

TAXI DRIVERS LICENSING BILL 2013

Second Reading

Resumed from 31 October.

HON ALANNA CLOHESY (East Metropolitan) [3.30 pm]: When I last spoke in the debate on the Taxi Drivers Licensing Bill I spoke about the complaints mechanisms. I remind members that I look at this bill from the point of view of a range of people who use taxis, including families who require taxis to take their kids to and from school, sporting events and other activities. Some passengers who use taxis are in a vulnerable position and they require high vehicle and driver standards. Other people who are just as vulnerable are people with disabilities. There is a taxi rank and chemist shop near my electorate office, and I notice a lot of people, particularly older people or people who are blind or with vision impairment, use the taxi service to visit the general practitioner, physiotherapist and the chemist shop close by. All of those people—I would say hundreds a day—rely on the taxi service to get them from A to B, to do everyday life activities. I believe this legislation is important, because it sets out, probably for the first time, in part, what is expected of taxidriver. However, my one big concern was that there was no code of conduct associated with this legislation. How are drivers supposed to know what is required of them? Similarly, how are passengers supposed to know what they can expect of taxidriver? I say “was” because that was a concern I raised on the two occasions I have spoken on this bill. However, as I came into the chamber today I was handed a copy of a draft taxidriver manual and code of conduct. I thank the Minister for Transport, through the parliamentary secretary, for that code of conduct. I have literally seen the code of conduct in only the last few minutes, so I have not had a chance to digest it. That is a problem for the government. While I am pleased to be able to see it, a lot more time should have been given to the development of the code of conduct as well as the legislation.

Something that jumps out in my brief glance through the code of conduct is the definition of “fit and proper”; that is, fitness to hold a taxi licence. Who is fit and proper and how can that be assessed? I have previously been concerned about how fit and proper would be assessed. Initially members were told that what determines fit and proper would be assessed in case law. I have serious concerns about that because it would be particularly unfair for taxidriver to not know how they are to be measured, what defines fit and proper and what assessment mechanisms would be used, aside from criminal and driving history checks. Even though this code of conduct is a first effort, there is a long way to go to develop a clear understanding of what constitutes fit and proper and how those assessments will be made, by whom, and what recourse taxidriver might have should they receive a negative assessment.

The next point I make about the code of conduct is the obligations of taxidriver. A number of obligations are listed in the code of conduct; however, again after a cursory glance through the code, those obligations need to be further developed in the legislation. Taxidriver should be clear about their ongoing obligations to passengers. That could be simple manners and courteousness; it could also relate to medical certificates, having the correct skills and, indeed, having the correct knowledge about how to get from A to B or how to use a GPS whilst also driving safely.

As the minister pointed out, the bill aims to provide public confidence in the taxi industry and to ensure high levels of standards. I welcome that. Most drivers are good drivers and are presentable and courteous, but for those who breach the proposed code of conduct, those breaches would have to be quite serious. That is why I support the legislation; but it has taken a long time to come about and I am not entirely sure that the legislation and the code of conduct as it exists at the moment will deliver public confidence, because mechanisms in the code of conduct and the bill need to be put in place.

Earlier, I spoke about the way that the complaints mechanism for passengers interacts systemically with the training of drivers. At the moment, it is very difficult to make a complaint about a service a passenger has received from a taxi service. Firstly, a person has to identify the taxidriver’s number, which is not in any uniform place in a taxi. Most drivers keep their ID above the visor on the passenger side—but not always. The bill will provide for a uniform place to keep a driver’s identification. However, I am concerned about not only that uniform place, but also the size and quality of that taxidriver identification. I am particularly concerned that IDs will be so small that people will not be able to match the photo in the ID with the person who is driving. That could be affected by a range of things including not only a person’s eyesight but also the quality of the light—how dark it is and where it is located. I am also concerned that the print on the ID will be very small. I use glasses—a lot of people I know use glasses—and I find it difficult to look at IDs as they currently exist; if they are too small people may not be able to identify a taxidriver. That may be one part of the complaints mechanism that will be difficult to implement. Even though IDs may be located in a uniform place in taxis, people may have difficulty seeing those IDs and, therefore, that will result in difficulties in making a complaint.

