electorate in Bayswater.

WA SPORTS CENTRE TRUST - MR SEAN WALSH

116. Mr T.R. SPRIGG to the Minister for Sport and Recreation:

I refer to the minister's press release of 19 March in which he announced new board members for the WA Sports Centre Trust.

- (1) Can the minister confirm that he has just appointed the former chief of staff of former Premier Geoff Gallop, Mr Sean Walsh, to the trust's board?

- (2) On what basis was that appointment made and what credentials does Mr Walsh possess for that appointment?
- (3) When will the minister and the government learn that doing dodgy deals with their mates is the very reason they have lost four ministers in the past six months?

Mr J.C. KOBELKE replied:

- (1)-(3) I think the opposition is running the danger of putting itself in jeopardy if it tries to blacken the name of anyone who steps into public office simply because he has had some association with members on this side. The opposition tried it earlier in another question. I am very pleased to thank the people who have been involved; that is, Denis McNerney and the people who were previously on the board of the WA Sports Centre Trust. I suppose he could have been attacked as well because he might be seen to have some sympathies or friendships with people on this side. The fact is that the new chair will be Graham Partridge, who was the chief executive officer of the Town of Cambridge. I will not refer to all the other members but I am certainly very pleased that a number of prominent people have accepted appointments to the board of the WA Sports Centre Trust. Yes, Sean Walsh is one of those. Members opposite might not know that Sean Walsh has a reputation as a runner of some eminence in this state. He served on the board quite some years ago, so he has previous experience on the board and he has a quite considerable standing within the athletics community. He will make a very good contribution as a member of the WA Sports Centre Trust board.

ROYAL PERTH HOSPITAL CLOSURE

Standing Orders Suspension - Motion

DR K.D. HAMES (Dawesville) [2.48 pm] - without notice: I move -

That so much of standing orders be suspended as is necessary to enable the following motion to be debated forthwith within the time limits for a matter of public interest -

That this house calls on the government to abandon its plans to close Royal Perth Hospital as a tertiary hospital, and its ill-conceived and impractical plan to change Sir Charles Gairdner Hospital to a 1 500-bed site, and instead support the opposition's plans for the future development of the hospital.

I understand that I do not need to debate the suspension of standing orders because we have agreement on it. Following the vote, I will proceed with the motion.

MR J.C. KOBELKE (Balcatta - Leader of the House) [2.49 pm]: The government will agree to the suspension to allow this matter to be debated under the rules of a matter of public interest. When the government agreed to allow the National Party to suspend standing orders, it did so on the basis of an MPI, as it had missed an opportunity to debate an MPI by failing to get the letter in on time. I then made the commitment that, by that means, we would not take away the opportunity for the Liberal Party to raise an MPI. We wish to share opportunities equally. Given we are receiving considerable cooperation from the opposition on the general carriage of business, we think it is appropriate to repay the favour by allowing the opposition to debate this matter, which it considers is important and worthy of discussion in this chamber.

The SPEAKER: Order! This is a motion to suspend standing orders, of which some notice has been given, so some of the rules of suspension do not apply.

Question put and passed with an absolute majority.

Motion

DR K.D. HAMES (Dawesville) [2.50 pm]: I move -

That this house calls on the government to abandon its plans to close Royal Perth Hospital as a tertiary hospital, and its ill-conceived and impractical plan to change Sir Charles Gairdner Hospital to a 1 500-bed site, and instead support the opposition's plans for the future development of the hospital.

I will quote an extract from the Reid report, which was commissioned by this government to examine the future of hospitals in Western Australia. In general, the opposition supports the report's recommendation in almost all of its requirements except the notion of closing Royal Perth Hospital. Before I proceed, I want to welcome to the gallery the large number of people here today. All the seats are full and no-one else can be squeezed in; nonetheless, Ailsa Allen is here, who was the architect -

Mr J.A. McGinty: I do not think that's right; there are vacant seats in the gallery to the left of the Speaker.

Dr K.D. HAMES: There are more people waiting to the Speaker's right.

Ailsa Allen initiated the collection of signatures on petitions by asking nurses and former nurses to man collection places at the hospital. I presented 20 000 signatures to this house, and a similar number to the other

house, to which the minister has responded that I have been wasting my time. In that case, he is suggesting that the people in the gallery are wasting their time. In the gallery are also former and current doctors and nurses and members of the public, who have been involved with Royal Perth Hospital and who are strongly opposed to its closure.

The Reid report offered different options for providing clinical services to the metropolitan area. One option was that Sir Charles Gairdner Hospital should close; another option was to close Royal Perth Hospital, and the third option was to allow both hospitals to continue functioning on their present sites. The recommendation from the Reid report favoured retaining Sir Charles Gairdner Hospital. I will refer first to a list Reid provided of pros for both hospitals. Almost every pro for Sir Charles Gairdner Hospital is based on the existing infrastructure and association between it and the University of Western Australia. The pros for Royal Perth Hospital to remain on its site are pros that the opposition contends still exist and strongly contribute to that argument. Firstly, the site has a long and distinguished history. Regardless of which site is preferred, there are strong arguments for retaining Royal Perth Hospital on its site. The Reid report outlines them as follows -

- it is located in the centre of the city with good public transport
- some of its buildings are only 20 years old . . .

Those buildings are the newest of all our tertiary hospital constructions. To continue -

- there is sufficient land available to accommodate a larger hospital.

It goes on -

This list is by no means comprehensive and the Committee recognises that further consideration and consultation is required in this area. It is proposed that further consultation occur with community and staff at both hospitals and a more detailed feasibility study of each site should be done to inform the final decision.

The minister did no further consultation and no feasibility study. As part of his acceptance of the Reid report, he was required to do a detailed feasibility study on which hospital should be closed, if one should be closed at all. Had he done that, he would have found that the closure of Royal Perth Hospital is not practical and that no savings could be made from doing so. The savings he keeps talking about that would result from amalgamating Royal Perth Hospital and Sir Charles Gairdner into one hospital are non-existent. He has produced not one shred of evidence to support his argument that he will save money by closing Royal Perth Hospital. Not only that, the original Reid recommendation required the expansion of the peripheral hospitals but a diminution of the number of beds in the two remaining tertiary hospitals, which suggests that savings could be made by moving out those patients. The minister has recognised that that was just not practical, given the huge increase in demand on hospitals in this state, particularly in emergency departments. There has been an urgent need for increasing the number of beds in hospitals, a fact he recognised by following my recommendation of earlier this month to increase the number of beds in those hospitals. How has he addressed that? He has increased the number of beds not by the 200 at Sir Charles Gairdner Hospital that was recommended in the Reid report but by almost 550 extra tertiary beds. In effect, of the approximately 750 beds at Royal Perth Hospital, 250 to 300 will need to be placed at the new Murdoch hospital and the other half of the number of beds required will come from Fremantle Hospital, both of which moves we support. However, two-thirds of Royal Perth Hospital beds will be taken from its existing site and squeezed into the Sir Charles Gairdner Hospital site. The number of patients in that emergency department will almost double. They will increase from roughly 55 000 a year to almost 100 000 a year following these changes. The minister is just shuffling the deck of cards for patients in beds at Royal Perth Hospital. The people in this gallery are watching the minister get out of his chair so that he can walk away and carry on a conversation at the back of the chamber while I am trying to address a serious issue to him.

[Interruption from the gallery.]

The DEPUTY SPEAKER: Order! Members in the gallery are welcome to come in and listen to the debate. However, they do not have an opportunity to participate in the debate nor interrupt it, so I ask them to be cognisant of that fact.

Dr K.D. HAMES: The minister would have heard the noise that related to their displeasure at his arrogance in leaving his seat to have a private conversation in the middle of a very serious debate that they have come to listen to.

The minister is shuffling the cards and taking away a fantastic hospital for no gain other than to squeeze all those people into one hospital. There will be 1 100 beds on that site, compared with approximately 600 now, plus the patients at King Edward Memorial Hospital for Women and Princess Margaret Hospital for Children. The minister knows we support the last two hospital moves to that site because that makes sense, and it is what Reid recommended. He certainly did not recommend 550 extra beds being added to that hospital. If Reid had had a chance to look at the minister's proposal, I would bet he would have changed his mind and said that it was

nonsense, because that many patients could not be squeezed into that space. We need only look at the problems with transport. The minister's staff are saying that, initially, 20 per cent and then 40 per cent of the 8 000 staff working at Sir Charles Gairdner Hospital will need to catch the bus to work. Imagine the difficulty for nurses who live in the suburbs and work night shift and who need to find their way to work by catching a bus or train. What a nonsense! That will not be achieved.

The minister should look at what is being considered for Royal Perth Hospital, a fantastic hospital with a history in this state of great dedication and service dating back many years. Two Nobel Prize winners, and Australian of the Year, Fiona Wood, work at that hospital. It has an enormous reputation for research, and the minister is seeking to take that away. Not only that, I bet there is hardly a person in this chamber today who does not have a friend or relative who has had excellent service from Royal Perth Hospital at some stage during their life; yet the minister is shutting it down. He will be the first minister in Australia to shut down his state's biggest hospital, and the first to shut down a major hospital within the central business district. It is an absolute disgrace that he is doing that.

Dr G.G. Jacobs: How many beds does Royal Perth Hospital have?

Dr K.D. HAMES: Royal Perth Hospital has about 750 beds. They will all go. The report refers to the possibility of some sort of GP clinic there. The north block of the hospital is only 20 years old. It has 160 inpatient multi-day beds; 40 beds in the new state-of-the-art trauma unit, which the minister will move to the Fiona Stanley hospital; 14 theatres, plus an additional endovascular theatre is planned for 2007; a 23-bed intensive care unit; a 10-bed high-dependency unit; computerised tomography scans; magnetic resonance imaging scans; nuclear medicine; and a helipad. The people of Western Australia have great access to that hospital for emergency treatment. The minister knows what the opposition has proposed for Royal Perth Hospital. We recognise that there is an issue with Royal Perth Hospital. We recognise that the emergency department and some of the medical and surgical wards are old and run-down. They could be improved. They could be renovated at a significant cost, but that is not the way to go. Plans were prepared by staff at the hospital to greatly improve that site. Just to the west of the north block is a large area of land that would be perfectly suitable as a site for a new emergency department and a replacement for the old south block, which is across the road from the north block. A brand-new building could be built for the same amount of money that the minister plans to spend on upgrading Sir Charles Gairdner Hospital.

We recognise that Royal Perth Hospital cannot remain as a 750-bed hospital. This is not about where the beds are located but about staffing - recruiting nurses and doctors to properly staff those hospitals. It is understood that units will have to go from Royal Perth, Sir Charles Gairdner and Fremantle Hospitals to staff the 630-bed Fiona Stanley hospital. That was outlined in the Reid report. However, the minister could retain on the Royal Perth Hospital site a similar set-up to the one I saw in Melbourne at the Alfred hospital. That is a famous hospital that contains the major trauma unit for Victoria. It provides a 400-bed major trauma service with a helipad landing and the latest facilities. A brand-new 100-bed surgery unit is being built next to the Alfred to look after waitlist surgery. It is separate from the hospital, so surgery can carry on uninterrupted, but it will be linked to the hospital so that doctors have better access.

Where will all the doctors and nurses go under the minister's scheme? They will not go to the Fiona Stanley hospital. Look how far that hospital will be from those people who live in the northern suburbs. They will not go to Sir Charles Gairdner Hospital because they will have to catch a bus to get there, as no further parking will be provided on-site at that hospital. They will find work elsewhere and we will lose even more nurses. Nurses and doctors will retire. They have said that they have had enough of what this government is proposing to do and that they want a change.

In my view, this all gets back to the minister and his ego. The minister wants to be seen as the saviour of the health system in Western Australia. The minister was the architect behind the Reid report, which we support. He was the architect behind the peripheral hospitals and the Murdoch hospital, which we support. In the future, he should be regarded in the way in which he wants to be regarded; that is, as someone who has looked after the infrastructure of this state. He will not be highly regarded for what he has done for the day-to-day management of health services, for emergency department overloads and for the waitlist surgery overload, but he should be well regarded in the future for what he has done for health infrastructure. However, he will not be. He will be regarded with loathing by the people of Western Australia because he will be remembered as the minister who shut down the iconic Royal Perth Hospital. If he does not do something about this, if he does not recognise his fallibility and change his mind, our campaign will gain momentum over the next two years in the lead-up to the election. This is just the start. This small group of people that is here today is just the start. The people of Western Australia do not yet know that the Labor Party plans to shut down Royal Perth Hospital. A momentum will build. The people of Western Australia will rise up during the lead-up to the next election and will say to the minister that they will not let him shut down Royal Perth Hospital.

MR J.A. McGINTY (Fremantle - Minister for Health) [3.05 pm]: This debate is, or should be, about the provision of services to patients, not about, as the member for Dawesville has put it, retaining an old and tired

building about which people might well feel very affectionate. It is about what goes on inside that building. Let me make it abundantly clear to everyone in the chamber that our public hospital system has struggled for years to do its job properly. One of the main reasons for that is that our two major tertiary hospitals, Royal Perth Hospital and Sir Charles Gardiner Hospital, are located less than five kilometres apart; they are both in the inner-urban area and their services are duplicated in a very wasteful and inefficient way.

Dr K.D. Hames: Show me one scrap of evidence that proves that.

Mr J.A. McGINTY: Let us start with the cardiac facilities. Even the member for Dawesville would have to agree that to have three cardiac services is an inappropriate use of health resources.

Dr K.D. Hames: All the more reason to move that unit to the Fiona Stanley hospital, but that is not a reason to close Royal Perth Hospital.

Mr J.A. McGINTY: The member asked for an example. I could go on and on. The member for Dawesville knows, more than do most people here, about the extent to which resources have been wastefully duplicated by those two hospitals over many, many decades. We need to make sure that we locate our tertiary hospitals, and for that matter our secondary hospitals, closer to where people live. The half of Perth's population that lives south of the river, from Midland through to Fremantle and down to Rockingham, is serviced by a tertiary hospital in one corner of that area - in Fremantle. The rest of the population throughout that area must come to the CBD for hospital services. The current location of tertiary hospitals reflects how Perth was when it was a colony. Where was the population settlement in those days? It was around the Royal Perth, Sir Charles Gardiner and Fremantle Hospital sites.

Dr K.D. Hames: That is not a reason to close Royal Perth Hospital.

Mr J.A. McGINTY: I listened quietly to the member for Dawesville. The member tried to be insulting and derogatory to me in his contribution. I ask that he listen to me in silence.

Several members interjected.

Mr J.A. McGINTY: I extended to the member for Dawesville the courtesy of listening to his point of view. If he wants to keep interjecting to try to drown me out, I think that is inappropriate behaviour.

Dr K.D. Hames interjected.

Mr J.A. McGINTY: I ask the member to listen to what I am saying. He should listen so that he can hear the merit of my argument. He should not continually try to drown me out.

Several members interjected.

The DEPUTY SPEAKER: Members on my left, the minister has made a point: he did listen in silence. I ask that you give him the same courtesy. That particularly goes for the member for Dawesville.

Mr J.A. McGINTY: We needed to look at our health system and to ask what we should do to make it the best in the world. To do only two things would not have done that. We have ageing infrastructure. A backlog of \$77 million of maintenance work is required at Royal Perth Hospital before any services can be improved. We cannot provide a modern hospital of the best-in-the-world variety within the existing infrastructure at Royal Perth Hospital. It is old-fashioned and run-down, and it does not have the scope to expand the departments. We are doing our best by constantly upgrading Royal Perth Hospital. I know what clinicians who work in a public hospital would choose if they were given the option of either working in and providing their services at a purpose-built building that was properly designed according to twenty-first century standards or of continuing to work at Royal Perth Hospital. The clinicians would vote with their feet and work in the best possible working environment because they know that they could look after their patients better in that environment.

Another matter, apart from the nature of the infrastructure, is that hospitals must be located where people are living today, and not where people lived when the Swan River was a colony, which is where the hospitals are currently located. The Reid reform program locates our tertiary and secondary hospitals where the demographic is today rather than where it was 100 years ago. The people who live south of the river have been poorly served by the Cinderella of the public hospital system - Fremantle Hospital. It has done a great job with the resources it has, and it continues to do a great job. However, the clinicians at Fremantle Hospital realise that to properly service the population south of the river, they need a new facility located where the people are. The heart of the population south of the river is located somewhere along the route of the southern suburbs railway at either Murdoch or further south. The government has opted to move the hospital to the Murdoch site where it can get certain synergies from the co-location with the existing St John of God Health Care private hospital at Murdoch. Those are the types of things that take vision, which I suggest the Liberal Party does not have. We need to construct a hospital system that will meet the needs of the public where they live. Most people would prefer to be treated close to where they live rather travel great distances to get to tertiary services, which are in limited locations in the CBD area. The government got together the best experts in Australia and consulted extensively with clinicians and stakeholders. In 2004 they came up with a plan, which is the Reid report. That plan

recommends that a tertiary hospital be built in the middle of the southern suburbs to service the southern suburbs. The Fiona Stanley hospital is exactly that. Much of the population of Perth resides south and east of the river. Does the member for Dawesville know why the Liberal Party has only two members of Parliament - the members for South Perth and Murdoch - from south of the river? It is because the Liberal Party has turned its back on those people. It has opposed the southern suburbs railway, which is one of the greatest infrastructure projects in this state, and it has opposed the construction of the Fiona Stanley hospital.

Several members interjected.

Mr J.A. McGINTY: How many times did we hear members opposite criticising us for building the southern suburbs railway? It is a great Labor achievement and it will be opened in July this year. Those members who live even further south will use it.

Several members interjected.

Mr J.A. McGINTY: The member for Serpentine-Jarrahdale is a country member.

Another reason that the Liberal Party has only two members south of the river is its opposition to the construction of the Fiona Stanley hospital and the very mentality that has been demonstrated in this place today.

Ms K. Hodson-Thomas: That's nonsense, and you know it.

Mr J.A. McGINTY: Do not believe me. Members opposite should ask the Clinical Staff Association members at Fremantle Hospital who, at the last election, were so disgusted with the Liberal Party's health policy that they put their hands in their pockets to the extent of \$20 000 and ran a campaign urging people to vote against the Liberal Party. That was the entire clinical staff at Fremantle Hospital, which also will cease to be a tertiary hospital under this plan. The clinicians are looking forward to moving to the Fiona Stanley hospital when it is constructed because they consider that to be the best place where they can look after their patients.

Dr K.D. Hames: What does that have to do with Royal Perth?

Mr J.A. McGINTY: It is very much a part of it. The doctors condemned the Liberal Party, which has paid the political price for it.

Dr K.D. Hames: Rubbish!

Mr J.A. McGINTY: They did. Do members remember seeing the full-page advertisements the doctors paid for? I went to the oracle on political history here in Western Australia, the ABC reporter Peter Kennedy, because he has the most knowledge on and has the best recollection of political history, and asked him whether doctors, as an organised group, had ever campaigned for the election of a Labor government. He told me that they had not. He said that the first time that that had ever occurred was when the Clinical Staff Association at the Fremantle Hospital campaigned for the Labor Party. The clinicians knew that the Liberal Party's plan was bad for patients south of the river. The clinicians have a responsibility to care for those patients. That puts a very serious question over the credibility of the Liberal Party on these matters.

Dr K.D. Hames interjected.

The DEPUTY SPEAKER: Order, member for Dawesville!

