

Ms Katie Hodson-Thomas; Mr Terry Waldron; Mr John Bradshaw; Mr Bernie Masters; Mr Ross Ainsworth; Mr John Day; Mrs Michelle Roberts; Mr Max Trenorden; Mr Mike Board; Mr Rod Sweetman

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**ROAD SAFETY COUNCIL BILL 2001**

*Second Reading*

Resumed from an earlier stage of the sitting.

**MRS HODSON-THOMAS** (Carine) [7.01 pm]: I spoke during the earlier debate about Multanovas and their placement. It is my view that a code of practice should be developed on the placement of Multanovas. I also made a number of observations about the placement of Multanovas throughout my electorate, the metropolitan area and country areas, which often contradict the objective to reduce motorists' speed. Multanovas are often placed just before or after a sign indicating a change in speed limit, when motorists are either endeavouring to slow down or find themselves accelerating too early. Drivers are also sometimes unfamiliar with an area and may inadvertently miss a speed sign. Many perceive Multanovas to be just a cash cow for the Government of the day. Many different speed limits are sign posted along our roads. Drivers must concentrate on what they are doing; they must observe the speed limit, watch other driver behaviour, check their rear vision or side mirrors and watch for all manner of conditions. That must have some impact on drivers, particularly young drivers.

It concerns me that there appears to be no proper code of practice for the administration of the placement of speed cameras. I welcome the minister's comments on that. It appears to be a very ad hoc arrangement that unfortunately generates an adverse reaction from the community. It is imperative that Multanovas be clearly visible, so that they are not seen as a cash cow. There is a need to ensure that the community is not alienated on the issue of road safety. It is incumbent upon all members to win their support, so that the community can clearly identify the real benefits of speed cameras, rather than resenting them because they are viewed as a way to raise revenue. The community needs to be convinced that the reduction of fatalities is the clear objective behind the use of speed cameras. I suggest that there is an urgent need to formalise a more strategic approach to the placement of speed cameras along our roads. That will in turn bring about positive driver behaviour and positive attitudes towards driving.

I searched on the web yesterday and found the web site [www.speedcamera.com.au](http://www.speedcamera.com.au), which appears to be still under construction. The site intends to give motorists an opportunity to find out about Multanova hot spots. The site is still under construction, but the following appeared on the web site -

Everyone knows that the police put the multinovas in the same locations all the time. Though police claim not to hide the multinovas, the spots they choose are the ones that they find most hidden on a particular stretch of road.

This is where we will show the most common spots and have pictures of their locations.

Several criteria are used to determine site selection for camera activities. These include traffic flow, road geometry, public and operation safety, crash rates and severity, black spots, and public complaints about speed behaviour. That criteria is valid and needs to be part of an overall exploration of speed camera placement. I am sure that other members of Parliament are frequently contacted by their constituents with complaints about local roads.

My final comments relate to the proceeds of red light and speed camera infringements. The Government stated that all proceeds would be put towards reducing the State's road toll through a range of initiatives aimed at making our roads safer. I will refer to a number of statements made by the Government on this commitment. The first was contained in a media statement issued on Sunday, 29 October 2000 by Dr Gallop, titled "Labor pledges to spend all speed and red light camera revenue on road safety." In it, Dr Gallop said -

Every dollar of revenue raised from speed and red light camera fines will be spent on road safety initiatives under a Gallop Labor Government.

He went on to say -

Under Labor's plan, all speed and red light camera revenue will . . . be spent on legitimate projects satisfying strict road safety criteria. A full list of those projects, and the money allocated, will be tabled in Parliament annually by the Minister for Transport.

The statement continues -

It's clear that a new approach is needed. It's time for tough decisions and Labor's commitment to spend every dollar of speed and red light camera revenue on legitimate road safety initiatives will provide the funding to make a difference.

**Extract from Hansard**

[ASSEMBLY - Wednesday, 12 December 2001]

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Ms Katie Hodson-Thomas; Mr Terry Waldron; Mr John Bradshaw; Mr Bernie Masters; Mr Ross Ainsworth; Mr John Day; Mrs Michelle Roberts; Mr Max Trenorden; Mr Mike Board; Mr Rod Sweetman

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A number of other comments on this issue appeared in the *Road Patrol* magazine. The first appeared in the October/November issue and is contained in an article headed, "State budget - mixed results for motorists". It states -

Prior to the February State election, *Road Patrol* outlined the promises of the major parties on road safety and motoring issues. Eight months into their first term - and after the delivery of their first Budget - how has the Labor Government fared?

Under Multanova/red light camera revenue, the article states -

Labor will ensure that 100% of revenue from speed and red light camera fines will be spent on authentic projects to reduce the road toll. All projects will be subject to road safety criteria and each year a Labor Government will table in Parliament the list of projects.

The latest issue of *Road Patrol*, for December-January 2001-02, contains an article titled "Where is the money?", which states -

In last December's *Road Patrol* the State Government pledged to commit 100 per cent of revenue raised from speed and red light cameras to road safety.

It goes on to say -

But in politics, like life in general, actions speak louder than words.

The article continues -

"This edition of *Road Patrol* is the anniversary of the promise made by the current Government to ensure that 100 per cent of revenue raised from speed and red light camera fines is spent on projects to reduce the road toll.