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The next problem with making a complaint based on this code of conduct and this bill is that it is already difficult to phone the central complaints number, if a person is lucky enough to find out what the complaints number is. If a person is lucky enough to find the complaints number and make a call, it is not attended 24 hours a day, seven days a week. Depending on the time of the call, it goes through to the main taxi number. If the call is answered, often the people who receive it do not have time to take complaints. Firstly, this new legislation has an associated code of conduct but we have no way of making sure that the complaints arising from it will even be heard, much less dealt with. Secondly, we have no way of knowing how this will be implemented systemically. We do not know how successful its implementation will be, which is of great concern. Associated with that is training. How do we know what areas taxidriver need greater training in to meet their responsibilities under the code of conduct? Thirdly, what input does the travelling public have into the development of this code of conduct? Everyone has a taxidriver story. Some of them are good but not all of them are.

Hon Ken Travers: We heard another one this morning.

Hon ALANNA CLOHESY: Indeed, we did hear another one this morning. In part, it was a good story. I am very pleased about that. Customers have to be given an opportunity to have their say about their expectations of taxidrivers' standards. Similarly, taxidrivers need a greater say in the development of the code of conduct.

While I am talking about complaints mechanisms, I will refer to some of the breaches of the code that might cancel a taxidriver's licence. How will this be implemented? I notice there are about 7 500 taxidriver IDs in WA at the moment and at the same time there are approximately 19 full-time equivalent officers in the compliance area. I am interested in pursuing during the committee stage how this will be implemented and the ways that compliance officers will be assisted in its implementation. How many breaches of the code of conduct are allowed before a taxidriver's licence is cancelled? How many warnings will taxidrivers get? When do they get those warnings? How do they get those warnings? Are warnings issued in the mail et cetera? So much about the implementation of this legislation is not clear.

There is an issue about prescribed disqualifications. It has been suggested that the manipulation of the security camera in a taxicab could be considered an automatic disqualification of a taxidriver's licence. Obviously a lot of evidence would have to be collected to not only disqualify someone from driving, but also take away their livelihood. The way a disqualification will be prescribed needs to be explored further. Related to that is how penalty points will be accrued and what is the maximum number of penalty points. What happens if a taxidriver exceeds those penalty points? It also has been suggested that if a taxidriver does not undergo particular training, their taxi licence could be suspended. Training is critical to high standards in this industry, but any range of events could occur to prevent a driver from attending training. What recourse is available to taxidrivers to appeal? There are a number of issues that I have picked up on by looking at the legislation and by a very brief glance at the draft code of conduct. I am very pleased that the code of conduct is at least in development and that we have been able to view it to at least know that it is happening. I would like some understanding of when it will be implemented. I would also welcome information about the consultation process around the development of the code of conduct, particularly public input into its development.

In summary, although this legislation is certainly welcome and even though it has taken a while to get here, a number of issues still need to be resolved, from the complaints mechanism through to the new policy around taxi standards and input into the code of conduct. I certainly think there needs to be consultation with people with a disability about the code of conduct and the way in which people with a disability receive and access services from taxidrivers. There needs to be greater development of details around what constitutes a fit and proper person and how that assessment will be made, who will make that assessment and what the process is. There needs to be greater clarity around what actions mean that taxi licences will be cancelled; what is considered higher level standards and lower level standards; what are the priorities within those standards; what happens if a taxidriver breaches those standards; and the associated penalty point system. What recourse is available to drivers found in breach of the code of conduct? More work needs to be done on the legal recognition of the code of conduct and how it affects taxidrivers, particularly in the case of a breach of the code of conduct resulting in the loss of livelihood. What is the legal recognition around that? Those are some of the issues that I would like to draw to members' attention. I look forward to exploring those issues during the committee stage.