Mr J.A. McGINTY: Please just be quiet and listen. I gave the member the decency of listening to him. What we did -

Dr K.D. Hames interjected.

The DEPUTY SPEAKER: I call the member for Dawesville to order for the first time.

Mr J.A. McGINTY: I will conclude my comments on the Fiona Stanley hospital proposal. The reason the Liberal Party will continue to pay a heavy political price in the southern suburbs is that it continues to oppose the Labor Party's proposal to develop the Fiona Stanley hospital.

Dr K.D. Hames: No, we don't.

Mr J.A. McGINTY: Yes, it does. Does the Liberal Party support stage 2? The simple answer is that it does not.

Dr K.D. Hames: I do.

Mr J.A. McGINTY: What?

Dr K.D. Hames: You've got to look at the timings. You will not finish the Fiona Stanley hospital when you said you would by 2010 or 2011. You will finish it in 2013.

Mr J.A. McGINTY: The member is on the public record as saying he opposes the development of the Fiona Stanley hospital beyond the 650 beds which will be built by the Labor government, the construction of which commenced during the course of this term of government. The Liberal Party will continue to pay a political

price because the people who are living south of the river do not trust the Liberal Party with their health care. That is a very important element of this proposal. We got together the experts and engaged in massive consultation with the clinicians and stakeholders who contributed to the Reid report. The Reid report states that if we are to cope with the future demands of the population of Western Australia, we must radically reshape the way in which the health care services in this state are delivered. The government is committed to implementing that report, unlike the Liberal Party. Unfortunately, whenever the political pressure is applied, the Liberal Party reverts to promising people a hospital to win a marginal seat.

Dr K.D. Hames: Rubbish!

Mr J.A. McGINTY: Did the Liberal Party not promise to build a new hospital in Pinjarra at the last election when one was not needed?

Dr K.D. Hames: Was I involved in the last election, other than as a candidate?

Mr J.A. McGINTY: It was Liberal Party policy. The Liberal Party effectively shut the Pinjarra Murray District Hospital to open the Peel Health Campus, and at the last election it said it would build a 500-bed hospital in Pinjarra. Although it was unnecessary, because it was a marginal seat, the Liberal Party promised to build it because it thought it could win the seat. That sort of thinking is a thing of the past and it must continue to be a thing of the past for the very simple reason that we need evidence-based health care planning, not political opportunism, which is the basis for the Liberal Party's policy.

Dr K.D. Hames interjected.

Mr J.A. McGINTY: We need evidence-based planning that is formulated on where the population is and what its needs are. The clinical services framework, which members opposite should read, spells out exactly where the demand is for health care services. There is a great demand for tertiary services for the people who live south of the river. The Fiona Stanley hospital will provide that. The Liberal Party is saying it would not build that hospital in accordance with the clinical services requirements.

Several members interjected.

The DEPUTY SPEAKER: I call the member for Dawesville to order for the second time. It is not an opportunity to try to talk over the top of the member with the call. The member for Dawesville, of all people, should know better.

Mr J.A. McGINTY: We are totally committed to the essence of the plan and will not be deflected from it because of political pressure from interest groups. The minute a political party does that, the integrity of the plan is destroyed.

Mr J.H.D. Day: Will you take a question?

Mr J.A. McGINTY: I certainly will before I sit down. The point I make is that political opportunism is no basis for health care planning. To my mind, the Reid report is a rigorous, well thought through, evidence-based plan for the future delivery of health care. Some people will neither appreciate it nor agree with it. They have had their chance to have an input into it. We will stick by it. That is the way the entire health care needs of Perth can be properly addressed in the future. Not only are we sticking by that plan, but also \$4 billion of taxpayers' money will be spent in the next few years to rebuild our public hospital infrastructure. That is massive. The extent of the financial commitment shows the priority of this government to succeed in giving Western Australians a world-class health system. It will cost \$1.1 billion to build the Fiona Stanley hospital in the south, with half a billion dollars going into the upgrading of infrastructure and improving facilities at Sir Charles Gairdner Hospital. For people in the eastern suburbs who have been the traditional users of Royal Perth Hospital services, we will build a brand new hospital in the centre of Midland on the railway.

Mr R.F. Johnson: And the northern suburbs.

Mr J.A. McGINTY: Predominantly the east. I will come to the member's area in a minute. From memory, we will be putting \$190 million into a brand new, state-of-the-art facility with more than 300 beds at Midland to provide a wide range of services to people living in Perth's eastern suburbs. That is part of the \$4 000 million commitment that we have made to the health care of people in Western Australia. The new Rockingham hospital - I say new, but it is going from 70 beds to 300 beds - is out to tender at the moment. That will dramatically improve the lot of people living in Perth's far southern suburbs to be able to meet their health care needs in the future. It is not just beds; with that go health care services, doctors and nurses. Many more people will be able to be treated in that hospital in Rockingham, as they will in Midland with the new hospital that is being built there. In the northern suburbs we will be spending a very large number of dollars - by that I mean hundreds of millions of dollars - on progressively upgrading Joondalup hospital to become Perth's third tertiary hospital.

Mr R.F. Johnson: You have to do that because Joondalup hospital has more ambulance bypasses than any other hospital.

Mr J.A. McGINTY: Another way to put it is that we have to do that because that is where the people live.

Mr R.F. Johnson interjected.

Mr J.A. McGINTY: I agree.

Mr R.F. Johnson: That is why a lot of my constituents have to go to Royal Perth or Sir Charles Gairdner.

Mr J.A. McGINTY: They should be treated locally and that is exactly what we are trying to do. There will be three tertiary hospitals, two in the medium term - Charles Gairdner and Fiona Stanley - developing to three, with Joondalup, Sir Charles Gairdner and Fiona Stanley hospital running in a spine through the middle of the Perth metropolitan area, serviced by three dramatically upgraded hospitals - initially Joondalup makes it a fourth - at the four points of the metropolitan area: Joondalup, a new hospital at Midland, effectively a new hospital at Armadale, and the new hospital at Rockingham. That will give us a health care system for the twenty-first century, not one for colonial Perth in the nineteenth century.

Mr J.H.D. Day: What will be the tertiary hospital for the Midland region of the north east metropolitan area?

Mr J.A. McGINTY: The people who live south of the river, and to my way of thinking that does not include up to Midland, will have access either to Sir Charles Gairdner, for tertiary services, or to Joondalup in the medium to longer term. In the shorter term it will be access to Sir Charles Gairdner Hospital. That is the vision; that is the plan, which I think accurately fits the population needs of the Perth metropolitan area. For people from the country we will have links to each of those tertiary and general hospitals. Part of the \$4 billion that we are committing to health care is to ensure that in the six major regional towns and cities in Western Australia - in Broome, Port Hedland, Geraldton, Kalgoorlie, Bunbury and Albany - we have a regional resource centre with significantly upgraded services to make sure that people can be treated closer to home. They will be able to be treated for a far wider range of conditions, whereas at present they have to fly to Perth for treatment. Increasingly, people from the Kimberley will be able to be treated in the Kimberley, whether it be for a mental health condition or something that requires scanning. Various surgical procedures will also be available and will be constantly upgraded. Another very interesting thing that came out of the Reid report, and this relates to the fact that in the past we have been a tertiary hospital centric-type city, is that if one is sick one goes to Royal Perth, Sir Charles Gairdner or Fremantle Hospital and, to a lesser extent, to the smaller general hospitals. We need to change that because 80 per cent of the people in our tertiary hospitals do not need tertiary care.

Dr G.G. Jacobs: You are going to build a super hospital at Fiona Stanley.

Mr J.A. McGINTY: We will take Royal Perth and Fremantle, which are both tertiary hospitals, and put them into one. We need to provide teaching facilities for our future doctors and nurses, so we need to provide tertiary hospital facilities for that training to occur to meet those future needs. We will have treble the number of medical graduates in 2009-10. We have just over 100 at the moment and we will have over 300 graduating in that year who need to be trained in our public hospital system. All this is part of providing the modern, state-of-the-art facilities. Next month I am going to America to look at the best hospitals in the world to make sure that we can learn from that the best so that we provide the people of Western Australia with the same facilities.

Several members interjected.

The DEPUTY SPEAKER: Order on my left!

Mr J.A. McGINTY: Four thousand million dollars is a massive expenditure. We want to make sure that we can provide the people of Western Australia with the best possible health care.

To come back to Royal Perth Hospital, I can understand an emotional attachment to the bricks and mortar and the history of the place. Either Sir Charles Gairdner Hospital or Royal Perth Hospital had to be the northern tertiary hospital, and I think in their heart of hearts everyone knows it had to be Sir Charles Gairdner Hospital. It has links with the University of Western Australia and has more modern infrastructure. I urge people to go to Royal Perth Hospital and talk to the people who members opposite hold up as being clinical leaders. I am talking about people who are accepted leaders nationally, if not in the world, for their clinical skills. They want the best possible environment in which to provide services to patients. They cannot do that at Royal Perth Hospital; they can do it at the new Fiona Stanley hospital, and with the expenditure of half a billion dollars on upgrading Sir Charles Gairdner Hospital. I was at Sir Charles Gairdner Hospital this morning with Professor Barry Marshall, in old, tired facilities from the 1960s. They need to be significantly upgraded. The investment will be made. We did not even have a cancer centre in the state until a year ago. We will have a cancer centre at Fiona Stanley hospital for people south of the river and one at Sir Charles Gairdner Hospital as well. We are looking at spending money wisely in the interests of the people of Western Australia. People who say they support the health reform process and the recommendations of the Reid report, but turn their back on them at every available opportunity, on every recommendation that was made, have no credibility. One of the Reid report recommendations - only a little one and it is probably not critical to this debate -

Dr K.D. Hames interjected.

Mr J.A. McGINTY: At the weekend. I am talking about the member for Dawesville. He said he opposed one of the Reid recommendations. He may not have known that he did it, but he did. The recommendation was that the public be advised of the performance of our public health system. It was an opportunity to stand in front of a television camera and criticise the government and the member for Dawesville jettisoned that particular recommendation of the Reid committee.

We have a rigorous, well thought through plan that is about patients and their care. We are determined to see that plan through because that is the only way in which the patients of the state will get the health care they deserve and need. If every time there is a bit of political pressure the opposition does a backflip and runs for cover and says, "We didn't really mean that; we will promise you a new hospital in Pinjarra if that will help us win the seat at the next election", it will have absolutely no credibility. This plan is rigorous, thought through and patient centred, which cannot be said about the plans of members opposite.

MR P.D. OMODEI (Warren-Blackwood - Leader of the Opposition) [3.29 pm]: I support the motion. The minister can raise his voice and repeat untruths as long as he likes, but during his 25 or 26 minutes he spoke about Royal Perth Hospital for about two or three minutes. This motion is about retaining Royal Perth Hospital as a tertiary hospital. It is about Royal Perth Hospital and its reputation. The minister believes that Royal Perth is about bricks and mortar, but Royal Perth Hospital has an international reputation as one of the best tertiary institutions in the world. It has produced famous people like Barry Marshall, Robyn Warren and Fiona Wood. However, it is more than that; it is about the attachment that people from the length and breadth of Western Australia have with that institution. It is more than about bricks and mortar; it is about the people who have been serving the public of Western Australia in that hospital for generations.

Every family in Western Australia can speak of some attachment to Royal Perth Hospital and the wonderful people who work there - the doctors and nurses who have nursed people back to health from almost impossible conditions and allowed them to become part of the community. I can provide some very good examples of that from my own lifetime. I probably would not be here today if it were not for the attention that my father got when he was in Royal Perth Hospital. In 1963 he was injured in a blasting accident. He had third degree burns to most of his body, a fractured skull, a broken jaw and a broken shoulder. He was virtually left overnight in the Pemberton hospital because they thought he was going to die. The next day he was taken to Royal Perth Hospital. He spent the next six months in Royal Perth Hospital. Until the day he died he talked about the people who looked after him in Royal Perth. They did not have the Fiona Woods of today back then. They took skin from his backside and grafted it on his face, and they mended all the bones. He came back and lived until he was 73 years old. He was 38 at the time of his accident. He was left blinded, with a wife and five and a half kids at the time living in an old house. Because of that, I grew up quickly, being a very young boy at the time. Dad never forgot the nurses who looked after him; he talked about them again and again.

To take Royal Perth Hospital away from the people of Western Australia is an insult of the highest order. The minister should hang his head in shame. The \$4 billion he talks about will not be spent while he is a member of Parliament, because he will probably be gone after the next election. I will talk about my shadow Minister for Health for a moment. If I had a choice of taking the views of an ex-union official cum lawyer - I think he did his law degree when he was a member of Parliament -

Mr J.A. McGinty: That is not true.

Mr P.D. OMODEI: Regardless of that, if I had a choice between taking the word of the current Minister for Health and that of my colleague the member for Dawesville, who did his training in Royal Perth Hospital and practised in Royal Perth Hospital and whose father practised there for many years, I would take my colleague's word 100 000 times before I would take the word of the member for Fremantle.

I have been to Royal Perth Hospital a number of times in the past 12 months. About 12 months ago, the father-in-law of one of my children was injured in a driving accident in Kulin, and was brought to Royal Perth Hospital. His chest was caved in, he had punctured lungs and two broken legs, and he had an embolism while he was in hospital. That was at seeding time. By the end of the harvest he was back in the wheatbelt on the harvester. That did not happen because of some fancy new hospital somewhere else; it was because of the people at Royal Perth Hospital who brought that bloke back and sent him back to his community.

[Interruption from the gallery.]

The DEPUTY SPEAKER: People in the gallery, I do not wish to have you ejected from this house. Please do not interrupt proceedings. You are welcome to stay, but you cannot participate.

Mr P.D. OMODEI: He was back on the tractor with his family. Okay, he is not the same guy as he used to be, but he is still there talking to our grandchildren. He is a wonderful bloke. He would not be there if it were not for those doctors and people in Royal Perth Hospital. I went down to RPH when my old uncle had a car crash and smashed up his face. I went down to the accident and emergency section to see him, and he did not look too good. He was 78 years of age. To be quite honest, when I walked into the accident and emergency room, I

thought he was not going to last. He had broken his jaw and his teeth had been smashed. His jaw had been wired, and the soft palate was blocking his airways. He had a fractured vertebra and a halo frame around his head. I asked him how he was and he said, "I'm buggered." However, he has celebrated his eightieth birthday, and has bounced back as strong as ever.

When I went to the hospital I spoke to the nurses and asked them how things were going. They said they loved the place, but that it got hard. They needed more help in the conditions they had to work under. I did not tell anybody who I was. I went back there the next day, and the same people were there, caring for this old fellow who had worked hard all his life. I shudder at the possibility of losing Royal Perth Hospital.

As the member for Dawesville said, we can build a new wing on the north side, to the west of the current north block. He has already spoken to people about what we can do with the old H block. Again, I impress on the Parliament that this is a very important motion. Why must we have conflict? Why is the Minister for Health so intransigent on this issue? There is such a social attachment to Royal Perth Hospital for the people of Western Australia that it will be like cutting off part of one's body to remove Royal Perth Hospital from the system. We can still have the Fiona Stanley hospital in the southern suburbs, and we can still move King Edward Memorial Hospital and Princess Margaret Hospital for Children to another site. How will those ethnic and indigenous people from the eastern suburbs get to Sir Charles Gairdner Hospital? That has not been satisfactorily explained by this minister. He knows that it will not work.

It is vitally important for all the people of Western Australia to retain Royal Perth Hospital. It has served the state for 150 years. It is important to all of us, and has a history of achievement that goes back for generations. I go to the burns unit or to the accident and emergency unit and see all those dedicated people and the doctors. The accident and emergency unit is like a production line. The patients are angle-parked in there. Just handling those people must be a huge logistical exercise, let alone treating their afflictions, whether they are drug induced or the result of a car accident or some other injury. I just marvel at what those people do for Western Australia. To treat them in the way the current minister is doing is not conducive to good morale in those places. It is not good for the public of Western Australia to see our favourite hospital, which is part and parcel of the life of the people of Western Australia, being treated the way the current minister is treating it. This is a very genuine motion; it is not about playing politics. It is about the most important hospital in Western Australia, and we should keep it.

MR P.W. ANDREWS (Southern River) [3.38 pm]: I will make two points - one related to the Fiona Stanley hospital and the other related to Royal Perth Hospital. I represent my constituents in the western part of my electorate, which is south of the river, and also the south east. However, this issue affects the entire southern suburbs further south to Rockingham and Mandurah. Some two years ago - I cannot remember the exact occasion, but I can remember where I was - I was at Sir Charles Gairdner Hospital in Nedlands. It was the middle of winter, and there was a terrific downpour that caused flooding down the Kwinana Freeway; such rain seems unusual these days. People could not get home down the Kwinana Freeway to the southern suburbs over the Mount Henry Bridge. As a result, there was traffic chaos throughout the middle of the city extending back to the northern suburbs. Thousands and thousands of people were trying to get home to the southern suburbs. As I said, I was in Nedlands. We decided that we would wait a while and go home via Fremantle. We were stuck in the traffic there for the best part of three hours. Cars were banked up, it was raining, and no-one was going anywhere. People were not getting home. People could not access the southern and south eastern suburbs that night. We had a discussion about it in the car, and I thought to myself, "What would happen if this occurred on a regular basis?" However, I dismissed the thought, because good planning cannot be based on something that happens once every 40 or 50 years. It can be allowed for, but planning cannot be based on it. Some six months later, a water pipe burst not far from the old mill down there. Again, traffic was cut off from the southern suburbs for hour after hour, with cars going absolutely nowhere. In effect, the southern suburbs were cut off from the rest of the city.

I put it to the house that people in the southern suburbs would feel very miffed and exceptionally angry if the expansion in the south east and south continued without this government making sure that the Fiona Stanley hospital was built; that is, a 1 100-bed tertiary hospital. A 24-hour emergency department capable of handling mass trauma and mass casualties is needed south of the river. We can imagine all sorts of scenarios in which this would be needed. My friend the member for Roe has an environmental issue in Esperance involving dead birds. There may be a plane crash at Jandakot airport. Members should not say that it could not happen, because I was sitting in my office one day and I heard that a plane had landed in Maddington.

Mr J.E. McGrath: What if there's a crash in the Polly Farmer tunnel, member?

Mr P.W. ANDREWS: It is fine for the member for South Perth to say that, but what about all the people who live south of the river? One of the fastest growing areas in the nation is the south west of this state; that is, Mandurah and Rockingham. The entire southern region would be very aggrieved if the Fiona Stanley hospital were not built south of the river.

I listened very carefully to the Leader of the Opposition. The people of this state certainly have, as he said, a social attachment to Royal Perth Hospital.

Mr C.J. Barnett: It's more than that.

Mr P.W. ANDREWS: I am using the Leader of the Opposition's wording. If he meant to say more than that, that is fine; but he made that point. My association with Royal Perth Hospital goes back to 1968 or something like that, and particularly since 1977 when my wife worked there. One of the constant complaints of people I have known for 20 or 25 years, even in 1977, is that the facilities at the hospital and the buildings themselves are inadequate. We all know that successive governments have done work on the hospital to try to alleviate the situation. However, basically, we are dealing with that set of circumstances at any one point in time.

There has been talk about redeveloping the area. Members should imagine going back in time and talking to people 30 years ago about laptops and personal computers that they could carry around in the palms of their hands and look at results, and so on. If 30 years ago we had told those people about all the different types of radiology that would be available, they would not have believed what we were talking about. Who can look into the seeds of time and see what sort of technology and what sort of facilities will be standard for medical practice in 10 years? Members should think about what those facilities will be in 20, 30 and 40 years. Will that site be suitable for that type of technology at that time? It is far more likely that a place such as the Fiona Stanley hospital will be able to accommodate those sorts of developments.