HON SAMANTHA ROWE (East Metropolitan) [3.47 pm]: I rise this afternoon to make a few comments about the Taxi Drivers Licensing Bill 2013. It probably goes without saying that the taxi industry provides a vital service to all Western Australians. The service is provided 24 hours a day, seven days a week. I do not think there would be anyone in this chamber who would disagree that it is a service provided to us day in, day out. For many people, depending on where they live, taxis are another form of public transport. For people who live in a suburb that has no train stations or there is no access to bus stops, taxis are often used to get to the shops to do the shopping. The elderly, or people with a disability, may use taxis to travel to medical appointments. Parents

might have to drop kids off to school in a taxi. Whatever it might be, taxis are another form of public transport. At this stage it is basically the only way that people can get to Perth Airport. Taxidriviers play a vital role; probably no-one would disagree with that. Like I said, taxidriviers assist a number of people within our community. For a lot of people, taxidriviers are the first point of contact in Western Australia when they arrive at Perth Airport. For people catching a taxi into the city or wherever it is that they may be going, the taxidriver is their first point of contact. They therefore play a vital role in Western Australia. There is some interesting information on the Department of Transport's website on the number of trips that Perth taxis make. It is astounding to note that they are essentially a conglomeration of small private businesses and that they make more than 450 000 trips a month in WA. One of the major taxi dispatch service companies in WA, of course, is Swan Taxis. Swan Taxis was first established in 1928 and now, some 84 years later, dispatches 25 million trips per year and services Perth people and its visitors through a fleet of 2 043 taxis that are driven by more than 5 000 drivers. There is no doubt therefore that the taxi industry plays an important role in WA.

I think every member of the chamber would agree overwhelmingly that taxidriviers do the right thing. A small minority may do the wrong thing and may have given the industry a bad name, but taxidriviers overwhelmingly do the right thing. They work hard, they have long hours, they have relatively low wages and shift work is involved. Shift work results in interruptions to their social life with friends and family and there is certainly an impact on their home life in having to work long hours for relatively low wages.

The legislation in my view is an important milestone for the industry. It has been two years in the making. The Taxi Drivers Licensing Bill 2013 establishes a dedicated occupational licensing law for taxidriviers and creates a framework for the regulation of taxidriviers. The bill creates a taxidriver licensing regime and the CEO of the Department of Transport will be the licensing authority. The bill introduces new measures to deter undesirable behaviour in taxidriviers and, if such behaviour is detected, provides for the swift and consistent removal of offending persons from the taxi industry.

The new measures fall under three categories, being penalty points, disqualification offences and a code of conduct. The bill creates penalty points for conduct offences applying to taxidriviers—for example, if a taxidriver refuses to carry a passenger's assistance animal; refuses a fare unless particular circumstances are the case; or fails to take a passenger to his or her destination. Under the second category, the bill provides for more serious offences to be disqualification offences. The conviction of a disqualification offence will result in the immediate cancellation of a taxidriver licence and the imposition of a period of disqualification, the duration of which will be prescribed in regulation. The third category is the code of conduct. In addition, the bill provides for the CEO to approve of a code of conduct applying to taxidriviers.

I want to place on the record a number of concerns I have about the bill on which perhaps the Parliamentary Secretary to the Minister for Transport will elaborate later in his response. My first concern is that although it is fantastic that all metropolitan taxis have security cameras, is it possible for these cameras to be installed in regional taxis; and, if so, when that will occur? I refer to an article that appeared in the *Mandurah Mail* on 16 May about a taxidriver who was murdered. It states —

The daughter of a taxi driver who died after he was assaulted in his vehicle has called for surveillance cameras to be installed in all Mandurah taxis.

This is his daughter speaking —

“They all want cameras fitted, they don't feel safe and they are putting themselves in danger every time they go out.”

Given that surveillance cameras are fitted in metropolitan taxis, it seems a fairly reasonable request that their fitting also be extended to regional taxis for security and as a safety-net measure. I ask the parliamentary secretary to elaborate on that request when he responds and perhaps give us a time frame.

One of my other concerns is about clause 30 of the bill. The explanatory memorandum on page 39 under the heading “Suspension, cancellation and disqualification” states —

Other offences may be prescribed as disqualification offences under clause 33(1)(b). For example, a sexual assault committed against a passenger may be prescribed as a disqualification offence.

I ask the parliamentary secretary to elaborate on why a taxidriver “may be” disqualified for a sexual offence and perhaps give me a little more information on that clause.

Clause 56 of the bill is referred to on page 75 of the explanatory memorandum under “Training courses and tests” and states —

This clause will empower the CEO to approve of training courses and tests for various purposes under this Bill.

I would like further detail on whether the training courses and tests include areas relating to customer service. As I stated in my opening remarks, the majority of the time taxidriver are often the first point of contact for people coming to WA. It would certainly set us apart if the training courses in WA incorporated training on customer service. It would distinguish WA against other cities if people, right off the bat as soon as landing here and jumping into a taxi, were overwhelmed by the level of customer service provided. I would not mind knowing whether that is part of the training courses being looked at and whether there has been any discussion on the content of the courses.

Clause 42(4) is referred to on page 59 of the explanatory memorandum under “Powers of authorised officers” and states —

Clause 42(4) will provide an authorised officer with powers of entry and search, and related powers, where these powers are necessary in order to monitor compliance with the provisions of this Bill, to investigate a suspected breach of the provisions of the Bill or of regulations made under it, or of a code of conduct, or to investigate whether a licensee is fit and proper or physically or mentally fit to continue to be licensed to drive a vehicle as a taxi.

One concern I have with clause 42(4), and the Transport Workers’ Union of Australia has also raised this as a concern, is that it will actually empower an authorised officer—not a police officer—of the Department of Transport to search premises; operate a computer or other thing at the premises; make a copy of, take an extract from, download or print out any document or record; as well as direct the occupier of the premises or another person at the premises to give the authorised officer any assistance that the authorised officer reasonably requires. I would not mind some clarification on that issue and perhaps the parliamentary secretary can elaborate on it. It seems a little extreme—unless a taxidriver has committed a criminal offence, in which case a police officer would go to the premises and go through the normal process of questioning the relevant person—to have someone who is not a police officer going to premises and asking such questions.

Hon Dave Grills: Have you had a look at the definition of “authorised officer”?

Hon SAMANTHA ROWE: Yes, it is an authorised officer of the Department of Transport; that is my understanding. If that is not correct, I am happy for clarification on that definition.

Hon Ken Travers: You would’ve loved those powers when you were a police officer, wouldn’t you!

Hon Dave Grills: At least I knew my powers as a police officer so I could speak on it—yes, obviously!

Hon SAMANTHA ROWE: I do not really understand that comment. All I am seeking is a bit more clarification around that clause and its purpose, and why it has to be in the bill. There may be a very good reason and I look forward to the parliamentary secretary’s response.

Given the savage cutbacks the Barnett Liberal government has made to the public sector, I have concerns, and these are real concerns in the industry about the resources that will be available to the Department of Transport to take on this integrated and fairly comprehensive bill process. In conclusion, I hope that these cutbacks made to the public sector do not impact the resources that are made available to the department to fully give justice to the bill and what is required. That is my concluding statement.

HON SALLY TALBOT (South West) [4.00 pm]: I want to add to some of the very erudite remarks that colleagues on the opposition side of the house have already made on the Taxi Drivers Licensing Bill 2013. Before I do that, may I just seek some clarification and assistance from you, Mr President? The first place that I turned to when I got hold of a copy of the bill and the explanatory memorandum was clause 30. It seems to me, and I have just done a brief check with my colleagues, that the explanatory memorandum that has been provided to us is, in fact, the explanatory memorandum that relates to the unamended bill—namely, the bill as it was presented to the other place. If I can just draw your attention to the explanatory memorandum—that is, clause 29 on page 38. If you read the explanation about section 29, you will find in the last paragraph that it refers to clause 29(4). I cannot find such a clause in the bill that is under consideration today, Mr President.

The PRESIDENT: Member, we will check that out. If you would like to continue your remarks, we will certainly have that checked out in the next few minutes. We will come back to you.

Hon SALLY TALBOT: Thank you, Mr President. My concern, of course, is that it is of utmost importance that we are, for a start, dealing with not only the correct documents, but documents that match each other. This is

only one place I have identified in the explanatory memorandum that is clearly referring to a different document. I ask if I could have your guidance on that matter, and as you requested, I will continue with my remarks until we are able to get some sort of clarification about that point.