There is no better staff in Western Australia than the people at Royal Perth Hospital, Sir Charles Gairdner Hospital and the Joondalup Health Campus. The people in our health system do a fantastic job. We could go through the entire register of people who work at Royal Perth Hospital. This is not a reflection on their ability or their dedication; this is a reflection on the facilities that they must work with.

Mr P.D. Omodei: We are talking about a new wing.

Mr P.W. ANDREWS: Yes. I have one minute left, so I will finish my comments. The Leader of the Opposition made the point about how good the staff are. I put it to the Leader of the Opposition that the staff are good, yes, so let us give them better facilities. Better facilities can be built at the Fiona Stanley hospital, where there is room for expansion and room to develop these places. It has been said that we will lose doctors and nurses if we locate the hospital south of the river. St John of God Hospital at Murdoch does not have any more difficulty attracting nurses and doctors than does any other place. That is not a valid argument. In fact, the entire population of the city is not moving west-east, where the configuration of Royal Perth and Sir Charles Gairdner Hospitals is now; the population is north-south. We must build this hospital where the people are. We must build a tertiary hospital south of the river. Royal Perth Hospital is an icon in Western Australia, but its location is not appropriate for the future. The people there are wonderful and the service they provide is good, but let us give them something to work with.

DR G.G. JACOBS (Roe) [3.45 pm]: Western Australia cannot afford to close Royal Perth Hospital. Daily, we hear about bed shortages and the time people spend waiting for surgery. We now have a hospital that has 750 beds, and the government is going to close it. There are 67 000 occasions of service through the emergency department at Royal Perth Hospital in one year. Those services are critical to Western Australia. The minister may say that we will take up the slack with the super Fiona Stanley hospital. However, I suggest that the transition phase will put Western Australia in a crisis with emergency treatment of patients. We already have an acute problem in emergency departments. How often do we read in the newspaper about ramping of ambulances and long waiting times for our close relatives, including the aged, who are parked in the corridors of hospitals waiting for treatment? I suggest that there will be a hiatus between Fiona Stanley hospital getting up and running and taking all those 67 000 occasions of service. Does the government appreciate how much work that is? Royal Perth Hospital takes the lion's share of acute emergency care and first treatment for people in Western Australia.

There are only two reasons to close an institution or to close a hospital. One is that it is in gross disrepair, and I place the emphasis on "gross". The second is that it is in the wrong place. I suggest to the house that Royal Perth Hospital is not in gross disrepair. Parts of it need attention. I trained at Royal Perth Hospital. I did my residency and internship at Royal Perth Hospital. I have had occasion to go back there. I have had occasion to visit my patients who have been referred from Esperance via the Royal Flying Doctor Service. While I am on that matter, I need to tell members that all of my patients from the eastern corridor - that is, that regional area in the south east - who are referred go to Royal Perth Hospital.

Is the hospital in the wrong place? Every city of any significance that we could think of, in both Australia and overseas, has a major hospital in the central business district. There is no significant anomaly in that. The Perth central business district forms the eastern corridor for the referral of patients from country WA.

The minister referred to the importance of regional referral centres. That is a great model in theory. However, it is not working. I suggest there is a long way to go if that model is to work effectively. The lack of doctors,

specialists and trained nursing staff in Kalgoorlie, for example, means that it will be very difficult to make Kalgoorlie the referral centre for Esperance. In the meantime, great reliance will be placed on institutions such as Royal Perth Hospital that take patients from not only the eastern corridor, but also regional Western Australia.

The minister referred to super hospitals. However, the minister wants to drop the words "Royal Perth Hospital", and all the history that is associated with those words, from the name of the proposed new hospital in the southern corridor. That is an insult to the people of Perth. The Minister for Health made an election promise - a public commitment - that he would not close Royal Perth Hospital. Although the minister has given us a lot of rhetoric about vision, the minister is proposing to close a hospital that Western Australia cannot afford to lose. Royal Perth Hospital is not in gross disrepair. The Fiona Woods burns unit at that hospital is relatively new. Many of the units at Royal Perth Hospital have been upgraded. The work that is being done at that hospital is world class. I suggest to the minister that doing his articles when he was Leader of the Opposition in 1995 is hardly comparable with doing an internship at Royal Perth Hospital.

MR T.K. WALDRON (Wagin) [3.51 pm]: We will be supporting the motion. However, I need to make it clear from the outset that no matter what decision is eventually made, the people of country Western Australia are very concerned that moneys will be spent on non-priority areas in major city hospitals, and that will have a deleterious effect on country Western Australia. Country people are happy to support the tertiary hospitals in the city. However, they do not want that to be at the expense of the health services that are provided in country Western Australia. The Minister for Health said that this debate should be about providing services for patients in Perth.

Mr J.A. McGinty: Exactly.

Mr T.K. WALDRON: I agree with the minister. However, it should be about providing services for patients not just in Perth, but -

Mr J.A. McGinty: Statewide.

Mr T.K. WALDRON: Yes. The minister said also that hospitals need to be located where the people are located. That is fine. I understand that where there is a metropolis of people, we need to provide more hospitals. However, the minister should not forget that people outside Perth and the coastal strip - that is, in inland country WA - also need hospitals. I am not talking about hospitals that are over the top and provide ridiculous services; I am talking about hospitals that provide adequate, reasonable, basic and sound services. The minister said also that six regional centres will tap into the major tertiary hospitals. That is fine. However, once again, we should not forget the major centres around the edge. The people in country Western Australia need the large tertiary hospitals in Perth. There is a lot of support in the community for Royal Perth Hospital. There is also support for the proposed Fiona Stanley hospital. There is also support for Sir Charles Gairdner Hospital, although some problems at that hospital have been brought to my attention; for example, the need to improve access to services for cancer patients. One problem in country WA is access to the major tertiary hospitals in Perth. One matter that needs to be taken into account is that people in country WA sometimes need to get direct access to a hospital in Perth via helicopter -

Mr J.A. McGinty: The Royal Flying Doctor Service planes land at Jandakot, and right next door will be the new Fiona Stanley hospital - beautiful!

Mr T.K. WALDRON: That is fine, but Royal Perth Hospital can still play an important role.

People in country Western Australia are able to access three tiers of hospitals. We need the major tertiary hospitals to be accessible, and we need them to be provided - whatever the configuration may be - at a cost that will not have a deleterious effect on the health budget in country Western Australia. The health budget goes up by about eight per cent a year. However, the health budget in my area is going down. That is not equitable. That must be taken into account no matter what may happen with Royal Perth Hospital.

I support the major hospitals. People in country WA support Royal Perth Hospital. However, they also need major regional hospitals. I am talking about Narrogin, Merredin and Moora hospitals. Those regional hospitals are critical. People in country WA also need smaller hospitals. Dumbleyung is just one example. These are not major hospitals, but they are small, basic hospitals -

Mr J.A. McGinty: That are very important.

Mr T.K. WALDRON: Yes. They are very important.

We have talked about the mother whose young girl wakes up sick in the middle of the night and the nearest hospital is 60 kilometres away. People in country WA need hospitals that can provide excellent accident and emergency services, and aged care services, and can service their basic needs. I have run out of time, but I think the minister managed to get the drift of my comments. I support the motion.

Question put and a division taken with the following result -

Ayes (20)

Mr C.J. Barnett	Mr B.J. Grylls	Mr J.E. McGrath	Mr M.W. Trenorden
Mr D.F. Barron-Sullivan	Dr K.D. Hames	Mr P.D. Omodei	Mr T.K. Waldron
Dr E. Constable	Ms K. Hodson-Thomas	Mr A.J. Simpson	Ms S.E. Walker
Mr M.J. Cowper	Dr G.G. Jacobs	Mr G. Snook	Mr G.A. Woodhams
Mr J.H.D. Day	Mr R.F. Johnson	Dr S.C. Thomas	Mr T.R. Sprigg (<i>Teller</i>)

Noes (27)

Mr P.W. Andrews	Mr R.C. Kucera	Mr M.P. Murray	Mr T.G. Stephens
Mr J.J.M. Bowler	Mr F.M. Logan	Mr A.P. O'Gorman	Mr D.A. Templeman
Mr A.J. Carpenter	Mr J.A. McGinty	Mr P. Papalia	Mr P.B. Watson
Mr J.B. D'Orazio	Mr M. McGowan	Ms M.M. Quirk	Mr M.P. Whitely
Dr J.M. Edwards	Ms S.M. McHale	Ms J.A. Radisich	Mr B.S. Wyatt
Mr J.N. Hyde	Mr A.D. McRae	Mr E.S. Ripper	Mr S.R. Hill (<i>Teller</i>)
Mr J.C. Kobelke	Mrs C.A. Martin	Mrs M.H. Roberts	

Pair

Mr G.M. Castrilli

Ms A.J.G. MacTiernan

Independent Pair

Dr J.M. Woollard

Question thus negatived.

ROAD SAFETY SYSTEM - INDEPENDENT REVIEW

Motion

Resumed from 21 March on the following motion moved by Mr J.E. McGrath -

That this house acknowledges the loss of 64 lives on Western Australian roads this year, nine in the weekend just gone, and calls on the government to undertake a comprehensive and independent review of the road safety system.

MR J.E. McGRATH (South Perth) [4.02 pm]: A few hours later than this time last week, I moved the abovementioned motion. Disappointingly, the road toll now stands at 73, which bears testimony to the fact that road safety is a very serious issue. The opposition feels duty bound to raise it in the hope that we can achieve some positive outcomes.

As I pointed out last week, it is a matter of great concern to the Minister for Community Safety, the Premier, the Commissioner of Police, the Office of Road Safety and the community that despite the efforts of the Office of Road Safety and our police enforcement officers, the road safety message does not seem to be getting through to Western Australian motorists. In the past week there have been terrible examples of senseless losses of life. We have all been left wondering how we can achieve a reduction in the road toll. Such is the exasperation of some people that they have suggested that cars be banned altogether. As has been well documented, 2005 was a good year in road safety with only 160 fatalities. In 2006, when there were early signs that it was not going to be a good year, Mr Dorrington, chairman of the Road Safety Council, said -

We've come from 257 deaths down to 162 last year, so we are getting better all the time. But when I say that, here we are again, you know, we're 15 ahead of last year, and you do start thinking what more can we do.

I have moved this motion because people are looking for answers. I understand that the Office of Road Safety is also looking for answers. If we as a Parliament can assist in any way, it is our duty to do so. That is why the opposition called for an independent review into road safety last year. To refresh members' memories, I will explain how the opposition intended that review committee to work. The membership of the review committee was to comprise a chairperson, who would be a member of the community with some knowledge of road safety. That person would be appointed by the government. It would also comprise a member of the government, a member of the opposition, a representative from the Office of Road Safety and a fifth member who would be decided by the minister. That was basically the make-up of the review committee. The minister responded by saying that the current review of road safety would finish this year and that the Office of Road Safety would be embarking on a new strategy. Monash University has been contracted to undertake the research for what could be another five-year road safety strategy. The minister was not inclined to agree to an independent review because he felt that the Office of Road Safety was in the process of doing its own review. I am not so sure about

that. However, I see his point that an independent review committee might cover ground that has already been covered. Last week I mentioned that there might be an alternative way. I stress that this is a bipartisan attempt to achieve a positive road safety outcome.

This issue has become a matter of some urgency because the road toll now stands at 73, and it is escalating quickly. This time last year the road toll was 48. Those figures reflect a considerable and worrying hike in the number of fatalities on our roads. Indeed, that is another 25 fatalities in the same period. We had a bad year last year and we could be headed for a worse year this year. Based on current trends, unless people begin to act more responsibly, four times 73 could mean 280 fatalities this year.

Another trigger for this debate was a media statement released by the Royal Automobile Club. The RAC is a very highly respected agency in Western Australia that represents many thousands of motorists. It has representatives on the Road Safety Council, so it is a part of the body that tries to implement road safety in this state. In a media release dated 13 March 2007, the RAC stated -

Poor implementation of its road safety strategy, delays in the completion of road safety projects and the failure to get the road safety message through to young drivers means the State Government only scrapes in with a C grade on its road safety report card . . .

“The State Government is in the final 12 months of its four-year Road Safety Strategy and they have failed to deliver on many key elements,” according to David Moir, Executive Manager of Member Advocacy at the RAC.

“This must be a failure in the Government’s eye. Their goal was to make WA the safest state in Australia, but four years on we are near the bottom of the class.”

Community Safety Minister John Kobelke has just returned from a trip to Europe and the UK to gather more ideas about road safety, ready for the next strategy.

“We would argue that WA already has a number of good, proven ideas contained in the current ‘Arriving Safely’ strategy, they just need to be implemented . . .

“The Government has delivered on its Safer Cars programme but has fallen behind in Safer Roads and Safer Drivers.

“We need less talk and more action.”

When organisations such as the RAC make those kinds of statements, we must take notice. The RAC gave the government a report card on the progress of its 2003-07 road safety strategy Arriving Safely. The report card gave the government a D for safer drivers, a C for safer roads and a B for safer vehicles. For its overall performance, the government received a C. That was the one area in which the RAC said that the government was making some headway. The RAC found that some additional funding was provided for programs targeting road safety problems but a boost of \$200 million is required for Main Roads WA to address road safety deficiency. For example, it pointed out that many major highways have only two-star safety ratings. It also pointed out that long delays in setting the criteria for the \$103 million safer roads program and insufficient attention to crash history are prime factors in identifying needs. Under the category of safer drivers, the RAC found that there were delays in identifying and implementing measures to target high-risk groups; for example, novice drivers. I know some action will be taken on novice drivers this year but it has not been taken yet.

The RAC also found there were lower levels of random breath test checks and long delays in a new program to target repeat drink drivers. I believe that program will be rolled out later this year. It is proposed that interlocks be installed in cars driven by repeat drink-drivers. However, the RAC is saying that it still has not happened and we are nearly at the end of the road safety strategy Arriving Safely 2003-07. It is taking a long time for some of these things to happen. A speed camera program has not been evaluated, there are long delays in processing associated infringements and the implementation of a new police system, and there are lower levels of screening of vehicles by speed cameras. There have been a lot of complaints by people who are getting infringement notices four months after going through a Multanova. That is a long delay, especially as people may lose their licence. They may be a dangerous driver but because of the process, they are on the road for four months.

The RAC also said that the government has been unable to implement a program to deter speeding by motorcyclists. This has had quite a bit of publicity. Unfortunately, because of the danger of having a normal front-end plate on a motorcycle, they are not required to have one. Therefore, motorcyclists are not being picked up by Multanovas. We think motorcycles should have a plastic licence plate or cameras should be installed that can take photos of offending vehicles from behind.

In the overall rating, WA fatality rates are much higher than targets and worse than the rates in most other states. There were increases in fatalities in 2006 and 2007. There were concerns with increases in hospitalisations of road users involved in road crashes. The RAC referred to poor implementation of the state’s road safety strategy, delays in safety projects, with carryover of associated funding and inadequate government commitment,

and inadequate engagement of safety measures for road users, particularly youth and in rural areas. The RAC is saying that some of these strategies of the Office of Road Safety have been quite good but this government has not implemented them in the time that it should have. That is a real issue.

I will make another point on the way the Office of Road Safety is run. A lot of people in Western Australia probably do not understand how it works. Above the Road Safety Council, which consists of stakeholders from various sectors, is the Ministerial Council on Road Safety. The ministers on that council - I know we have had some changes of ministers in the past, so I hope these are up to date - are the Minister for Community Safety, the Minister for Health, the Minister for Education and Training, the Minister for Local Government and the Minister for Planning and Infrastructure. These ministers are all expected to have a very serious commitment and concern for road safety. I would like the minister to tell us how often these ministers get together and what sort of input they have into the overall road safety strategy, because the Ministerial Council on Road Safety does sit above the Road Safety Council.

During a visit to Joondalup recently I had a briefing with some members of the police force. We talked about road safety. They had a number of points to make about their experiences on the roads. I believe we should talk to these people because they are on the front-line. Computer boffins and universities can do all sorts of studies but the people who do the front-line work are the members of our police force. They said that of the last 51 fatal accidents, one-third of the fatalities were not wearing seatbelts. We know that that is a real problem. When the Premier wanted to increase the fine imposed for not wearing a seatbelt to \$500, I supported his stronger stance on seatbelts because I think it is a real worry. People who do not use their seatbelts are totally irresponsible and they should be penalised. I have a problem with fines because too many people do not pay fines. A lot of people are driving on our roads who have not paid fines and they have lost their licence. They do not seem to care. That is one of the big issues we have with our society. These people do not carry on in the responsible way we expect them to as citizens.

The police at Joondalup said that the reasons for fatalities were driver attitude, education, no seatbelts, fatigue and alcohol. They claim that the effect of alcohol is not as bad as it once was. We understand that that has changed since the days before we had random breath testing and things like that. A lot more people used to drive under the influence of alcohol. The police say that it is not as big a cause of fatalities as it once was. The other issue that the police have a concern about is motorcycles. They say that motorcycles should have front plates. The government should be urged to do something about that as quickly as possible. In recent times there has been a spate of fatalities involving motorcyclists.

Mr A.J. Simpson: Most involving cars as well with motorbikes. Cars are more at fault than motorbikes.

Mr J.E. McGRATH: The statistics show that motorcyclists are also leaving the roads and failing to take bends. If a motorcyclist loses control, he can easily hit a car, the same as a car can hit a motorbike. It is an anomaly if a motorcycle can go through a Mulanovva without getting fined and a car cannot. The police say that fines are not the answer. They say that offenders can even arrange to pay their fines over time. When they fall off the time payment, they get behind and they do not pay. Then they drive without a licence. We have to understand that there are people in our society who do not care about things like that. I am sure I speak on behalf of all members when I say that if we lost our licence, we would not drive or if we got a fine, we would pay it. There are some people who do not care. They do not worry about those things.

I do not know what the figure is but the minister may be able to tell me how many people have had their licence suspended. The police tell me that thousands of people are driving without a licence and some may not know they have lost their licence.

Mr J.C. Kobelke: Obviously, we don't know the number because then further action would be taken, but there are enough caught to give one the suspicion that it is much higher than it should be.

Mr J.E. McGRATH: The minister would know at any one time how many licences have been suspended.

Mr J.C. Kobelke: One would hope so.

Mr J.E. McGRATH: The minister would not know how many of those people are driving, but he would know how many people have suspended licences.

Mr J.C. Kobelke: Sometimes these are kept on different systems and they're not easily extracted. An interjection from the member for Riverton might give you a more accurate answer.

Mr A.D. McRae: The number of suspended licences is known but the police advise you they don't know how many of those people with suspended licences are actually in breach of that suspension and out on the road. That's an impossible thing to know because people can do that on a daily basis. There are a very specific and known number of people with suspended driving licences and that database is kept at the licensing business unit within DPI.

Mr J.E. McGrath: The police find that when they do these roadside tests with the computerised devices, they can do licence checks. They find that a lot of people are driving with a suspended licence. A person is not covered by third party insurance if he drives without a licence. It is a serious offence. When I got my licence, I was told that one of the most serious traffic offences was driving without a licence.

Mr A.D. McRae: Doesn't that suggest to you that somewhere in the core of this problem is a disregard for the rules of the road that have been developed on the basis of known safety requirements? This disregard is an increasing problem across the population.

Mr J.E. McGrath: Yes, in a lot of spheres.

Mr A.D. McRae: By not wearing a seatbelt or driving with a licence that is not in a proper condition, it shows a disregard for the rules and laws that have been established over a long time.

Mr J.E. McGrath: It is a cultural thing. The police told me that they believe that people whose vehicle registration expires will continue to drive because they do not care.

Mr A.D. McRae: I understand that.

Mr J.E. McGrath: The police tell me that the magistrates do not like the fines enforcement register because it is just not working. I hope we can look at these things. We have an agency that is trying to look at everything, but we should try to get more people involved. As members of Parliament, we have many people come into our office to have their say on road safety. Many of them have good ideas.

Another suggestion the police made was to have a downgrading of licences. If people are known to be bad drivers, perhaps their licence could be downgraded to, for example, a P-plate driver's licence. They could be told that they had demonstrated that they were not responsible on the road and, as a result, they would be issued with a restricted licence.

The police told me that another problem is that once a person's suspension from driving a vehicle has expired, the person can obtain another licence without undergoing any test. I understand that P-platers are required to sit the test again. People can lose their licence for six months for drink-driving or reckless driving and when their term of suspension expires, they can just get another licence. Some people have suggested to me that those people should be made to earn that licence by again sitting a written or physical test.

Mr A.D. McRae: Are you aware of the changes we made last year to licensing conditions for people who exceed the demerit point threshold?

Mr J.E. McGrath: Yes, and I do not agree with that. Double or nothing - that is played at the casino. If people lose 12 demerit points, they do not deserve another chance. I have been driving for a long time and have been issued with plenty of speeding tickets, but I have never lost my licence through the loss of demerit points. Have any members lost their licence because they have reached the demerit point threshold?

Mr R.C. Kucera: I have never lost one point - touch wood.

Mr J.E. McGrath: The member for Yokine was a policeman and I would be disappointed if he had lost a demerit point.

I am aware of what happened last year, but the opposition feels that people who lose 12 demerit points have been given plenty of warnings along the way through infringement notices.

Mr A.D. McRae: That goes to the cultural point. Where the controlled licence system has been introduced, the evidence is that for the overwhelming bulk of people it changes their driving behaviour.

Mr J.E. McGrath: I understand that. It is a cultural issue and we need to look at it.

The police said that they have an issue with driver training and suggested that police should visit schools to give schoolchildren better tuition and make them realise that a licence to drive a vehicle is a great responsibility. Perhaps students could be given written tests before they apply for their learners' permits. Some schools include road safety as part of the school curriculum. Perhaps that is an area on which we need to focus. We must look at the issue of road safety in a broad sense to try to save lives. It is a cultural and attitudinal thing. We could start by getting police to visit the schools.

Police numbers is a real problem. Some police made the point to me that they think it might be difficult to get more people into the police force, but an option is for police to work a 44-hour week, if they do not already do so. The police officers who are prepared to work extra hours could be sent to the hotspots where there is bad hoon behaviour. The police would be prepared to do that.

Mr R.C. Kucera: There is certainly no shortage of overtime in the metropolitan area. They can have all the overtime they want.

Mr J.E. McGrath: That is what the Joondalup police told me. They told me their area grows by the size of Kalgoorlie each year. They have a massive task to try to control the crime and the road rage and hoonish behaviour. They are doing a terrific job under extremely difficult circumstances.

I mentioned to the minister last week that I had a meeting with Iain Cameron, the executive director of the Office of Road Safety. I understand that the office is doing its best to combat the problem. However, the problem is that the message is not getting through. Obviously, the public is not listening. The senseless loss of lives on our roads makes people wonder why money is being spent on road safety campaigns, including television advertising. People continue to not wear seatbelts. It is a sad state of affairs.

The opposition wants a review of the road safety system. We understand that the Office of Road Safety is currently involved in a five-year strategy plan. However, a review of how the whole system operates would be a worthwhile exercise. It would demonstrate to the people of Western Australia that we want to inform them how the Office of Road Safety works. Most people who have a driver's licence would not know who is on the board of the Office of Road Safety or what bodies comprise the Road Safety Council. All they see is Grant Dorrington on the TV telling them they must slow down; therefore, they think that he makes the rules. He is the most unpopular person in Perth. The road safety system is bigger than that. It should be more transparent and the people of Western Australia should be able to have their say.

An independent review will give all sectors of road safety and the public the opportunity to have an input. If the minister will not do that, at the very least we should use Parliament House as the venue for a forum on road safety. I mentioned that last week before the debate was adjourned. I would like to see the members of the Ministerial Council on Road Safety attend that summit. The public could be invited to attend. It would attract a lot of media attention. The Office of Road Safety could explain how and why it has come up with its strategies. The public would then be a little better educated on how we, as a Parliament, intend to address the issue of road safety. A precedent has been set and I refer to the drug and water summits that were held in this chamber. Road safety is a matter of great importance.

As of today 73 lives have been lost on our roads, and that is too many. We are looking for answers. I am not saying that the opposition has the answers. I am sure that neither the government nor the Office of Road Safety has the answers. However, collectively, we can do something by having an input into it. Let us, in a bipartisan way, make a concerted effort to encourage the public to understand that we are looking at this issue sensibly and with commonsense. We are disappointed that people are not getting the message, but let us take them along with us rather than try to hit them with a big stick. Using a big stick will not work. As I said last week, if we increase speeding fines, the people driving five or six kilometres an hour over the speed limit will be caught and they are not the ones who are being killed on the roads. The people who are causing major carnage are those who are driving at 40 and 50 kilometres an hour above the speed limit. My personal view is that we should take their cars from them so that they cannot drive. Let them catch a bus. I am sure that every member in this chamber, except the member for Yokine, has paid a speeding fine at some stage. Even the member for Moore, who I said last week had never been given a speeding ticket in his life, admitted to me that in the past few months he was given a ticket. He should come clean and tell us what it was for.

Mr G. Snook: Driving through a red light.

Several members interjected.

Mr G. Snook: I paid up.

Mr J.E. McGrath: We have all been guilty of breaking the law on the road. I do not think that the way to send this message is by telling everyone who speeds that they will be hit with a big fine. People who speed excessively should be hit with a very serious penalty. People who are totally irresponsible on the roads and who want to drive at 40 or 50 kilometres an hour over the limit should not be on the roads. We should be tough on them but we must be very careful not to hit average drivers in the hip pocket.

MR T.K. WALDRON (Wagin) [4.31 pm]: I usually comment on road safety issues because road safety is something I take very seriously. I congratulate the member for South Perth on his motion. His motive for moving it is very genuine. The present road statistics are pretty frightening. Given the road safety figures for previous years, it is a shame that they are sneaking up again. Although some people have argued that that has occurred because there are more cars on the road and those types of things, over the previous few years the toll has come down. Therefore, obviously something is not going right now. Although the increased toll seems to be occurring in short bursts, the trend now appears to be continuing and that is of considerable concern. I, too, think we need a bipartisan approach to this problem because it is a huge issue for every one of us on the roads. Members of this place and their families are frequent road users.

There is no doubt that the Road Safety Council has good intentions. Its aims are terrific and obviously its strategies have been successful in the past. However, when things are not going right, we must analyse what we are doing and realise that maybe some of the policies that we thought were terrific are not working as well as we

think. Pride and sticking to something because it was our idea should not get in the way of reconsidering the way we do things. It is very important for the Road Safety Council to get around and listen to not just interest groups, but also the community generally to try to form some different opinions with the aim of trying different strategies. At present, not everything is working.

Mr A.D. McRae: There was a road safety forum held in Geraldton last Friday.

Mr T.K. WALDRON: I knew that, because Grant Dorrington rang me when he was there. I ran a road safety forum in Narrogin last year, and the member for Avon will run a forum as will the member for Albany. They are fantastic ideas.

Ms M.M. Quirk: The member for Collie-Wellington also ran one.

Mr T.K. WALDRON: Yes. They are great. I found when I ran the one in Narrogin, and I am sure the experience for everyone else was the same, although a forum cannot solve all the problems of safety, it helps to highlight the importance of road safety in our own regions. Local people take the matter on board and create some priorities. Some local councils have formed committees on road safety and are running things locally. I think we need to address the issue locally. Although the Road Safety Council, the minister and politicians can espouse the importance of road safety and address the broader picture, local people must be involved. Something that I always mention in these speeches is that we never want to discourage local people from getting involved. Many service clubs are doing great work out in the community. That work might not always be exactly in line with the tried and true methods, but we should always encourage local groups to run subsidised courses for kids who have obtained their licence for the first time. If we keep chipping away at the local level, while the Road Safety Council delivers the overall message, that is probably the best way to address this issue. There is not one answer.

The member for South Perth mentioned many different strategies such as Multanova cameras, road safety messages and talking to kids at schools. It reminds me of the battle against salinity: there are many ideas for what should be done, all of which are worthwhile, but their success depends on how we coordinate them and how persistently we work at them.

The suggestion that we hold a review or a summit is a good one. Sometimes people criticise those sorts of events for being just big talkfests about issues that go through to the keeper. It is a bit like planning: sometimes we plan, but how often do we stick to the final detail of the plan. We tend to follow our basic plan, but in the end our plan changes. I have always found that the process of deciding on a plan is what counts because it provides a point for revisiting and a basis to work from. The minister and the Road Safety Council should give strong consideration to holding a summit or a review of some sort. There is probably quite a bit of merit in doing that.

I still think education is very important for our young ones. Everywhere I go now I hear about the importance of learning for children in their first three years. I am not talking so much about road safety in those first three years. Road safety should not dominate the school syllabus, but schools should be consistently sending little messages to kids so that by the time they reach their mid-teens, it is well ingrained in their minds that driving a car must be taken very seriously because it can kill them. The other day I read - the minister said the same thing - that our primary schools and secondary schools have a helluva lot to deal with. The other day my youngest daughter, who attends Willetton Senior High School, said that she was learning about road safety at school. She is going to bring home the information and show me what she is doing. I think that is a great. It is an example of how her attention has been focused on road safety at school. That is the kind of thing we need to do. I think kids are aware of the importance of road safety. In my road safety forum about 85 children in that 16 or 17-year-old age group attended. It was interesting to listen to them. As we get older we think we are in touch with young people but we are not always. We lose touch to some degree. That day those kids talked about their habits when they go out, how they get home and peer group pressure etc. We forget that we did things that are similar to what kids do today. We must keep talking to kids and they must have leaders among them. They are their own best helpers. Recently my daughter, who has had her licence only since October, phoned for my wife and I to pick her up. She had been involved in a disagreement because she and her mates had taken the keys from another girl who wanted to drive her car. She had gone berserk. Funnily enough, my wife picked her up because I had had a couple of drinks myself and could not go. The girl probably had had a few too many drinks and was going to get in the car. The kids stopped her and almost caused a young women's catfight. However, that girl was very thankful later and apologised to the others. We must involve the kids because they too can drive the agenda.

We often talk about 17 to 25-year-olds because, undoubtedly, they represent the increased statistics in that area. However, not only the kids speed. I drive an average of about 75 000 kilometres a year, as do many other members, and I see people of all age groups behaving badly on the roads. Many drivers in the 30 to 45 age group think they have been there and done that and are good drivers because they have a number of years' experience. We have probably all thought along those lines to some degree and perhaps been guilty of passing

another car at the wrong place or roaring past another car at about 145 kilometres an hour. In those situations, if something goes wrong, we are in trouble. It is not just the kids. I spoke with Grant Dorrington about the number of deaths of motorcyclists. Next week I hope that Mr Leisk and his son, who are well known motorcyclists, will meet with Grant Dorrington to offer their assistance and provide their thoughts about what can be done for motorcyclists. It is important to use the expertise of specialists in certain areas and to get them involved. People might not agree with everything they have to say and the Road Safety Council might not take everything on board, but it is another initiative that could help us; therefore, we should not turn a blind eye to it.

I agree with the many programs that target drink-driving and wearing seatbelts. Many accidents occur when single vehicles run off the road. Although it is sometimes caused by tiredness, speed or alcohol, many of those types of accidents occur by inattentiveness. I was talking to the member for Merredin about this recently. Most people who often drive in the country can remember a moment when they have either done something with their phone, have leant across the back seat to get a book or have reached for a pen to quickly jot something down and, in doing so, have taken their eyes off the ball and have had a scare. That is a good thing because it sends us a message. The trouble is that the people who have been killed did exactly the same thing but rather than just getting a scare, they have lost control of their vehicle and died. It is too late for them. Many of us have probably been lucky at one time or another. I will not take up too much time because I know other members want to speak on this issue.

It is important to utilise sporting groups in our communities. When I worked for the West Australian Country Football League, it was sponsored by the Road Safety Council, which ran the Belt-Up campaign. That campaign did a lot of good. Some members might say that it was a failure because many people do not wear their seatbelts. However, I believe it made a big difference. Maybe that message must change; perhaps it has grown old and tired. Sporting clubs in country Western Australia in particular, but also in the metropolitan area, are great vehicles to get messages through to young people. Young women are a key also. From my experience of sport and social occasions, I can say that quite often the young women make the sensible decisions and often the young blokes will listen to them rather than to the other blokes. We should concentrate on their responsibilities. However, above all, we must take responsibility for this ourselves. Whenever I leave home, my wife always tells me to make sure that I come home to my loved ones. I think about that all the time. No-one wants to get killed. If a person dies, he is gone, and he leaves behind his children, family and friends. We must take personal responsibility for this issue. When I get in the car and am about to drive from Katanning to Willetton, it is my job to make sure that I get there. We must tell ourselves that each time we get into a car.

Members have mentioned the demerit point system and the incentives, which I believe are very good. About three years ago, the National Party raised an idea that was resurrected about a year ago but which has never been taken up. I believe that the idea deserves consideration. Whenever a driver incurs 12 demerit points, it means there is a problem because the driver continues to reoffend. It could be that the driver has just been unlucky but it could mean that the driver is consistently breaking the rules. That puts the driver at a higher risk. Drivers who have accumulated 12 demerit points could be given the option to have their demerit points reduced to nine points if they underwent a driving course to refocus them on what they should be doing, which would enable them to keep driving. That would be a positive step. People often say that the problem is not them; it is the other bad drivers. However, sometimes it is us. That initiative would be a way of targeting those people. We must keep highlighting these issues. It is not until someone we know is involved in a car accident that the reality hits home and we realise that it is not just another statistic in the newspaper or another figure that members have talked about; it is someone's mother, father, brother or sister. I support the motion. It is a good idea to hold a summit or review of some sort. I look forward to hearing the minister's response.

MR R.F. JOHNSON (Hillarys) [4.44 pm]: I support the motion before the house. I preface my comments by commending the member for South Perth for the tremendous job he has done in this area, for the amount of research he has undertaken and for the many hours of his time he has spent on this issue. He has done a tremendous job. I have said it many times and I will say it again: I believe that there are two main types of people who speed. The first is the people who speed unintentionally. By that I mean people who drive five or 10 kilometres over the speed limit. They could have been driving up an incline or they might have taken their eyes off the speedometer for a moment to look at the road and their foot has gradually pressed down on the accelerator slightly and taken them up to 10 kilometres an hour over the speed limit. That could occur in any speed zone, whether it is 50, 60, 70, 80, 100 or 110 kilometres an hour. They break the law by speeding unintentionally. Unfortunately, they break the law because they go over the speed limit, and they get dealt with. However, we should not be so hard on them, because they are not intentional speeders. They are not the people who are causing the accidents.

Mr M.P. Murray: If they are not paying attention, they are.

Mr R.F. JOHNSON: I did not say that. I said that they may have taken their attention off the speedometer. It is dangerous to drive a car and look at the speedometer all the time. Drivers must look at the road ahead of them, to the left and right of them and in the rear-view mirror. Drivers must be aware of what is around them. A

driver who is permanently looking at the speedometer is driving dangerously. Drivers must look at it every now and again to ensure that they are not driving faster than the speed limit. However, people can creep five or 10 kilometres over the speed limit. Every member would be guilty of doing that. I challenge any member to say that he has never unintentionally driven five or 10 kilometres over the speed limit. There is silence in the house. That is because members know what I am saying is true.

Mr J.C. Kobelke: I don't anymore.

Mr R.F. JOHNSON: I bet the minister does. I bet there were times when he went over the speed limit.

Mr J.C. Kobelke: Not intentionally.

Mr R.F. JOHNSON: That is exactly what I am saying. The minister should listen to what I am saying. The minister is not guilty, in my view because he does not do it intentionally. Occasionally, he will drive over the 60 or 70-kilometre-an-hour limit. He might unintentionally drive 75 or 78 kilometres an hour in a 70-kilometre-an-hour zone limit. I do not believe that the minister should be penalised quite so heavily for doing that. That is one category of people who exceed the speed limit. I do not have a serious problem with them because they are very rarely responsible for causing an accident, unless there are other contributing factors such as illegally doing a right turn or something else that is illegal. However, driving between five and 10 kilometres an hour over the speed limit is not usually the cause of an accident unless there are other contributing factors.

The second category is the intentional speeders. They are the people who know what they are doing. They will drive 20 kilometres an hour over the speed limit, regardless of the speed limit. They will drive at 90 kilometres an hour in a 70-kilometre-an-hour zone, at 100 kilometres an hour in an 80-kilometre-an-hour zone, and they will drive at 130 or 140 kilometres an hour in a 110-kilometre-an-hour zone. They are the intentional speeders. They are the people who are driving recklessly, and in some cases they are driving dangerously. They are the people that we must come down on like a tonne of bricks because they are causing most of the accidents when speed is the factor and when it is not simply a matter of drink-driving, sleep deprivation or lack of concentration for one reason or another. They are the people who very often cause accidents.

I support the motion to have a complete review of road safety in Western Australia. I refer the minister to the budget estimates hearings last year when we discussed this matter. The member for South Perth and I put our genuine concerns to the minister. We were genuine when we said we would be happy to take a non-political, bipartisan approach to road safety. We have concerns about the Road Safety Council as it is presently made up. Quite frankly, it is not successful. Some people have been in their jobs for a long time. Are they really capable of coming up with new initiatives? I do not think they are. I have nothing against Grant Dorrington, but it is time for a change. The government and the opposition need to sit down together with other interested parties and people who have expertise in this area. It is better to go outside government, the bureaucracy, and even the opposition. It is better to go outside and get some input from people who specialise in road safety and the safety of vehicles.

A vehicle is a dangerous weapon. If a person who is licensed to own a gun and is a member of a sporting club is seen pointing that gun at somebody, what do the police do? They take the gun away. I would like to see the same thing happen to people who are using vehicles as a dangerous weapons. I am not saying that people speeding 20 kilometres an hour over the limit should have their vehicles impounded, but there should be a point at which people who flagrantly abuse the laws of road safety and endanger the lives of innocent people receive not merely a couple of demerit points or a fine of a couple of hundred dollars, but face much more serious consequences. For a start they need to lose their licences.

What do we do with people who drive their vehicles once they have lost their licences, and they know they are driving illegally? Do we fine them again? The government will not send them to prison. There is no point in fining them because many people do not even pay their fines, as the minister and the government know. Unpaid fines and infringements amount to \$132 million. These people do not bother to pay and they know they will not be sent to prison for it. Now, the new scheme is that they may be given a 10-hour community service order. That is not the answer. The only way people can be made to stop and think about driving dangerously and recklessly and putting innocent people at risk is by having their vehicles taken from them. Assets of crime in other areas are confiscated, so why not do the same to people who put lives at risk? I would have no compunction whatsoever about taking their vehicles.