Observations have been made in the debate, both in this place and the other place, that taxidriviers often do it very tough. I was particularly taken by a comparison that one of my colleagues in the other place made when she talked about the similarities between being a taxidriver and being a member of Parliament, or a candidate, or a political activist who goes doorknocking. It was specifically in respect of the fact that when we go doorknocking during an election campaign, we are walking up to the doors of houses where we do not know who is inside when knocking on the door and trying to engage the people inside in a conversation. I am sure that every member of this house who is an active doorknocker—certainly, I know people on this side of the chamber are—has hair-raising stories to recount about who has opened some of those doors when we have marched up the path and knocked on doors to talk to people about election campaigns! It has often occurred to me before that taxidriviers are in a very similar situation.

The PRESIDENT: Member, I think we have done some quick investigation of the issue you have raised. It does, indeed, seem to be the same explanatory memorandum that was tabled in the other place that has also been tabled in this house. In the meantime, of course, clause 29(4) was deleted and therefore there is an extra part in the explanatory memorandum tabled in this house that really should have been taken out. The parliamentary secretary in his response might like to elaborate further on that situation, if there is anything more that can be explained. However, that is just the preliminary information I have.

Point of Order

Hon KEN TRAVERS: On the issue that has been raised, Mr President, we have a number of standing orders, namely standing orders 121(3), 124(3) and of course standing order 125, dealing with the way in which bills can be dealt with. I seek your advice or potentially a ruling as to when an incorrect explanatory memorandum is tabled, what the correct procedure for the house should be. Because clearly the intent of the standing orders was that we be provided with—under the current standing orders; I will not pre-empt the debate coming up later about changes to standing orders—an explanatory memorandum after the first reading of the bill. It is a requirement that every bill have an explanatory memorandum. Then, obviously, there would be some time between receiving that information and proceeding with the debate. If it is clear that we have not received the correct explanatory memorandum, whilst I note that on this occasion it is only a very small matter at this stage about whether there is a difference; nonetheless, it is not the correct explanatory memorandum. I am not sure whether we can continue to proceed with the bill or whether we need to cease this debate at this point to allow the parliamentary secretary to take whatever corrective action to ensure that the correct information is available to the house, would allow us to come back to the debate. I am not sure whether that would also be in accordance with standing order 125, given it is a Legislative Assembly bill that must be debated at least one calendar week later, but we need to ensure that we all have the properly available information required under the standing orders before moving on with the debate. I seek your guidance on those matters, Mr President.

The PRESIDENT: I am taking this as a point of order. Because it is a point of order, can I invite the parliamentary secretary to clarify that the only incorrect part of the explanatory memorandum is the inclusion of that small section that should have been deleted.

Hon JIM CHOWN: Yes, Mr President. My understanding is that the inclusion in the explanatory memorandum was an oversight; the amended explanatory memorandum, I think, is available for the house right now.

Hon KEN TRAVERS: With all due respect, Mr President, it may be available behind the Chair. I am not sure it is correct to say it is available to the house because I do not believe it has been tabled in the house at this stage. Unless the parliamentary secretary wants to correct me on that point, the correct version needs to be tabled in the house. Whilst on this occasion it is only a minor change, obviously the rules need to be very clear about how these matters are dealt with in the future given one of the difficulties is how many errors can we have before you invoke the requirements of standing order 125 again.

Hon PETER COLLIER: If I can offer some clarification. I understand the frustration on the part of the opposition; I think it is justified. Ideally, we will be in the process of tabling that amended explanatory memorandum. I concur with the comments of the parliamentary secretary that it was the only amendment that —

Hon Ken Travers: And I accept that; I am not challenging it.

Hon PETER COLLIER: I acknowledge that; I am not trying to be difficult. Having said that, I do apologise and ideally we will get that explanatory memorandum tabled now.

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Hon SALLY TALBOT: On the same point of order, I also want to make it clear that I am not making any personal accusations about the competence of anybody in this house, but I just remind you, Mr President, that the person with the carriage of the bill in this place is a parliamentary secretary. I have been a parliamentary secretary and I understand the practices of working with the minister's office when taking a bill through this place. I listened very carefully to what the parliamentary secretary said—as I said, I am not casting any aspersions on his competence—but he has advised the house that, to the best of his advice, that is the only difference between the two explanatory memorandums. Mr President, I ask you to take into consideration whether the house should expect a parliamentary secretary to give that highly qualified assurance to the house when this is such an intrinsically important matter about the integrity of the way that we deal with legislation.