We have seen reports recently of indigenous people who continue to drive their vehicles while under suspension and drunk. Unfortunately, it is a very high proportion compared to that in the total population of Western Australia. Not only are they breaking the law by driving without licences, they are also drinking and driving and putting people's lives at risk. That needs to be dealt with. What are we to do in that situation? It is no good fining them because they will not pay the fine. We will not send them to prison, and they will not complete community service orders, so we must take their vehicles. This is very harsh, but we must get serious about this and take the dangerous weapons away until they are prepared to behave responsibly on the roads. If somebody is stupid enough to loan a vehicle to someone whom he knows has lost his driver's licence, he is part of the

conspiracy to allow a person to break the law even further. That person loses the car that somebody else has been driving under suspension and while drunk.

I will return to the hoon legislation, because I think the minister was very soft on that. For behaving in a hoonish and dangerous manner or exceeding the speed limit by more than 45 kilometres an hour, the driver loses his car for 48 hours, which is absolutely nothing. Every single person I have spoken to has agreed with what I said. They have said that 48 hours is nothing, and that it should be a month or three months. All I asked for was seven days, so that the driver cannot go and grab the car back after 48 hours. The driver will not have gone to court by then and will not have lost his licence, so he can get back into the vehicle and drive recklessly and dangerously again. That is stupid; it is putting people's lives at risk. If these people do not learn through education and losing the use of their vehicles for a very short time, the government must get tough. This namby-pamby approach will not work. The minister said that he could not make it a punishment, but I do not give a stuff whether it is called a punishment or anything else. To impound the car of somebody who has been driving 45 kilometres an hour over the speed limit, which is dangerous driving or reckless driving - almost certainly that driver will lose his licence when the case comes before the court - and just give back the car after 48 hours is reckless behaviour on the part of this government. The police should be able to get those people who have broken the law before a court, and have their licences suspended so that they are not able to drive vehicles. What do we do to somebody who has been found guilty of that, and is caught driving again? We should confiscate their vehicles. If we confiscate enough vehicles, people will soon learn the lesson. They will soon learn that this is a tough government. If the government does not get tough, when the opposition is elected to government, we will be the tough government.

Mr J.R. Quigley: But you'll be 80 by then!

Mr R.F. JOHNSON: I promise that I will not be.

As understand it, the minister intends to move an amendment to this motion, which I do not have a problem with because it will support looking at this issue in a bipartisan way. That is an excellent suggestion; I think both sides have agreed to it now. Unfortunately, it has happened a year after it was first suggested, but better late than never. Many areas must be considered in driving and road safety.

I do not agree with young people being able to drive a car on the roads of Western Australia at the age of 16. They are still children. The government still wants to treat them as children in the eyes of the law when they commit other crimes. The government does not want them named and shamed and all the rest of it. They are children at 16; I accept that, but they are also too young to get a V8 car and drive it. I did not think anybody should be able to apply for a licence until the age of 17. In the United Kingdom people cannot apply for car licences until they are 17, and then they have to go through quite a rigorous process of learning to drive. About 90 per cent of the youngsters in the UK go through driving schools, and are professionally taught how to drive. They would not get full licences until they are probably about 17 and a half or 18. Does the minister honestly think that it is right for 16, 17 or even 18-year-olds to be driving V8 cars on our roads, particularly country roads? A lot of our country roads are not all that good quality. People can drive fast on the freeway without having an accident because there are three or four lanes of good quality road. However, I know from having driven on many of them that country roads are often not of good quality, and they are a danger for people driving fast.

We must look at different aspects. A bipartisan forum would look firstly at increasing the age at which young people can apply for drivers' licences for cars. I suggest that the age be 17. I also suggest that young people aged 16 be allowed only to ride motorcycles with an engine capacity of less than 50 cubic centimetres. Riding a motorbike with such a low engine capacity is not a bad way to learn the rules of the road. It is probably a good thing to do, and a lot of other countries have taken the idea up.

Double demerit points apply on long weekends. That is a gimmick. Many people believe that is just a revenue raising measure. A speed limit of 60 kilometres an hour may have been in place on a particular road for the past 20 or 30 years. If the speed limit on that road is reduced to 50 kilometres an hour, and people exceed that speed limit by five or six kilometres, they will get done, with double the demerits and double the fine.

Mr J.C. Kobelke: It is not double the fine.

Mr R.F. JOHNSON: Okay, it is not double the fine, so it does not increase the revenue. However, people run the risk that they will lose their licence much more quickly, even though they have not been speeding intentionally. Like the minister and me, many people do not speed intentionally. They just forget that the speed limit on a particular road has been reduced, even though there has never been an accident on that road, and the speed limit has always been 60 kilometres an hour. In some areas it is necessary to increase the speed limit. A speed limit of 50 kilometres an hour may be fine on inner roads in estates or suburbs, but it is often too slow in the outer roads between suburbs. The forum needs to look at this matter. As I have said, double demerit points are a gimmick. If the government was serious about double demerit points, it would apply them not just during

holiday periods, but every day of the year. People who drive at 30 kilometres or 40 kilometres over the speed limit should not be on the streets. I certainly do not want them to be on the streets.

[Member's time extended.]

Mr R.F. JOHNSON: Another important issue is the quality of vehicles. Some people drive an old banger. It may be an old V8, and the bodywork is not very good, but it has been souped up to go very fast. Vehicles like that are a danger on the road. The vehicle may be 10 or 15 years old. However, it is not illegal to drive an old banger unless a police officer has issued the driver with a pink slip to take it over the pits, and a defect is found. We should consider adopting the system that applies in the United Kingdom, and I think also in the eastern States, under which a car must be tested regularly when it is more than three, or perhaps five, years old. A car that is less than three years old should not have any defects with the brakes, lights, steering and tyres. However, if a car is five years old, defects may start to come through. The United Kingdom uses what is called a Ministry of Transport test. That test is not carried out by the police. Particular garages are authorised by law to carry out those tests and to check whether there is any rust on the vehicle that may be considered a danger, and to ensure that the brakes, lights, steering and tyres are roadworthy. We are putting lives at risk, because we do not have a compulsory roadworthiness test for old vehicles. This morning I heard on Radio 6PR that in Melbourne, where such a test is compulsory, it is rare for people to drive old bangers, because if their vehicles are not up to scratch, they are not given a roadworthiness certificate.

The number of road deaths in this state is horrendous. We all focus on the deaths on our roads as a result of vehicle accidents. However, we do not always know the circumstances of those deaths and whether it is the fault of the driver or someone else. Is it correct that if a person dies of a heart attack while driving, that is included in the road death statistics?

Mr J.C. Kobelke: No, it is not. It is included in the initial figures. However, if the coroner's report shows that the death was due to other causes, it is taken out of the road death figures. That is why the figures are adjusted regularly. The police figures for 2006 indicate that there were 203 deaths. The official number is now 202, because although one of those deaths was initially counted as a road fatality, the cause of death has now been attributed to another event, so that has been taken out of the figures.

Mr R.F. JOHNSON: So the final figures are purely for people who were killed either when they were driving or when they were being driven?

Mr J.C. Kobelke: They are for people whose cause of death has been clearly established to be due to an incident on the roads.

Mr R.F. JOHNSON: Would that include pedestrians?

Mr J.C. Kobelke: Yes.

Mr R.F. JOHNSON: Exactly. That is what I am saying. It is a tragedy when a person is killed in a road accident, no matter whether it is the person who was driving the vehicle, or an innocent passenger or pedestrian. However, we should not focus just on deaths on the roads, because that is only half the story. We need to focus also on the people who are permanently disabled as a result of an incident on the roads. People may be able to get over a road death in a relatively short time. However, if a person is seriously injured and is brain damaged or becomes a paraplegic, in some instances that may be worse than death, because that person, and his or her family, will need to live with that every day. Many of these people have little, if any, quality of life. The cost to society for the care of these people may run into hundreds of millions of dollars a year. The cost to society if someone is killed on the roads is much less than if someone is seriously injured, because those people need lifelong care. If those people are very young, there may be an ongoing cost for 50, 60 and sometimes 70 years.

I urge the minister, when he moves his amendment, to move it in good faith, and to include not only members from this side of the house, but also people outside the bureaucracy. The minister should do what they did in the United Kingdom and call in experts in the manufacture of cars, in road safety issues and in the causes of accidents, because although speed may not be the cause of an accident, it may be a contributing factor to an accident.

Recently my electorate lost a very good police officer. He was killed by a driver who is alleged to have taken drugs and whose licence was under suspension, as I understand it. We need to get these people off the roads. The number of unlicensed drivers on our roads in Western Australia is horrendous. I believe that if people have been driving so recklessly that they have lost their licences, yet are allowed to drive vehicles again, that is tantamount to an intention to commit manslaughter. Members will not find anyone who takes a harder stance on this matter than me. I feel very strongly about the needless loss of lives, particularly young lives. To allow lives to be lost through the stupidity, recklessness and dangerous driving of another person is criminal. The penalties handed down to people who drive recklessly and dangerously do not fit the crime. I have yet to come across a person who thinks that a \$1 500 fine and a two-year licence suspension are suitable for someone who is found guilty of dangerous driving causing grievous bodily harm. It is not sufficient that a person who drives

dangerously and causes grievous bodily harm should receive a \$1 500 fine and a two-year licence suspension if the victim of that dangerous driving receives brain damage and has no quality of life for the rest of his or her life. We must reassess the penalties for people who intentionally drive horrifically and dangerously and who know that they are breaking the law. We should not be targeting the people who exceed the speed limit by five or 10 kilometres an hour when they take their eyes off the speedometer briefly to look at other things that are going on around them as a safety measure. Indeed, a person must take his or her eyes off the speedometer to look around the vehicle or at the roadway ahead to determine the traffic situation. The government and the police should not be coming down so heavily on those people. I have seen police officers with handheld guns in a 50-kilometre-an-hour zone - it was a 60-kilometre-an-hour zone for 20 years - that has never been the scene of an accident, let alone a fatality, pinging people for doing 56 or 57 kilometres an hour. That is pathetic. It is not the proper way to use our police officers. They should be positioned on streets where it is known that people speed intentionally and put other people's lives at risk. They should ping them and ping them severely. If those drivers continue to behave in a reckless manner by driving in that way, they should lose their licences. If they continue to drive after they have lost their licences - and if they drive and drink alcohol, which is a horrendous thing to do - their vehicles should be confiscated for good. Those sorts of drivers should be kept off the roads, because when they get behind the wheels of cars they are handling dangerous weapons. The government would confiscate a gun from a person because it is a dangerous weapon. I suggest that it confiscate vehicles from reoffending reckless and dangerous drivers.

MR J.C. KOBELKE (Balcatta - Minister for Community Safety) [5.14 pm]: I congratulate and thank the member for South Perth for the motion and for the way in which he has addressed the subject. I take it from his contribution that he is extremely genuine about this issue and that he is trying to address the issue of road safety and the unacceptable number of deaths and serious accidents on our roads in a positive way. I sincerely thank him for his contribution and for the way he has raised this issue. The member for South Perth spoke about this concern being shared by many. I think that is absolutely correct. As the member for South Perth and other members stated, the subject of road safety must be addressed by members of this house, the Road Safety Council, the Office of Road Safety, the police, the Fire and Emergency Services Authority, ambulance officers and the general community.

Although clearly demonstrated factors continue to contribute to accidents and fatalities, I have formed the view that the most serious factor of road accidents and deaths is the attitude of drivers. I am not sure how to change that attitude. In his contribution to this motion a week ago, the member for South Perth touched on that when he said that his experience of Perth drivers compared with drivers in other places had led him to believe that we have a poor standard of driving. Regrettably, I agree with that statement. We must change the attitude of drivers if we are going to see a marked reduction in the number of fatalities and serious accidents.

I will describe a road incident that I saw recently. Like some members opposite, I sometimes work on a Sunday if there is an opportunity to do some media work. One Sunday at 10 o'clock in the morning, I was seeking to get onto the freeway in the northern suburbs near where I live to get to Parliament House to do some media. The freeway was not busy. When I entered the onramp onto the Mitchell Freeway, there were two vehicles in front of me. There may have been another vehicle behind me, but certainly the freeway was not crowded. The two vehicles in front of me had to merge from two lanes into one as they came onto the main thoroughfare of the Mitchell Freeway. It did not appear that those drivers were racing each other; nor did it appear that they knew each other. It was clear that neither driver was going to let the other vehicle get in front. The drivers accelerated at the point at which the lanes merged and for several metres one vehicle was driving along the stopping bay. That happened on Sunday morning when people are generally not in a rush. Neither driver was going to let the other driver move in front. The member for South Perth commented on merging traffic in his contribution last week. I think that incident is symptomatic of the attitude of too many Western Australian drivers.

The factors that have been highlighted over many years are still very important. I refer to speed, alcohol, fatigue - sometimes it is inattention - and seatbelts. We must keep tackling all the issues. Speed is a major contributor to accidents and the greater the speed at which a vehicle is travelling, the greater the chance of death or severe injuries. We are well aware that alcohol is an issue. Drugs have become an issue because they, too, affect the ability of drivers to drive safely and responsibly. Fatigue is a major issue. The number of one-vehicle accidents on our country roads leads one to assume that drivers simply nod off to sleep, leaving their vehicles to veer in front of oncoming traffic or into a tree on the side of the road.

In terms of wearing seatbelts, we have a very high compliance rate in Western Australia. Something like 96 per cent of drivers - depending on which survey one looks at - wear seatbelts. However, when one considers the fatalities and serious accidents on our roads, the figures reveal that 20 to 30 per cent of people who are killed were not wearing seatbelts. That should send a clear message that we must buckle up.

I will outline where we have come from, refer to the latest road fatalities - which have caused great concern to all members - and respond to the member's motion by describing how we can work in a comprehensive way to ensure that we do even better as we move forward into the next road safety strategy.

Arriving Safely, the current five-year road safety strategy, concludes this year. I believe that it is a good strategy. I will reveal some of the figures that prove that the strategy has resulted in an improvement on our roads. The figures are evidence based. We have based our decisions on scientific data, on evidence from other parts of the world and on Western Australian data in an attempt to achieve a satisfactory outcome. I refer to the measures that have been implemented in the past five or six years, most of which fit under the Arriving Safely strategy, but some of which may have started under the previous program. We introduced the 50-kilometre-an-hour speed limit in residential streets. A moment ago a member suggested that there was no value in that. The before and after evidence has revealed that that measure has resulted in a 20 per cent reduction in accidents. Reducing the speed limit from 60 to 50 kilometres an hour in our residential streets has produced a 20 per cent reduction in accidents. That was not something that came out of the blue; indeed, that outcome was predicted before the measure was implemented. We were aware of the result that was achieved in jurisdictions that had lowered the speed limit from 60 to 50 kilometres an hour. It is a very real improvement in road safety. The issue is to get the message through to people that they need to travel at 50 kilometres an hour. Monitoring that measure has shown that although certain speeds have come down, many people continue to exceed the 50-kilometre-an-hour speed limit.

The government has banned the use of handheld mobiles when driving, introduced hoon laws and guaranteed a minimum of \$50 million for the road trauma trust fund. That money comes from fines, but as members know, sometimes the money available from fines fluctuates. We made a commitment and we will top up that figure if it falls below \$50 million. I suspect that we may have to do that this year to make sure that at least \$15 million goes into the road trauma trust fund.

From 1 January this year we increased fines for a whole range of offences on the recommendation of the Road Safety Council. For example, the fine for speeding at 45 kilometres an hour or more above the speed limit went from \$350 to \$1 000. Since then we also quite substantially increased the fine for not wearing a seatbelt to \$500. We have purchased and deployed extra speed cameras, particularly around schools, where we have a 40-kilometres-an-hour zone. The police have put extra marked cars on the road. They have set up a traffic enforcement group and expanded that. Quite a number of vehicles are now dedicated to patrolling. We have the drug-driving legislation in the Parliament and we are currently drafting and hope to introduce fairly soon the repeat drink-driving and novice drink-driving legislation. Some of these things can be done through regulations, and we are progressing those as well.

A whole range of things have been done under the Arriving Safely strategy. What are the results of all these things that have been done or are in train to put in place? I have some familiarity with statistics - I know how we can use them - but the same picture comes out if we take slightly different year averages. In 2001, when we came to government, compared with the previous year, 2000, there was a drop to 212 deaths on our roads. From 2001 until 2004, the figure came down even further. For most years from 2004 there were around 180 deaths a year. The figure went from 212 down to around 180. In 2005 it went down to 162. That was certainly recognised around Australia as one of the best improvements. We were not the best in Australia because we were coming from a pretty low base, but that improvement came through the road safety strategy Arriving Safely. Last year the figure jumped up to 202, still below the 2000 figure, but it was a marked increase, a very worrying increase and, quite rightly, a matter of concern to all members of this house. Over the period 2001 to 2006, the average number of deaths each year was 178. If we stayed at the 2000 level of 212, we would have had 34 more deaths each year. I do not think we can see that in any other way than the result of a successful road safety strategy. There is a real concern about this year, but we have been through a range of concerted actions involving advertising, changes to the law and extra resources. We saw that change. It did not just happen over one year; we are talking about changes over six years.

Mr R.F. Johnson: You've got those figures for road deaths. Have you also got figures for serious accidents in which people have been permanently disabled? That is the other important factor. There may have been fewer deaths in some years, but have more people suffered very serious road trauma accidents?

Mr J.C. KOBELKE: I will try to answer the member's question. The figures that are available are for serious accidents. The definition of serious accidents is not the same as what I think the member is alluding to. A serious accident basically means hospitalisation; a broken leg, where one is out of hospital the next day, can be a serious accident. I think the member is talking about accidents that affect a person's life for years to come, if not for the rest of his life. We could probably get figures on that, but they are not readily available and used for comparison. Coming to the point of the member's question, it is a real concern - I am told this is happening in other jurisdictions internationally - that we are not seeing a marked inroad into serious accidents. The number has tended to stay about the same.

When it comes to this analysis, we are just dealing with the raw numbers. If we are going to compare - this is what is done between jurisdictions in Australia and internationally - we need to compare on a like-for-like basis. We cannot compare the number of deaths here in Western Australia with the number of deaths in New South Wales, which has a bigger population. We compare the number of deaths per head of population or per 100 000

kilometres driven or per number of vehicles on the road. There are accepted standards for doing that comparison. The difficulty we have with analysing these figures is that it tends to take 12 or 18 months for the Australian Bureau of Statistics to work out how many cars are on the road and how far people have driven before we get those reports. Just taking a simple example, because our economy is booming, in June 2000 there were 1 689 242 vehicles registered for WA roads, whereas in June 2006 there were 1 940 092 vehicles. In the six-year period from June 2000 to June 2006, there were another quarter of a million cars on the roads in Western Australia, a 15 per cent increase in six years. There is ample evidence that there is a very high correlation between certain factors and deaths or serious accidents. If we doubled the number of cars on the roads, we would tend to see a commensurate large increase in serious accidents. It is not a simple linear relationship because a whole lot of other factors intervene, but we would expect some increase. I will use a linear relationship as a very rough approximation, realising it is not the best way or the only way we can do it. If we added 15 per cent to the 212 deaths in 2000, we should have had 244 deaths in 2006 instead of having 202. Again, that is just a very rough measure. It indicates that we are doing okay, but no-one here accepts that. No-one accepts that we should have an increase in the number of deaths. It does not matter how many more cars are on the road or how many million more kilometres are being driven.

Mr P.D. Omodei: You said we're doing okay. You can't have it both ways. You're not doing okay because you just said nobody accepts it.

Mr J.C. KOBELKE: The Leader of the Opposition came in after I went through all the figures. I will not go through them again. He can look at the *Hansard* to see the figures I have outlined.

If we look to last year alone, there were an additional 40 000 new cars registered in Western Australia and an additional 10 000 motorcyclists. Last year alone there were an additional 50 000 vehicles on the roads in Western Australia. We can then look to the figures. This year is very worrying, as the member pointed out, but so far this year, up to Tuesday, 27 March, there have been 73 deaths on Western Australian roads. That compares with the figures for the four preceding years, which were in the 40s. There were 41 to 48 deaths across those preceding four years. We are up to 73. That is a great concern. What is happening? What can we do to try to counter that and see the figures go down and not up? It would be intuitive to say that if we had more people on the roads and more cars drove further, we would have more accidents. However, we are about lowering those figures, even against that trend of increased activity on our roads.

I would like to take some numbers from the Western Australia Police report on fatal traffic crashes and fatalities for 2006. When it was issued it was based on 203 deaths. I have indicated that the number of deaths in 2006 is now officially 202. The numbers I give will add up to 203, not 202. The pattern is still there. I put these forward seeking to make sense of the numbers. I am not saying that my interpretation is the best way we can look at them. I am not saying that it is an accurate interpretation. When we have 170 to 200 fatalities a year, there is a big chance factor involved. Comparing one year with the next, we are not sure whether there is some driving factor or whether a chance factor came over the top. I put that very clear caveat on the numbers and changes that I am putting forward. If we look to those 179 or 180 deaths that we had for a number of years, I want to compare 2004 - we had a run of years when we were around that 179 mark - with 2006 rather than 2005, when we did extremely well. We did so well that year - there may have been special circumstances - that it is better to look at 2004 and see if we can pick where these increases are coming from. That is what I have attempted to do as a way of trying to make sense of the figures. I readily accept that other people will look at these numbers and try to draw different lessons from them and do that quite validly. From 2004 to 2006, we went from 189 to 203 on these slightly updated figures. That is an increase of 24. In the metropolitan area there were 81 road deaths in 2004 and 86 in 2006, an increase of five. Only five of the additional deaths were in the metropolitan area and 19 were in the country. The number of country road deaths increased from 98 in 2004 to 117 in 2006. If members go through the figures for previous years, they will find that increasing country road deaths are an issue.

I refer now to the police regions: again, comparing 2004 with 2006, the number of road deaths in the great southern increased from 14 to 19, an increase of five; in Peel, 9 to 18, an increase of 9; and the south west, 15 to 26; an increase of 11. Again, chance has to be factored in those figures. For example, there might have been more drivers from outside the region driving through Peel. Clearly, the pattern indicates that we have a more serious issue on country roads than city roads. Speed is a factor in that; not speeding, but the fact that people travel long distances and at higher speeds. If people have a serious accident travelling at 40 or 50 kilometres an hour, they will probably end up with a big bill for panel beating. If they have a serious accident travelling at 80 or 90 kilometres an hour, they will end up dead. That is a fact of life. In Western Australia we need to travel great distances and, therefore, people travel at speed even though they travel within the speed limit.

Mr M.J. Cowper: Would it be possible for the purposes of the forum to establish the statistics on how many of those vehicles were front-wheel drive and how many were visitors to the country regions from, for example, the metropolitan region?

Mr J.C. KOBELKE: I cannot give those statistics now but that is exactly what is meant by evidence-based decision making. I have been told that the argument that the reason we have more country deaths is because it is city people who are killed in the country does not stack up. Country people are killed in the city and city people are killed in the country, but overwhelmingly it is country people who die or are seriously injured on country roads.

Mr M.J. Cowper: Having been a country policeman for many years, I hold the view that the number of vehicles that have left the road, over corrected and hit trees, particularly in the south west, is an issue that needs to be looked at. It would be a great opportunity for the forum to look at the way in which vehicles have progressed with technology, particularly the steering and breaking systems which are an integral part of the modern vehicle.

Mr J.C. KOBELKE: They are important issues, but I want to get through my contribution. I am not trying to deal with the statistics. I reiterate that I am not trying to delve into what we know are long established issues and are still there; that is, speed, alcohol, fatigue and seatbelts. I am questioning whether there is a reason that in 2003, 2004 and 2005, when we had 180 deaths, the figures went down and up again. I do not have an answer. I am searching to ascertain whether in these figures there is a vague answer.

The figures for accidents that occur in the day as opposed to night indicate that, again drawing a comparison between 2004 and 2006, the number of day fatalities went from 86 to 106 and the number of night fatalities went from 93 to 97. The vast majority of those deaths occurred during the day.

The next issue is the road users who are involved in those fatalities. The number of deaths involving motor vehicle drivers increased from 85 to 94, an increase of nine. Motor vehicle passenger figures went from 42 to 52. Therefore, more passengers were killed proportionately in that increase than drivers. Motorcycle rider figures went from 20 to 29. The figure for motorcycle passengers did not change. The figure pertaining to pedestrians actually decreased a fraction. The figures for motorcyclists and others stayed about the same. The changes are reflected in the figures; for example, motor vehicle passengers, from 42 to 52; motorcycle riders, from 20 to 29; and pedestrians, from 25 to 22.

I am told that out of the extra 10 000 motorcycles registered last year there seems to be, anecdotally, a proportion of males about my age, perhaps going through a midlife crisis. They are buying high-powered bikes and do not know how to handle them. I do not have the statistics, but the police say that is one of the factors in a number of motorcycle deaths. A number of people have said that the road death statistics reflect the way some people drive. Perhaps drugs are involved and that causes people to drive in an insane way.

If we compare the number of male and female deaths, the figures indicate that in most instances males are involved. Again looking at 2004 to 2006, 130 males were killed in 2004 and 155 - that is, 25 more - were killed in 2006. The number of females killed in that period dropped by one. That does not mean anything in these statistics, which jump up and down. Overwhelmingly, the majority of people killed in 2004 and 2005 were males.

I turn now to the age groups for males. The number of road deaths in the 17 to 24 age group went from 52 to 67, an increase of 15. It is interesting that the 40 to 59 year age group, my age group, went from 34 to 45, an increase of 11. I am searching for possible patterns. This does not answer the question. All members are searching for the answer. How can we define the upward trend and how can we define the appropriate measures to combat that trend?

I will now look at 2005 and 2006. The number of road deaths in the great southern went up by 125 per cent, more than double; south west, 24 per cent; and Pilbara, 43 per cent. In 2006, the number of male deaths increased by over 30 per cent and male deaths made up almost 80 per cent of total road fatalities. Fifty per cent of the population are males and almost 80 per cent of fatalities were males. Clearly we have to target this area.

In 2006, compared with 2005, the 17 to 24 age group representation increased by 30 per cent. This age group makes up over 30 per cent of all fatalities but represents only 14 per cent of all drivers' licence holders. I compared 2004 with 2006. If we compare 2005 with 2005, it is the figures for the 40 to 59 age group in which there was an increase. These are clear patterns and we have to do something about them.

What other factors are involved? International comparisons show that when there is a booming economy there are more accidents. Regardless of whether people have more money to spend, party more, work longer hours or spend more time driving, clearly the high level of economic activity would be, predicted on what has been experienced elsewhere, a contributor to increased numbers of accidents and fatalities. We need to dig down to ascertain whether there is an element that we can study and take measures to counter. That is a difficult task.

I will amend the motion in a moment, but not to get away from the clear intent of this motion; that is, to have an independent review. I accept that. A press release issued by the Office of Road Safety a few days ago indicated that it will use Monash University's accident research centre as an independent organisation to review what has happened and to come up with proposals on what should be done to tackle the problems of accidents and

fatalities and improve road safety. It has also engaged Estill and Associates to look at how we can engage people to obtain their views on this issue.

In addition, we are rolling out a range of community forums. The member for Wagin, of his own volition, got people together last year to discuss this issue. The government, when it undertook further forums, was able to draw on that example, and I thank the member for Wagin for that. This month a forum was held in Geraldton and another in Collie. One will be held soon in Albany. The member for Avon has asked for one in Northam and we are looking for a date for that. We will be seeking to hold some forums in the metropolitan area. If members want to hold similar forums, either individually or as a group, I extend an invitation to them to use the consultants or Office of Road Safety representatives to assist with the presentation or to be facilitators. If members wish, they can play a key role in the facilitation process. We will be seeking to engage at that community level in the first stage of developing the next road safety strategy. The issue then becomes, in brief, independence. We can talk more about how that independent overview will work. The member for South Perth's motion refers to a comprehensive review. If it is to be comprehensive, we must talk about how various sectors of the community can be involved and how we can bring people together.

The first offer from government is of some resources to run a forum. I do not know whether the Liberal Party or individual members want to run it with whoever they see as a target group to get their views as part of a two-way flow of information and add that to the process. The next issue on which we need more discussion is how to make the process bipartisan. The member for South Perth has urged that both sides of Parliament be involved, whether it be through holding a forum in this place, preparing discussion papers or establishing a committee, or whether formally through the Parliament or informally. Those are the things I will talk to the member for South Perth and members on this side and opposite so that we can work together to ensure whatever proposal comes forward will have bipartisan support. However, more importantly, the proposal should undergo good consultation and be based on objective, evidence-based data so that it has a much better chance of success.

We must bear in mind that reports from the Road Safety Council are presented to government and the government accepts or rejects them. Over the past few years, the government has accepted 80 or 90 per cent of its recommendations. Sometimes we have indicated that we are not happy with a request for more resources or that we believe one small aspect of a report might not receive community acceptance. At the end of the day, the government makes the call. Something is more likely to be successful if it is based on a very good program that has undergone strong consultation, been well researched and has strong support. That is what I am looking for. The motion states -

That this house acknowledges the loss of 64 lives . . .

Unfortunately, that has increased to 73 in just over a week. The motion also refers to the weekend just past. It was absolutely correct at the time it was written. However, as a result of the passage of time, through no fault of the member for South Perth, we should amend that. In a moment I will amend the motion to say that the house acknowledges the unacceptable loss of lives on Western Australian roads in 2006 and this year. I will not refer to the figures, although they have some impact, but given that I am not sure whether the motion will be passed today or next week, the reference should be general rather than specific. In moving the amendment, I am in no way seeking to move away from what the member is seeking to do with his motion. He calls on the government to undertake a comprehensive and independent review of the road safety system. That is a very good and worthwhile suggestion and I am saying, yes, let us work on that together so that we can improve road safety in Western Australia.

Amendment to Motion

Mr J.C. KOBELKE: With that intention, I move -

To delete all the words after "house" with a view to inserting the following words -

acknowledges the unacceptable loss of lives on Western Australian roads in 2006 and this year, supports the government in completing its current road safety initiatives and calls on the government to undertake, on a bipartisan basis, a comprehensive and independent review of road safety in its process of formulating the next road safety strategy to start from 2008.

We need to keep in mind that, as part of the current road safety strategy, a whole lot of legislation is in Parliament or waiting to be introduced, and that must be dealt with so that it can be implemented. That legislation addresses peak drink-driving; the level of alcohol in novice drivers, which legislation is already in the upper house; and roadside drug testing. I am trying to encapsulate that legislation as part of our strategy and am therefore asking the opposition to pass it. In addition, I would like a comprehensive and independent review undertaken. If it starts next year, it will have a chance of really working and improving on the road safety record of this state, so that we can ensure that more people are not caught up in serious accidents and there are not more families suffering from the death or very serious injury of a family member or friend. I am sure that all members are committed to that and I am confident that, if we work in a bipartisan way, and people are objective in seeking

to improve road safety, we can make a genuine and real contribution to improving road safety in Western Australia.

I thank again the member for South Perth and those who have contributed so far to the debate.

MR M.W. TRENORDEN (Avon) [5.44 pm]: I am pleased with the amendment moved by the Minister for Community Safety in the context of the original motion. I intend to say a few words on this issue. Four people work in my electorate office in Northam and all four of us have lost someone close through a road accident. It is no surprise that we are seeking to hold a road forum, as has been pointed out. We will do that with a fair amount of enthusiasm to try to make a small amount of difference. I will make a few points in this debate, and it will take only a short time, but they are important to me.

One of the things that people in the metropolitan area learn, which I did not know - it is a very important lesson - is that the green traffic light means go, red means stop and amber means accelerate sharply! Just the other day, when I was braking before an amber light, the person behind me was accelerating because he expected me to take the opportunity to drive through the amber light. There is little we can do about that behaviour, I suggest, other than to educate people. I suggest that any member who sat near an intersection with traffic lights anywhere in the metropolitan area would observe that, when the light turns amber, vehicles do not just drive through, they accelerate through.

I oppose one thing that the minister and earlier speakers said. I refer to one of the very irritating practices on country roads, Mr Acting Speaker (Mr G. Woodhams), and you are one of those people who drive on them. On Friday nights road gangs leave the section of road they have been working on and come back on Monday. No-one is left working on the site but the reduced speed sign remains in place for the weekend. People who regularly drive in and out of country towns know that nobody is working there. The first time they drive through the signs on the weekend, they can see - they have eyes - that no-one is working there. They might go in and out of town for sport, shopping and other reasons a number of times on the weekend, knowing conclusively that no-one is working there, so they ignore the speed limits and drive through at 40 or 50 kilometres an hour over the speed limit. They then run the risk of being pinged, and put in the category of other people caught speeding at 40 or 50 kilometres an hour over the limit; namely, of being seen as highly irresponsible. We can argue that it might be slightly irresponsible to disobey those road signs, but it is also just as irresponsible for Main Roads - and the minister if we want to point the finger in that direction - to have approved the guidelines requiring contractors to leave the signs on the side of the road. It is ridiculous. I have no sympathy for people who are caught driving 40 kilometres an hour over the speed limit in all the contexts that we have mentioned. In Clackline there are signs directing traffic to drive at 40 kilometres an hour. In a couple of days they will still be in place -

Mr S.R. Hill: No-one is working on the site.

Mr M.W. TRENORDEN: That is right. Some people will drive through at 80 kilometres an hour, which is the speed limit through the town, but that is 40 kilometres an hour over the speed limit, and they will be pinged. I would like to think that some sort of judgement can be made in those cases. I am not saying that those people should be exonerated, but their transgression is not as bad as it would be if they were driving 40 or 50 kilometres an hour on the open road or where there is a fixed speed.

Mr J.C. Kobelke: It particularly irks me when a roadwork sign indicates 40 kilometres an hour, and that is the limiter, but there is no delimiter. In fact, technically, it is not an area of road with a reduced speed, because there must be both an entry and an exit point to make it effective. It is carelessness for those signs to be left standing when they are not needed and people can be caught out in the way you are suggesting.

Mr M.W. TRENORDEN: We must deal with that because it is another irritation. Those signs must be paid attention to and people must be sensible about the process. However, it does not make them as guilty as other people who flout the laws.

I congratulate the RACWA on the work it is currently doing. Two-thirds of the people who have been killed on country roads are country people. RACWA claims that in 43 per cent of those cases, it is due to the condition of the roads. I do not like to do this - I am uncomfortable doing it, but I will do it anyway - when Brenda Adams was killed on the Great Eastern Highway, the road turned left and the camber went right. When the steel came off the back of the truck, it was because the truck was following the road left but the camber was turning right. Brenda's brother does not believe that argument but truck drivers from Northam have demonstrated it to me. The vehicle flicked and the consequences were as they were. The condition of the roads is important. Between the Lakes Road turn-off and York is a dreadful section of road that has claimed several fatalities recently. That road is nowhere in sight in the forward projections of roadworks. I accept the intent of this debate. However, it is exceedingly frustrating for people who are aware of the consequences of not repairing the poor condition of many sections of road that are like that. The system must have a mechanism to alert people that a section of road is particularly bad. I accept that we cannot deal with all such roads. The point of the debate is that governments

give priority to what gets done. It is important for communities to know that Main Roads and the minister of the day recognise that a section of road is not good.

Mr J.C. Kobelke: One section that has been done is Lakes Road back to Mundaring. It was overdue, but it got done.

Mr M.W. TRENORDEN: Brenda got killed. A number of people have said to me that the road was upgraded because my partner was killed. The minister and I know that that is a heap of nonsense. Nevertheless, I find it particularly irritating.

Mr J.C. Kobelke: I thought the section where Brenda was killed was a bit further out.

Mr M.W. TRENORDEN: It is closer towards Sawyers Valley. All that aside, it is a nice piece of road. All the users of the Great Eastern Highway put up with that section of road. We grizzled and complained about it, but we all knew that the day would come when that section of road would be upgraded, which is excellent. The condition of the roads must be given a higher priority. I believe that the Road Safety Council does not make the condition of a road a priority. I think that it believes it would be seen to be antigovernment if it were to comment on certain sections of road. As I said, Main Roads and the minister of the day should clearly say that a certain road is particularly dangerous. That might not mean that the road is put on the building program within a decade, but the condition of the road should at least be recognised so that people are made aware of the condition of the road.

Another matter that irritates me is the Tony Delroy syndrome. Members who drive at night and who listen to Tony Delroy know that their lives are at risk. Quite a few members do that. Driving when tired is a serious issue, particularly for those of us who live in the country. We all push ourselves. I push myself as hard as any member, but in recent years I have stopped on the side of the road to have a rest. I have even been embarrassed when friends of mine have pulled up beside me and asked me whether I was all right because I had been having a 10-minute zed on the side of the road. That does not worry me anymore, but I still push myself. If I am driving in the Avon Valley on a freezing cold night and I am just 40 minutes from home, I want to keep going and get to bed. I know it is a risk but I am not going to get a cup of coffee from anywhere else at 2.00 am. A number of people who drive when they are tired want to get home to their houses and to their families or they want to meet certain commitments. Encouraging people to stop for a cup of coffee is a good message.

The drugs issue worries me. I have listened to the debate about the West Coast Eagles and heard it said that their problems are only representative of the community. If the West Coast Eagles' problems are representative of the community, half the team would be taking drugs. Statistically, about a third of the community use marijuana on either a casual or a regular basis. Someone can tell me whether I am wrong.

Mr R.F. Johnson: That would be a third of this chamber. Put their hands up those who are smoking pot.

Mr P.B. Watson: Sometimes I think you are by some of the comments you make.

Mr M.W. TRENORDEN: It might be a matter of members never having inhaled. Drug use in my own community is increasing sharply. Prescribed drugs are also very important. It is a serious issue. I wonder how many people take notice of the warning on the packet of their prescription pills to not drive. Maybe people who are only 40 kilometres away from their home in Geraldton will drive anyway.

My last concern is the contest between Main Roads and police, particularly in the metropolitan area. Regardless of whether it is stated, the reality is that Main Roads wants the traffic to flow and the police do not want people to speed. That is why it is often difficult for the member for Murray to see a road sign. That is particularly the case when driving on roads that one does not know well. I regularly do not see road signs for some time. That is not because Main Roads does not want to put up a sign; it is because Main Roads does not want to tell people too often what the speed limit is. Main Roads wants the traffic to flow because that is in the interests of Main Roads, which is not in the interests of the police. That matter must also be considered.