The PRESIDENT: I think the member has raised a very valid point. The accuracy of the explanatory memorandum is fundamental to a supporting document to a bill. The addition that should have been omitted appears to be pretty clear, if that makes any sense! To give the parliamentary secretary and his advisers a few minutes to get it right, I suggest that we continue the second reading debate with the clear understanding that only one clause is the problem. I invite the parliamentary secretary to table the amended explanatory memorandum. I will give him that opportunity now if he wishes, but if he does not, he will have that opportunity at the end of question time.

Hon JIM CHOWN: I am more than happy to take the opportunity to table the amended explanatory memorandum.

Tabling of Paper

The PRESIDENT: It may be a little out of order, but I will give the parliamentary secretary the opportunity to seek leave to table the explanatory memorandum now.

Hon JIM CHOWN: I seek the leave of the house to table the amended explanatory memorandum to the Taxi Drivers Licensing Bill 2013.

Leave granted. [See paper 971.]

Debate Resumed

Hon SALLY TALBOT: Thank you, Mr President, for your ruling on that and the clarification that we have now been provided with. I make the point at this stage that in many of the comments I am going to make, and assuming that we will move pretty swiftly into the committee stage after I have concluded my remarks, there will be some confusion in the entire chamber over pagination and clause numbers because of the change that has been made. I also point out for the purpose of the record that this is not the only difficulty under which the opposition is working at the moment. We have today for the first time been allowed to look at what is obviously still very much a draft of the code of conduct, which in a sense is central to this bill. We have never had a code of conduct for the taxi industry before. This is a first. This is quite a radical change to the way that the industry operates in Western Australia, yet we are passing a bill with a whole clause devoted to a code of conduct that only today we are being permitted to see for the first time. I will make more comments about that later in my remarks because it is obvious that this is very much a draft.

I was starting my comments by noting that there are some similarities between the life of a political activist and the life of a taxidriver in that the way that we doorknock houses with no idea who will open the door or to whom we will talk is the same for a taxidriver who does not know whom he or she will pick up every time he or she answers a call or is flagged down on the side of the road. I would be the first to acknowledge that it is a very difficult life. Many members will know that, in a previous career, I was a performing musician. In that role, I had a great deal of use of taxis when travelling around the place late at night and that sort of thing. For many of my colleagues, being a taxidriver was a preferred form of alternative income for classical musicians who were not always working, which I think is the polite phrase.

Hon Ken Travers: Between concerts.

Hon SALLY TALBOT: Between engagements I would say, Hon Ken Travers. Between engagements, many of my colleagues supplemented their income by driving taxis. They would tell hair-raising stories about some of their experiences. I am slightly embarrassed to say that I had one experience when I probably diminished the quality of life of a certain taxidriver on a certain day. It was not a moment of which I am particularly proud, but I will share it with the house because I think there are some lessons to be learned from the experience that I am about to relate. It was many years ago during a period when we had a war in the Middle East. I was sharing a house with people whose profession meant that we were protected by state security. I arrived home from the shops by myself in the middle of the day. I think at the time I was writing my PhD thesis, so I was leading a lifestyle that was not routine. We lived in the hills in a fairly remote location and we had a circular drive. I pulled