We could go on forever. I am regularly told that although young people are banned from driving a V8 car, they can buy a supercharged four-cylinder car that drives twice as fast as a V8. Those simplistic types of solutions are not the answer. The answer lies in education. The reality is that young males are killing themselves at a great rate. There are opportunities to counter that situation. The youth programs in my community at which young people drive their utes to the showground are very strongly supported. Hundreds of vehicles arrive, and the owners are very proud of them. That gives the Road Safety Council an opportunity to -

Mr A.J. Simpson: Put a sticker on them!

Mr M.W. TRENORDEN: I would hope not. It is an opportunity for the Road Safety Council to teach the young people about road safety. The drivers at some of those shows are allowed to do figure 8s and so forth. However, a prominent person from the motor racing industry could come along and talk to those students about driving skills, as well as attitude. There are places where we can make an impact in the country areas and get the message through. It is good that on another occasion we have agreement across the chamber. I am hopeful that

matters can progress, but I would like to think that this forum or review, when it happens, involves some professional people who do not talk only about the V8s and all those sorts of things. Even though there is an argument about the V8s, there is just as much of an argument about supercharged four-cylinder cars. There must be some argument about the processes.

I will say one more thing. In the past one of the things that has worried the National Party, and me in particular, about new conditions on drivers' licences is that sometimes young people in country areas do not have that access. If a 17-year-old living in Mukinbudin is told to do a particular course, there is an extra penalty for that young person. However, I have moderated my view. We still need to make that 17-year-old go through the process but we need to make sure when the processes are put in place that those sorts of people, living in Leonora or wherever, can get some consideration and it is not just a cut and dried process in which it is assumed that people have access to those courses and training.

Mr J.C. Kobelke: You are absolutely right, and that is why, when the recommendation of the Road Safety Council was that 125 hours of supervised driving be the requirement for a licence, the decision of the government was that that should be encouraged, but it would not be mandated until we have established ways of fixing the problem. We need to be creative, and perhaps you can help with good ideas. How do we actually give that training and create opportunities for people who do not live in big towns?

Mr M.W. TRENORDEN: I think the minister told me at some stage that I had never had a good idea in my life.

Mr J.C. Kobelke: I will have to change my view!

Mr M.W. TRENORDEN: This is the sort of debate that could go on forever, but those are the key points I wanted to make, and I appreciate the opportunity.

MR S.R. HILL (Geraldton) [6.03 pm]: As you are aware, Mr Acting Speaker (Mr Woodhams), last Friday we held a road safety forum in Geraldton. It was attended by roughly 100 people. At that forum a number of young people mentioned that many of the vehicles of today should have advanced technology installed in them. As many people in this house know, I drive a high-powered Commodore V8 utility.

Mr A.J. Simpson: You are a hoon!

Mr S.R. HILL: I have been called a hoon and many other things by the community! I took a conscious step to put some additional technology into the vehicle I own. It cost me roughly \$5 000, and includes a computer tracking system, by which the vehicle is tracked by a Holden call centre in Melbourne, and some other features. I think most vehicles now have an alarm that sounds when the speed limit is exceeded, or when the driver is not wearing a seatbelt. At Friday's forum I raised that issue with many people in Geraldton. I asked how they would feel if the cost of a vehicle was increased by \$200 or \$500 with this extra technology. Ninety-five per cent of the people in the forum said they were willing to pay the extra money. They resolved during the forum to write to the Australian manufacturers of vehicles, such as Holden and Ford. In my area and other regions, most of us have utes. We wanted to see if the manufacturers would come to the party. BMWs and other vehicles already have that technology built into them, but we were asking, as consumers, why it was not provided by the Australian companies.

We talked today about the extra penalties. I congratulate the member for South Perth for moving this motion. I am 41 years of age, and I earn a reasonable income. If I incurred a \$400 fine I would just say that that was one Saturday night on which I could not be able to go to the local nightclub. The people of about my age in Geraldton say, "So what, I'll lose a couple of demerit points, but I still want to get from Mullewa to Geraldton in 38 minutes." They mark it out in the mid west. I think the best record from Dongara to Geraldton is about 21 minutes. The distance is about 65 or 70 kilometres, and if someone can drive it in 21 minutes, he is motoring. He is motoring on the Brand Highway, which is experiencing a lot of truck movements at the moment. There is no way to stop them. I drove down on Monday afternoon and, as the member for Avon said, there are a lot of roadworks happening near Eneabba. No-one was working on the site at the time, so people just went through. All of us were doing about 110 kilometres an hour going through those roadworks. No-one slowed down, because there was no activity happening on the road at all.

Mr P.B. Watson: Member, can you explain the tracking system you were talking about?

Mr S.R. HILL: First of all, if the vehicle is stolen, the insurance company or Holden can cut the power to the motor. They can also track where the vehicle is, anywhere in Australia. The other thing they can do is send messages through if there is a problem with, say, the air pressure or the battery, or when the vehicle is due for a service.

We talk about penalties and demerit points, but a lot of people will just say that it was a bad day, and they got caught. Out of the 20 trips I will do this month, I got caught once on the Brand Highway. People travelling many of the country roads, as I do, have a rough idea when the police are changing shifts. We know when the

police from Jurien, for example, are back home and when the police at Dongara have gone home for tea. They know whether it is possible to drive through those places at 80 kilometres an hour, or reduce their speed.

Mr A.J. Simpson: Don't tell us too much!

Mr S.R. Hill: I do not do that any more. I did that when I was a lot younger, but not any more. Since I was elected member for Geraldton in 2001, I have sat on the local RoadWise committee. We just bash our heads sometimes. In Geraldton and the mid west we have lost 100 people in the past 12 years, and 700 people have been injured. The message is just not getting through. Part of the discussion in the RoadWise committee was whether we should place a coffin at the main entry into Geraldton. We are coming up to Easter, and there will be thousands of people coming into the town because there is a lot of sport activity happening. However, no-one is listening. I tell my friends there was another tragic accident and ask whether anyone knew the person who was killed. I might put a death notice in the *Geraldton Guardian*. However, after one day, it is just not registering any more. We must look at other mechanisms. We have talked penalties, and I agree that they should be increased. However, as consumers, we should be saying to the vehicle manufacturers, particularly Holden and Ford, that we want this technology installed in vehicles. That way it is possible to control the speed limits and monitor who is doing what. If some fool aged 18 or 20 owns a brand new ute - these vehicles are their pride and joy and cost \$50 000 - this technology is installed and if the Holden call centre discovers that the driver has been driving the car at 180 kilometres an hour, the message is sent to the police or some sort of mechanism is activated to record it.

I support the member for South Perth. It is a great initiative that we all get together to try to stop this carnage. As the minister pointed out, as of this morning, 51 people have died on country roads. It must stop; it is just stupidity. Many of the people dying are around my age group; they are my friends, in their 40s. We keep talking about P-plate drivers doing 110. However, a lot of these drivers are people who should know a bit better. As I said, they are in their 40s and 50s. They think they know the road. They are confident because they have been driving on that section of road for many years. All that is needed is some livestock or a kangaroo to jump out in front of their car. The old saying was that the roo bar will save me. That just does not happen.

Mr P.B. Watson interjected.

Mr S.R. Hill: Yes. It just does not happen any more. I support the amendment moved by the minister. I congratulate members on their contributions to the debate. We must come up with some sort of solution. I have a final comment: if we had the passion about road safety that we have about daylight saving, I think we would get something moving.

MR M.J. COWPER (Murray) [6.10 pm]: I will not take up a lot of time. I have attempted to speak to versions of this motion going back to 16 August last year. However, I am very pleased that the minister has agreed to draw attention to what should be a matter of serious importance to all Western Australians, and that is the number of tragic deaths on our roads. From time to time, a member will accuse members on the other side of the house of politicising this dreadful situation. I believe this is an issue that should be above politics. It is a matter of grave concern to all Western Australians.

The responsibility for road safety in Western Australia is not the sole domain of the Western Australia Police or the WA Road Safety Council. Put simply, it is the responsibility of Western Australians of all ages, whether they live in regional Western Australia or the metropolitan area. It is their responsibility to make sure that our roads are a lot safer. I have a particular aversion to the use of statistics that show there has been a percentage reduction in the number of road deaths. It does not matter what the topic may be, some statistics use percentages to show an increase or a decrease, and I have an aversion in particular to statistics that use percentages. The simple fact remains that one death on our roads is not acceptable. Although that may be proffered by some as being an unrealistic situation, I do not believe that we should be striving for anything less. A whole range of issues touch upon strategies to deal with road safety, and I am glad that they will be given an airing in this forum. I commend my colleague the member for South Perth for bringing this issue to the fore, and I commend the minister for his genuine concern, which has been the catalyst for this motion.

I will give to this forum the benefit of what I believe is my considerable knowledge of and practical experience in road safety. The other day the minister, by way of interjection, made a comment, and I am not quite sure what he meant by it. However, he said that the member for Murray would not know what he is talking about. I doubt whether anyone in this place has personally attended car crashes in Western Australia in which more than 113 people have been killed. If someone can top that, that person is a very unfortunate being. Of my 27 years in the police force, I spent 23 years in regional Western Australia. I spent 13 years as an officer in charge of police stations ranging from the Kimberley to the great southern. There are many causes of accidents. The fact remains that it all comes back to one very key element; that is, human behaviour. From time to time strategies are put forward to try to influence that behaviour. We can introduce double demerit points and we can put booze buses on the roads. We can do all manner of things. However, at the end of the day, until we start addressing the issue of behaviour, I believe we will struggle to find a solution to the problem.

I was the officer in charge of the Australind Police Station, and a member of the Dardanup RoadWise committee. I empathise with the member for Geraldton and those other members who have held forums and been in places where they have felt somewhat helpless. I have also experienced that on many occasions. These forums are very important in the healing process, particularly in small towns. I know that the member for Collie-Wellington has suffered severely because of the situation on our roads. I had a relative who was killed at Allanson many years ago. Those members would know that the impact that road tragedies have on small towns, in particular, is profound. However, these forums help to provide a healing mechanism. I suppose people never get over such things, but these forums provide a mechanism to help people come to terms, to some degree, with the tragic loss of a relative, a loved one or a friend.

When I was at Australind, we went to the Australind Senior High School, and we looked at bringing in a road safety program. As part of that program, we also made available the services of a private company - I will not mention its name - that went to the school and put in place an education program, which we helped pilot, to see whether we could influence the attitudes and behaviour of students in that school environment to reduce the road toll. After a four-year period, one of my officers went through the results of the program. In fact, I saw that officer - at that time she was Senior Constable Michelle Lewis - just the other night. Unfortunately, she has now left the service; she was a very good officer. She is now working in the tourism area. However, she was running this program at the Australind Senior High School as the school-based officer. I said to her, "Look, I really need to get some feedback on how well this program is going, and I would be curious to know how many of the people we have put through the program have performed." One of the things we did was that we examined how many traffic infringement notices those people had received during that period. The figures are not clear to me now, minister, but something like 400 students went through that program. They ranged from those who had just finished doing the course at age 17 to those who had done it four years hence. Therefore, we are looking at an age range of 17 years to 19 years and 10 months. This program had been running for three and a half years, or nearly four years. I was sad to learn that in the vicinity of 70 per cent of the people who had participated in that program had a traffic conviction for whatever reason, whether it be for not wearing a seatbelt, for speeding or whatever. More alarming was that something like 30 per cent of the people we put through the program had more than one conviction. That was very disheartening, I must say. A lot of good people had put a lot of effort into helping those young people.

However, it demonstrated to me the frustration that is experienced in the various forums that we see from time to time. I thought to myself, "What on earth can we possibly do?" We can take people out, give them a driving lesson and teach them how to reverse park. We can teach them how to do a three-point turn and advise them, in a practical way, how to learn to drive. That is just to get them to a level at which they can pass the test, I might add. However, they do not become competent drivers for many years after they have passed their test. They must do a considerable amount of driving, and they must be able to drive in conditions that vary from time to time. In essence, herein lies another problem. People become programmed to what is presented before them; that is, there may be a speed limit on a certain road of 100 kilometres an hour, and they drive according to that, irrespective of whether rain is belting down, whether there is a strong breeze, whether there is traffic congestion or even whether there has been a bushfire. I have seen people drive through sections of road that are covered in smoke, or, for that matter, fog, at the speed limit. They are not committing an offence as such, but their driving behaviour can lead to perilous outcomes. The fact remains that people do not adapt their driving behaviour to suit the road conditions. How can we get people to do that? That is an interesting question, and something that the forum needs to work through.

Mr J.C. Kobelke: That gets back to the point you made earlier about driver attitude, which I totally agree with.

Mr M.J. COWPER: Yes.

I will tell the minister where I believe we should be heading on this issue. We need to cast a fresh pair of eyes across this issue. This problem is older than me. Many people have proffered solutions. We need to take a holistic approach. We all need to take responsibility for this problem. I am very conscious of that point. The Premier said the other day that when he was driving from Bunbury to Mandurah recently, a car went past him at 140 kilometres an hour. From time to time we all have similar experiences. I am glad the Premier has come into the chamber, because this is an important point. People often drive in a manner that is potentially very dangerous.

I will give members an example. Recently, as I was driving along Pinjarra Road towards Mandurah, I saw a car come out of Wanjeep Road on my left-hand side and lay a big fishtail on the road. It was a brand new, white SS Holden Commodore, bearing P-plates. The back wheels of the car were spinning, and it was moving from side to side across the dual lane, in heavy traffic. As I came up behind the vehicle, it moved to the right-hand side of the road and turned down Mississippi Drive and into the streets of Greenfields. That happened to be the particular route that I was following. The car disappeared out of sight for a moment. As I came up to another intersection, I saw the car stuck in traffic. I noticed that only one person was on board. It was a young male Caucasian. I picked up, out of habit, I suppose, a small tape recorder that I keep in the console of my vehicle,

and I started to record some notes of the time, the direction of travel, the speed, the manner of driving, and a description of the driver. As I approached the corner, the driver turned right and headed down a particular road whose name escapes me at this time. The vehicle then headed to the T-junction at the front of Peel Health Campus, turned left into Lakes Road, and disappeared out of sight. As it happened, I was heading the same way. When I got to the end of Lakes Road, I saw the vehicle again, near the intersection of Gordon Road, stuck behind traffic. I was indicating to go left, and the driver of the vehicle was indicating to go right, so I pulled up alongside the vehicle so that I could get a description of the driver. I then phoned Sergeant White, a fantastic officer at Mandurah Police Station - on my hands-free kit, I might add - and said that the chap was wearing a baseball cap. I said also that I could tell that he was wearing a white gold metal ring on his index finger. I was totally incensed by the driving behaviour of this person. If I had done nothing and that car had gone around the corner and taken out some poor kid, I would have carried the burden of my inaction for the rest of my life.

Mr J.C. Kobelke: Did you get any feedback from the police? Were you able to follow it up?

Mr M.J. COWPER: I will get to that. It was a great outcome. I then said to Sergeant White that I would go back to the scene at the intersection of Wanjeep Road and Pinjarra Road and do some evidence gathering. That is what I am used to doing in my former career. I had a digital camera with me, as all good polities should carry with them, and I took a photograph of the tyre marks, took some measurements, and did a bit of a drawing in my notebook, which all good members should also carry with them -

Mr D.A. Templeman: Did you ask for permission to come into my electorate?

Mr M.J. COWPER: The point is, member, that I need to go through the member's electorate to get from one end of my electorate to the other!

Mr D.A. Templeman: That is okay! I will give you a free pass to go through my electorate!

Mr M.J. COWPER: I appreciate the member's acceptance! The point is that I did certain things. I waited for the police officers to arrive, but obviously they were very busy, and they did not turn up within the time frame that I had given them, because I had a Rotary Club meeting to attend that evening. When I got home later that evening, I sat down at my computer and knocked out a statement. It took me a while to remember the correct way to set out the statement, because I was a bit rusty on that, but each paragraph had double spacing, and a number, and at the end of it I made a declaration. I printed a copy of the statement. I have a fantastic colour printer, so I also printed the photographs. I signed the statement, and I put the statement and the photos in an envelope and handed it to the senior constable in the traffic office at Mandurah Police Station, who was handling that particular case. I said, "There you go. I am prepared to go to court and give evidence about the manner of driving of this particular chap."

Ms M.M. Quirk: Now that you are a politician, you have no credibility!

Mr M.J. COWPER: That is a major concern for me, minister! However, notwithstanding that, the senior constable went to visit this chap. I cannot mention this chap's name, because I do not know it. This chap has a history of bad driving on the roads. He is 21 years of age, and he is a P-plater. The reason he is a P-plater is that he has lost his licence on previous occasions. The senior constable phoned me after his visit and said that the person had confirmed that he was the registered owner of the vehicle. He said also that the person had tried to indicate that someone else may have been driving the vehicle at the time. He then said to the person that he had a very good description of the driver, and he asked him to hold up his right hand. When the chap presented his right hand, there on his right index finger was a white gold metal ring, just as I had described! That virtually sank any hope that he might get away with this particular offence. The person admitted that he had been driving the vehicle, but he said he could not recall the incident, because he did not realise that he had been driving in such a fashion. That is a load of nonsense, but no doubt it will all be played out in court. The fact remains that this person has been charged with two counts of hoon behaviour. With any luck, that person will not be on the roads for a long time. I am prepared to go to court, because I am used to doing that sort of thing. I have a distinct advantage over many other people, because I was paid to go to court and give evidence. It is second nature to me.

Mr D.A. Templeman: You are very big, too, which is a bit scary!

Mr R.F. Johnson: You would not want to pick a fight with him!

Mr M.J. COWPER: I am a very placid chap, as members probably realise.

We all need to take responsibility for this matter. That may be by chatting to our loved ones about the type of vehicle they should be driving. As the member for Avon said, we should try to prevent people from driving high horsepower vehicles. I subscribe to the view that we should restrict the horsepower-to-weight ratio of vehicles. A guy who is 21 years of age and has a bad driving history should not be allowed to drive an SS Commodore of whatever horsepower that may be. That is not what we should expect of drivers today. However, the responsibility for catching these people should not be solely the domain of the police. I encourage members,

when they witness such behaviour, to pick up the phone - hopefully on a hands-free kit - and ring Crime Stoppers on 1800 to report it. Members may not be able to gather the evidence that I was able to gather. However, they should do something, because if that person drives around the corner and kills someone, it will weigh heavily on their minds.

Mr J.C. Kobelke: I commend the member for saying that. The member has gained the expertise to do that from his former career. I have often thought that we need to encourage responsible drivers to do the right thing and make these types of reports and do in hoons and irresponsible drivers.

Mr M.J. COWPER: The point is that they may not have the success that I have had. However, if the police receive a sequence of calls stating that Joe Bloggs at the end of Smith Street is a major concern, they will turn their attention towards that person. We should bring back the traffic branches that used to operate in country police stations throughout Western Australia. When I was in charge of the Denmark Police Station they were removed and we lost our traffic vehicle. The traffic branch officers in a country town knew who the problem children were. By way of the fish and chip act, which is the ways and means act, we would keep an eye on these people. We knew how to target them if it looked as though they were getting out of line. These guys could make concessions from time to time and target the drivers' vehicles. That would keep them in line. At the moment the system is too removed. There must be more interaction. I strongly believe that driver behaviour should be taught in an ongoing way in our high schools. Further, I have a strong belief that parents should have a greater say in the types of vehicles that their children drive, because they are the ones who have the most influence on our young people.