into the drive to pull into the garage and there was a taxi parked in the middle of the driveway. I did not expect to find a taxi there, so I parked my car, got out, walked over to the taxidriver and asked him what he was doing there. He said that he had come in response to a call for a taxi. I said that it was not from this house and that he must have been in the wrong place. He then drove out of the drive and I went into the house. The next moment, I was aware of him walking around the house outside. I have never been of a nervous disposition, but I was slightly disconcerted to find this person, who, incidentally, happened to be of Middle Eastern ethnicity, walking around the side of my house. I remembered that all over the house we had these state security notices stating, “If in doubt, call this number”, “Do not ever hesitate to do this”, “It is better that you are safe than sorry”, and all that sort of thing. I went out again and asked him why he was still there. He said that I had called him. I said that nobody in the house had called him and that he needed to make a phone call to find out where he was supposed to be. To cut a long story short, this went on for several more minutes. About 10 minutes later I again found him walking through the garden. I thought, “I really do have to press this magic button to see what will happen.” I got the report back later that the poor man was indeed looking for a lost fare. Those members who know the hills area will know that it is not always easy to find lot numbers; they are very big blocks. The poor chap was looking for a lot number that he could not find. I gather that he was subject to what state security called an interrogatory process on his way back down Brookton Highway. I was assured afterwards that he had no evil intentions and was simply a lost taxidriver. I look back on that experience and hope that that young man learned a degree of tolerance for perhaps a slight overreaction from some potential customers.

I was a little disconcerted to see the emphasis in the second reading speech, but not so much in the debate that is unfolding in this house, about the bad apples—I think that term was in quotation marks—who give the taxi industry a bad name. Anyone who is active in politics knows that one or two bad apples can give the entire profession a bad name. I thought it was worth noting, as many other members have done, that the taxi industry by and large is populated by people who not only have good intentions, but also go out of their way to do their job in a fantastic way and overprovide the service. I will give one quick example of this. Again, this relates to the hills area. I was told a few years ago about a number of taxidrivers who got jobs taking fly in, fly out workers up and down the hill to the airport. Obviously, it is a fairly lucrative relationship to establish with members of the community. I was told that some of these taxidrivers would even go so far as to keep a bit of a watch over the family that was resident in Perth when the person who was flying in, flying out was out of town. Usually that was the man of the household—the father. I have heard some very heartwarming stories about taxidrivers who would make themselves available to pick up kids who were stranded and would take them home without demanding a fare, always knowing that they would be recompensed by the family afterwards, and who would drive past the house on a regular basis to check that all was well and nothing untoward was happening. I am absolutely certain that by far the majority of the people who work in the taxi industry not only have these kinds of noble intentions but go above and beyond the call of any sort of duty in looking after their community.

I was brought up in the United Kingdom on taxis. That might sound an odd thing to say. But in the days when I was a young person, it was not unusual for people not to drive. My family never owned a car. Neither of my parents ever drove a car. Their justification was partly a financial one. It was also partly a lifestyle one, in that neither of them wanted to drive or had need of a car. So we would use taxis on a fairly regular basis. If the weather was bad, we would use a taxi to go a mile down the road. One of my frequent childhood experiences was arriving back in town by train, and if it was fearfully cold or wet, we would always be allowed to jump into a cab to go home. Part of the debate that we are having today is about the way in which the taxi industry has changed over the years. In those days, the taxidrivers knew everyone in their community. My mother would ring the taxi company, and they would recognise my mother by name and would ask her where she wanted to go that day, who she was taking with her, and what time she wanted to come home. It is not necessarily realistic to expect that level of personalised service in a city like Perth. However, I want to mention that many taxidrivers go above and beyond the call of duty to deliver a personal service.

A number of contributors to this debate have remarked on the fact that we have been waiting a very long time for this bill to come before us. I have been backtracking through the list of questions that members with responsibility for this area, such as Hon Ken Travers, have been asking over the years. It is clear that this bill goes back to at least 2010. Therefore, it is reasonable to ask why we have had to wait so long for this bill. That is the case particularly when some of the things that to me should be at the top of the priority list in making improvements to our taxi industry are not included in this bill. One issue that has been raised by several other members on this side of the house, most recently by Hon Samantha Rowe, is the installation of CCTV cameras in taxis based outside the metropolitan area.

I am currently based in Mandurah, and I will be there at least until the end of this year when I will be relocating my office further south. In Mandurah, this is a particularly hot topic of conversation. As honourable members would know, because it was raised a number of times in earlier stages of this debate, there have been two very

Hon Alanna Clohesy; Hon Samantha Rowe; Hon Dr Sally Talbot; Hon Ken Travers; President; Hon James Chown; Hon Peter Collier

traumatic experiences in the Mandurah community that are directly connected to the fact that there are no CCTV cameras in our taxis in Mandurah. The first incident was the one that Hon Samantha Rowe referred to, and that is the death of Lindsay Ferguson. Lindsay Ferguson was a well-known identity in Mandurah. Even though Mandurah is now a town of many tens of thousands of people, it still retains at its core a kind of fishing village mentality. Lindsay had been driving taxis in Mandurah for several decades and was well known and loved in the community. I am not sure whether the legal proceedings relating to his death have concluded yet, so I will not say too much about it. However, some kind of fracas or incident occurred in Lindsay Ferguson's taxi that night—that much we know—and Mr Ferguson died in a way that one can only assume was related to that incident.

I have recently done some travelling in other countries, as you would know very well, Mr President, and I noticed during my travels that all the taxis in countries around our region have CCTV cameras installed. I do not understand why in large regional centres like Mandurah and Bunbury, and also in Kalgoorlie and Albany, that is not also the case. It is not as though those communities are still sleepy little towns. They are towns with real nightlife and with a community that expects to be able to use taxis. We need to recognise that there are two main types of people who use taxis. The first is people who have a disability that prevents them from driving or makes it much easier for them to rely on a taxicab. The second—this is very important to our consideration of the way the taxi industry works—is people who want to drink alcohol when they are out for the night and want to do the right thing and not drive home. Those circumstances surely apply as much to people who live in Mandurah, Bunbury, Kalgoorlie and Albany as they do to people who live in the centre of Perth. All those places have a night life, and they need to have taxis available for people who have been drinking and want to get home safely. I cannot understand why there has been such a delay in the provision of CCTV cameras in taxis in regional centres. I know it is not cheap. One estimate I have seen is that it costs between \$4 000 and \$5 000 to equip a taxi with CCTV cameras. The taxi industry in Mandurah has been advocating for the installation of CCTV cameras, and the local taxi operator has offered to make a voluntary contribution towards the cost of installing those cameras. The key point is that had CCTV cameras been installed in taxis in Mandurah, it would have helped in the investigation into the death of Mr Ferguson. It would also have helped in the investigation into the death of Tauri Litchfield, the young man in Mandurah who was assaulted when on his way home one night. We know from the media reports that when the police were trying to put together the evidence about what had happened to Mr Litchfield, they requested the CCTV footage from the taxis in Mandurah, only to be told that Mandurah does not have CCTV cameras in its taxis. The police in the metropolitan area now use CCTV footage as a key part of their investigations. As has been pointed out earlier in this debate, the cameras do not just face inwards. A lot of taxis now also have cameras that face outwards so that they can get evidence about traffic incidents and that sort of thing.

Hon Ken Travers: That is now a requirement; they are all going to be converted so that they will face both inwards and outwards.

Hon SALLY TALBOT: That makes it doubly significant that we are missing those two sources of information in those regional centres around Western Australia.

I would like the parliamentary secretary to clarify why we have had to wait so long to consider this bill, and why this bill does not include the extension of these provisions for the installation of CCTV cameras. I hope the parliamentary secretary is also in a position to update us on the delay in the provision of CCTV cameras in taxis in regional areas. My colleague the member for Mandurah in the other place has been raising this issue for months and months, and every time he raises it, the Minister for Transport assures us that things are rolling along and we are getting closer to the point at which CCTV cameras will be installed. So I would like to get from the parliamentary secretary an update on that situation.

I put some of my notes together for this debate a couple of weeks ago when the Taxi Drivers Licensing Bill 2013 first came into this place. It just so happened that on the day I thought I might be speaking to this bill, the community was having a hot debate about another practice on our roads relating to our transport and licensing regulations—namely, the retesting of older drivers. I was particularly interested in some comments that were made, I think by the RAC or it may have been some other body with an interest or one of the other stakeholders, that we still insist on this high degree of regulation of older drivers, many of whom have to retake a test every year. Of course, part of the difficulty with doing that is our stipulation that they cannot use certain types of handbrake or footbrake when they take those tests; therefore, many older people find that extremely traumatic.

Debate interrupted, pursuant to standing orders.

[Continued on page 6075.]