MR M.P. MURRAY (Collie-Wellington) [6.33 pm]: In rising to talk to this motion, I will probably repeat what has been said by other members. I will refer to the road safety forum that was held in Collie recently. I probably drive as many kilometres as anyone else who drives a car because, unfortunately, unlike the members for Albany and Geraldton, I am not allowed to fly to Perth to attend Parliament. I drive about 60 000 kilometres a year. I have visited the Clerk's office to determine what insurance is available if I get smashed up in an accident. The last two times I have travelled to Perth I have missed being smashed up by a whisker. During my trip to Parliament on Tuesday morning, a car veered across the road and just missed me before swerving back to the other side of the road. The driver was looking at his phone. On another occasion an escorted truck was travelling on the road. The car in front of me was all over the road. The tilt panels on the truck that was coming down the road took up three quarters of the road. In front of me was a truck and another car. As we neared the tilt panels, we passed the private escort vehicle and the police escort. The guy in the car behind the truck who was travelling towards the tilt panels decided to pull out. We were only doing about 40 kilometres an hour, but he must have thought that he would sneak pass and beat the truck. His vehicle went under the tilt panels. Had he not been in a small car, his head would have been severed. Driver attitude is a problem, because people are impatient.

I am passionate about road safety because in the year between my daughter's seventeenth and eighteenth birthdays - she is now 21 - she lost seven friends in road accidents. Many people have spoken about that period in Collie. When a phone call late at night is met with howls, one knows what it is about. It is terrible. As the member for Murray said, in a small community everyone knows everyone else, whether they are friends or relations. Road accident fatalities affect football clubs and every part of a small community. However, people do not seem to learn from them. Research has shown that young people tend to forget the lessons of a road accident fatality 12 weeks after it happens. They carry the burden for a short time and then they move on with life. We have all been guilty of moving on soon after a tragedy. People do not forget totally, but they think that it will not happen to them.

Having been a driver who sped frequently, I now use the cruise control feature in my car, which has surprised my wife. She used to hang on fairly tight when I drove. Having seen road accidents time and time again, I have realised that I must take responsibility for my own actions.

I turn to the excellent road safety forum that was held in Collie the other day. A couple of small things were missing from the forum, such as better input from young people. For the first time that I am aware of, the coal companies, and Worsley Alumina and Wagerup Alcoa, released their apprentices for the day so that they could attend the forum. There were about 85 young people at the forum with a mix and match of other community members. It was really good that the apprentices attended the forum. Although they would probably say that they did not gain much from the forum, they were invited because we need to change the attitude of young drivers. Before the forum commenced, attendees were asked what they thought they could do to alleviate the road problem. Just under 60 per cent said that they might be able to do something. After the forum the same question was asked, and 69 per cent of attendees said that something could be done. That is nearly a 10 per cent improvement in people's attitude, which is a positive outcome.

I was impressed that Assistant Commissioner of Police, John McRoberts, who is in charge of traffic road safety, attended the forum and that he stayed the whole day. I am aware that his schedule is very full. I think he got a feel for the position from which young people are coming, which is important.

The ACTING SPEAKER (Dr S.C. Thomas): I ask members to keep their voices down because the chatter is making it difficult for Hansard to hear.

Mr M.P. MURRAY: A disappointing aspect of the forum was the attitude of some of the police. I was told - I guess some of this could be gossip - that police attendance at the forum was a political stance and that they were there to gain community brownie points. I wish those police officers were in the chamber tonight to experience members' passion about the issue of road safety. We cannot ignore the road safety problem. If the police have that attitude, we have a problem. I will be writing to Mr McRoberts to express my concern about that issue. If people do not want to attend a road safety forum for a day, I am sure that they could be doing other things to address this issue. That was one disappointing aspect of the forum.

The morning session was attended by 85 people. The afternoon session was attended by 35 industry leaders and shire councillors who came away quite excited about what they perceived as a change in the presentation of road safety. My views about Multanovas are different from the views of many other people. If I had my way, the government would buy another thousand Multanovas, because I believe that they work. If a person is fined for driving over the speed limit - bad luck! It does not matter if people exceed the limit from inattention; the responsibility comes back to the person who is driving a car. If the system to counter speeding that is in place today had been used in my younger days, the number of fines I would have received would have cost me a few months' wages. However, after paying money to the government for a few months and not having much money to party with on the weekend, a person might learn his lesson.

There was debate at the forum about Multanovas and whether they should be in fixed positions or hidden. A comment was made about the flashing roadside signs that alert drivers to the speed that they are doing. They certainly encourage people to take their foot off the accelerator - but for how long? What happens further down the road? The majority of prangs in my area occur on the Old Coast Road. As a result, it is absolutely inundated with handheld radar guns or Multanovas, but there are still problems on that stretch of road. Many people who speed on that road are tourists and people from Perth. Every couple of weeks there is an accident on that stretch of road. Recently, two ladies lost their lives on the same weekend on the same stretch of road. People call it the "old ghost road". That is an absolute furphy. The road itself is not causing the accidents. One accident happened after a woman who was driving with her kids in the car fell asleep and ran straight off the road. The other accident occurred because of a mistake in the woman's driving. We must work very hard on education, because that comes back to driver attitude.

There was a light moment in the wrap-up at the road safety forum. When the apprentices at one table were asked what they would do to help reduce the road toll, they said that they would wear their seatbelts more often. I thought that was a classic comment. They said "more often" -

Mr J.C. Kobelke: Not all the time.

Mr M.P. MURRAY: Yes, they conceded a bit! I do not understand the logic of not wearing a seatbelt. I am old enough to remember when wearing a seatbelt was changed from being non-compulsory to being compulsory. It took some time for people to adjust to that change. However, cars today have beepers or flashers that alert drivers that they are not wearing a seatbelt. This attitude is worrying.

Another issue that was discussed at the forum was whether cars should have an electronic system that does not allow the car to start if people in the car are not wearing their seatbelts. That issue was quite well received.

Another point that was raised was that Volvo now provides an extra car key with its vehicles that limits the vehicle to 110 kilometres an hour. That would be good for people who have kids who want to use the car at the weekend. I have four daughters and I would like a similar key for my car. Young people need to slow down and drive at reasonable speeds. It is also a matter of having a bit of control over young people when they first start to drive.

Recently, when I went to Donnybrook to do a bit of spruiking to keep the Libs on the back foot, I took one of my daughters so that she could get her driving hours up. We came up behind a truck and she asked me what she should do. I asked her what she meant and she said, "Dad, it's the first truck I've had to pass." That was a real lesson for me. Kids do the practice test online, they drive on the road and they get their licences, yet many of them have never had to pass a truck. My daughter had to pass the truck while driving a small car, which took some time to pass the truck. She could have experienced problems; she could have swerved off the road or another car could have come the other way. In those situations driver training is a must. People often run off the road, oversteer sharply and have a prang. It is incumbent on all people, including young people, to be responsible for themselves. It is an issue that we must deal with.

A jumbo jet recently crashed in Indonesia. Five Australians were killed. There were reports on the front page of the newspapers for nearly a week and a half. However, eight people were killed in car crashes during the previous weekend, yet the media reports lasted for half a day. That is how blasé we have become about deaths on our roads. We have a long way to go to change that attitude.

Another interesting point was made at the forum by a lady from Albany, and the member for Albany has referred to her previously. She said that when young people get their licences, they should not get the total number of demerit points. People might drive past a Multanova while driving a couple of kilometres over the limit. People should start with four points and then earn points each year until they end up with 12 points. The incentive would be for people to drive at slower speeds and think about what they are doing while driving. That is a good idea and hopefully it will be picked up. People might be able to afford a couple of speeding fines, whether from driving in suburbia or on country roads. If they are willing to risk some of their points and they can afford to pay the fine, they can drive at 120 or 130 kilometres an hour.

As soon as the issue of road safety is raised, the emails start coming in. People are concerned and they want to get involved. We have to bring them with us. We cannot just put a line in the sand and make laws that require them to comply. We need members of the public to agree that it is good law so that they will comply with that law. I support the amendment.

MR P.B. WATSON (Albany - Parliamentary Secretary) [6.44 pm]: I will reinforce the comments of the member for Collie-Wellington. The name of the lady who raised the suggestions about the demerit points is Julie Brodala. Unfortunately, Julie lost her son. I used to coach him at basketball. It was a very sad loss when he and his friend died in an accident. Julie will attend the road safety forum in Albany on Monday. If she is up to it, she will talk about her experience as a parent who has lost a son in an accident on a country road. We can talk about how to stop these accidents, but we must also look at the end result. The member for Wagin said today that his wife tells him to come home to his loved ones. That is a very important point.

The member for Collie-Wellington said that the member for Albany flies a lot. The current Skywest services mean that I have driven my car a fair bit lately. I drove to Perth on Monday night. I had a bottle of water in the back seat of the car but I could not reach it. As I lent across to get it, I hit the gravel on the side of the road and skidded for about 40 metres. I had to stop the car because I was shaking so much. If I had kept my hand there for a second or two longer, I would have hit a tree. It does not matter how good a driver a person is, there is always the issue of inattentiveness. People must take responsibility for themselves. It would have taken me a minute to stop the car and get my drink, but I put at risk my life and my family's future. People must take responsibility for their actions.

I received a letter from Geoff Hastie, one of my constituents. He knows that a road safety forum will be held in Albany, and he has some ideas. His letter states -

You've worked with young people, your own kids, sports people, employees, Peter and one thing we all know is that nagging and punishment will never produce a long term positive result.

Encouragement and a sense of pride and self worth achieves much more, with punishment the FINAL resort.

Why then, is it, that our traffic laws rely on punishment, often of those least offensive (eg. Double demerits can punish driver of good history because for one trip, he omits to wear a seat belt - and put him offside when he was onside)

Can we not try another way:

At present, we all pay the same for our license - no matter how good or bad a driver we are. Let's look at setting a standard, base fee of say, \$300. But let's offer the opportunity, by having a clean license, to get that fee reduced. Eg. If I have two years with no demerit loss, my license is now \$250..and perhaps for each further year of clean driving, I get \$50 reduction, until I'm paying the minimum of \$100.

On the other hand, if I amass more than two points, my fee starts to go up. Say, 2 points, my license is now \$350, 4 points, \$500 etc, until at 10 points plus, I'm paying maybe \$1500 for the privilege of driving.

Peer pressure and public odium is also a powerful force - witness the anti smoking campaign. Let's say, when I'm on the \$100 - \$200 license level because I'm a safe driver, a "Gold" driver, I get a prominent Gold sticker for my vehicle license, so everyone knows it's safe to let me ferry your kids to school - and If I have 9 points up or more, I have a Black sticker, so people know it's risky to travel with me...and so on.

Revenue doesn't have to suffer in fact it might go up, if the costs of being a bad driver are high enough.

My concept is:

Encourage - by providing monetary incentive and community recognition

Punish - by providing monetary disincentive and community censure

Of course, under such a structure, you can't have a demerit system where a driver goes from very good to very bad because it happens to be a long weekend and his passenger isn't wearing a seatbelt. That would be unfair (actually, did anyone ever kill anybody else by not having a belt on?)

Regular bad driving is a question of attitude. Good drivers MAKE mistakes sometimes - that will always happen. But chronic bad attitudes kill and maim others. It's not all about traces of alcohol and Grant Dorrington telling us we're all naughty. We're not - it's about some peoples inability to grasp that the community will not tolerate them enjoying the same privileges on the road as others, and it would rather change their attitude than pick up after them.

I appreciate there are system costs and issues, Peter. The bureaucracy will tell is why it Can't be done, why it won't work, but I ask them to consider how they would treat their Family, their colleagues, their sportsmen, their employees if they wanted them to modify their behaviour.

I reckon they'd reward and congratulate and then only punish when they failed to respond.

That was written by Geoff Hastie, one of Albany's prominent businessmen. He made some very good points.

We were talking about losing a licence. I think it came up in debate today but it surprised me that when one loses a licence, one does not have to sit for it again. I ask the minister whether that is right.

Mr J.C. Kobelke: Yes.

Mr P.B. WATSON: I always thought that when one lost one's licence, especially for offences such as drink-driving, one had to sit for one's licence again. I was very surprised to hear that. If someone wants to drink-drive or be a dangerous driver, I feel that they should have to sit for their licence again.

The member for Collie-Wellington said that a lot of young people got killed in Collie when his daughter was a bit younger. I will never forget the day when I received a phone call from someone who said that my daughter had had an accident on a country road near Borden. She was driving on a gravel road. She had not been taught to drive on a gravel road by me. I considered that to be my fault when I taught her to drive. I taught her on the open roads. In this instance she rolled her car three times and walked away. She was very, very lucky. When I saw the car, there was a spot where her body was and the rest of the car was smashed. If someone else had been in the car, they would have been killed instantly. My daughter was very, very lucky. I did not want to see the car because I did not want to see how close I came to losing my daughter. When I saw it, I broke down and realised not just how lucky she was, but also that I never taught her to drive on gravel roads in the country. We have to look at these sorts of things at these forums. It is great that we have had one in Collie and one in Geraldton and we will have one in Albany because every area in Western Australia is different. I made sure that when my other two children went for their licences, I took them on country roads, I took them on open roads, I took them on gravel roads and I had them passing cars and trucks. I just put them out there. We do everything for our children but when we put them on the roads, it is so dangerous for them. Our children are our most precious asset. I still do not think we teach them enough about what can happen in a short space of time. We teach them how to drive and these sorts of things. We are trying to set aside an area in Albany where the schools can train the children. We have applied for funding for that project and I hope we get that.

When I drove to Parliament today, a person pulled out in front of me. I was driving at the proper speed. Someone just looked up, saw me and pulled out in front of me from a side street. Beeping one's horn is considered a form of road rage and is not allowed but I admit I did flick my lights at this person. If I had not moved into the other lane, I would have slammed into this person's car. There are not only speed factors on the roads but we also have to be aware of what is happening on the road. This person just drove off with no concern at all. They probably did not realise until they looked in the rear-vision mirror that when I put my foot on the brake and swerved out, I was probably only seven or eight feet behind them. Driving within the laws of the road, I have to look out for cars in front of me but when drivers pull out from my left, I have no chance. These are some of the things that we have to look at.

I applaud the member for South Perth for bringing on this motion today. I like his idea of having a forum. We need statewide forums. We can look at what happened in Collie. We can even have some in Perth. We need to collate all these details and bring them here and have a forum. We should not just bring the experts together; we also need some young people there because they are our future. The main dangers on the roads in Albany are 17 to 24-year-old males. They just think they are bulletproof. We lose young people all the time. I think I have mentioned in Parliament before that I went to a young boy's funeral the week before the last election. I spoke to the children there on behalf of the parents. I said, "Just remember, it can happen to you." Driving to Perth a week later, four of them came past in a car, calling out, "G'day, Watto." They were doing about 140 kilometres per hour. I saw them at Williams and I asked the driver why he did it. He said, "Straight road and I'm a good driver." This guy was aged 19 years. He said he had been driving on the farm for years. I said that he only needed a roo to come out on the side of the road or something like that and he would be in real strife. I do not know how we educate them. Young people think they are bulletproof. They lost their mate a couple of weeks before but they do not think it can happen to them. That is a real concern to me.

There is one thing that I have noticed in Perth; I was going to see the minister about getting one installed in Albany: I noticed while driving in Dianella that when I came up near a school there were flashing solar-driven 40 kilometres per hour signs.

Mr J.E. McGrath: In the school zones?

Mr P.B. WATSON: Yes, it was in a school zone.

Mr R.C. Kucera: Wordsworth Avenue in Yokine.

Mr P.B. WATSON: That is right. Being solar, they would not cost that much to run. These flashing lights really stand out. That is something we can install not only in front of schools but also in other areas so people cannot say they did not know what the speed was.

That is nearly all I have to say. I spoke about losing a licence. As I said, I think people should sit for their licences again when they lose them. We should look at the survey. I am really looking forward to our forum in Albany on Monday. We have 70 to 80 young people coming. Community leaders will attend in the afternoon. The one good thing about this forum is that the young people can sit there and make decisions without anyone knowing. They will have a hand-held device. Questions come up on a board, they press the device and no-one else knows the answers they give. When certain topics are discussed, they have an opportunity to contribute.

I fully support the amendment moved by the minister. I congratulate the member for South Perth. Anything we can do to cut down the road toll is a great thing.

MR J.E. McGRATH (South Perth) [6.57 pm]: I thank the Minister for Police and Emergency Services for the spirit of cooperation that he has demonstrated on this issue. I thank all members who have participated in the debate. They have demonstrated that we can come up with a wide range of ideas. A lot of them are fed to us by our constituents. It shows a great interest in road safety. I look forward to working with the minister and coming up with a format for the bipartisan comprehensive and independent review of road safety that will happen as part of the government process of formulating the next road safety strategy to start from 2008. I am sure that we will come to an agreement on the terms of reference.

Amendment put and passed.

Motion, as Amended

Question put and passed.

WATER CORPORATION - FINANCIAL ASSISTANCE TO CANOEING WA

Motion

MR T.R. SPRIGG (Murdoch) [6.58 pm]: I move -

That this house calls on the government to ensure the Water Corporation honours its commitment to provide \$10.85 million in financial assistance to Canoeing WA to replace the Harvey international slalom course it was forced to relinquish in 1998.

This has been a long-running saga.

I want to show one piece of memorabilia to members. I am holding up for members to see a document with photographs of Robin Bell, the 2005 Western Australian canoe slalom world champion. He was also the joint winner of the Western Australian Sportsman of the Year in 2005. Obviously he is a slalom canoeist. He is a born and bred Western Australian.

Mr J.C. Kobelke: He is a brilliant athlete, but you don't want to mention who the other co-winner was!

Mr T.R. SPRIGG: We can, but we will leave his name out of it at the moment! He is a born and bred Western Australian who has been forced to ply his professional sporting trade in other parts of Australia.

Debate interrupted, pursuant to standing orders.

House adjourned at 7.00 pm

QUESTIONS ON NOTICE

Questions and answers are as supplied to Hansard.

GOVERNMENT VEHICLES

1700. Mr T.R. Buswell to the Minister for Education and Training; South West

For each department or agency for which the Minister is responsible, how many motor vehicles did the department or agency fully or partially fund that were utilised by staff outside operational or departmental duties, and were not part of the State Fleet, as at the following dates -

- (a) 30 June 2004;
- (b) 30 June 2005; and
- (c) 30 June 2006?

Mr M. McGOWAN replied:

Department of Education and Training

(a)-(c) The Department of Education and Training does not maintain records for after hours usage of motor vehicles outside the State Fleet.

Typically these types of vehicles include school buses, trailers, quad bikes and other vehicles belonging to individual schools and would only be used as part of operational and departmental duties.

Department of Education Services; Curriculum Council; South West Development Commission

(a)-(c) Nil

GOVERNMENT VEHICLES

1706. Mr T.R. Buswell to the Minister for the Environment; Climate Change; Peel

For each department or agency for which the Minister is responsible, how many motor vehicles did the department or agency fully or partially fund that were utilised by staff outside operational or departmental duties, and were not part of the State Fleet, as at the following dates -

- (a) 30 June 2004;
- (b) 30 June 2005; and
- (c) 30 June 2006?

Mr D.A. TEMPLEMAN replied:

Department of Environment and Conservation; Swan River Trust; Perth Zoo; Botanic Gardens and Parks Authority; Peel Development Commission:

(a)-(c) Nil