"And now, nine months since coming to power, what we have seen is motorists paying to line the Government's pockets while strategies and programs aimed at saving lives remain ill-defined and potentially under-funded.

"What we are asking the Government to do now, so that it remains true to its promise, is to show us where all this extra money is to be spent on road safety."

...

The minister said \$750,000 has been allocated to an extensive community awareness campaign for the introduction of the 50km/h speed limit in built-up areas throughout the State. The new speed limit applies to residential streets and takes effect from Saturday, December 1, 2000.

...

Complementing the 50km/h campaign, more than \$1 million will also be allocated to reinforcing messages that even 10km/h over the limit makes a big difference."

...

The minister responsible for Road Safety, Michelle Roberts, said the State Government remained committed to its pre-election promise to direct all the proceeds from camera infringements to reduce the State's road toll.

"We will allocate funds not just through the Road Trauma Trust Fund, but also through a range of initiatives aimed at making our roads safer," she said.

As the saying goes, actions speak louder than words.

At the consideration in detail stage I will raise a number of issues related to road funding. In this regard I foreshadow that I will move an amendment that stands in my name on the Notice Paper, which is concerned with the funds raised from speed cameras.

I will refer to the 50 kilometre an hour speed limit. Prior to the recent change to the 50 kilometre an hour speed limit, a new off-ramp at Wellington Street was a 60 kilometre an hour zone. On my travels to Parliament House, I have noticed that motorists who drive off the Mitchell Freeway via the Wellington Street off-ramp must brake very hard. I wonder whether that problem must be investigated further. Will a problem of that type be covered by this Bill? Will Main Roads still determine the issue, or will it be a policing matter? Perhaps the minister will be able to answer those questions in her response.

Ms Katie Hodson-Thomas; Mr Terry Waldron; Mr John Bradshaw; Mr Bernie Masters; Mr Ross Ainsworth; Mr John Day; Mrs Michelle Roberts; Mr Max Trenorden; Mr Mike Board; Mr Rod Sweetman

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**MR WALDRON** (Wagin) [7.12 pm]: I support this Bill. I will always support Bills that try to improve road safety in Western Australia. I trust that that is the real intention in this Bill. I take a great interest in road safety. I have been involved in it personally and via my previous association with the Western Australia Country Football League. Over the past few years the Road Safety Council has heavily sponsored and promoted road safety throughout the country football network across Western Australia. It has been a pleasure to be part of that. It has especially been a pleasure to target the 18 to 25-year-old male group, which must be targeted. Targeting that group through the association with sport, which many country people play, has had a positive effect. I am proud to be a part of that.

This Bill attaches the Office of Road Safety to the Department of the Premier and Cabinet, and obviously aims to increase the independence of that office by ensuring that it is no longer linked to a portfolio vying for road safety funding. The Office of Road Safety will now be represented on the Road Safety Council. That is an important part of the Bill. I take this opportunity to congratulate the Road Safety Council for the excellent work it does. I have worked with it closely and have seen the great job it does. Its ongoing and strongly targeted messages have had a great deal of success, and I hope that will continue. I also encourage it to continue its educational promotion of road safety.

Today the minister announced a reduction in the injury and death toll on our roads, which is fantastic, and I am sure that all members applaud that. One-third of the revenue raised from the red light and speed cameras goes to the Road Safety Council, and the Government has said that it will direct the other two-thirds towards other areas of road safety. Like other members, I would like to know to which areas of road safety that money will be directed. How will the minister report to Parliament where that money has been allocated to address road safety issues? I also wonder whether the Road Safety Council, because of its expertise gained from research into road safety, will be consulted on how that money is used. Will it provide input into the allocation of that money?

I have a suggestion to make that I have often thought about since I came back from England a few years ago. A lot of speed and route signage is painted on the road surface in England. I support the introduction of the new 50 kilometre an hour speed limit in the built-up areas; that is a good initiative. However, when speed limits change, it causes confusion. I wonder whether we could use on-road speed signage that drivers could not fail to see, although I understand that the cost of that must be taken into account. Route numbers painted on the roads in England makes it easier for drivers to work out where to go. I realise that the scheme would have to be implemented gradually and that its cost would be a factor.

I congratulate the Road Safety Council for conducting meetings that involve the local communities in country centres, to drive home the message of road safety. I was fortunate to attend one of those meetings in Narrogin. However, unfortunately, I could not attend all of it. I commend the RoadWise committees and the people who work on them whose praises are often unsung. They do a terrific job. They work to help the community to save lives. When the Road Safety Council met in Narrogin, people in the community felt they were playing a role. When the Road Safety Council left, the community was impressed and motivated by the council's visit. I encourage that to continue.

**MR BRADSHAW** (Murray-Wellington) [7.17 pm]: It is important that road safety be made a major issue because lives are important. Injuries are also important because they cost the community dearly through hospitalisation, loss of work time and so on. I have some reservations about this Bill being introduced to elevate the status of the Road Safety Council in government. The Bill states that the Office of Road Safety will be located within the Department of the Premier and Cabinet, and I assume that department will supposedly deal with road safety. I remember in the 1980s when the Labor Government elevated the status of tourism to the Department of the Premier and Cabinet. The Premier said that he would look after tourism, but that lasted about five minutes. If the Premier is to take this portfolio under his wing, why is he not here to deal with the Bill? This elevation of the Office of Road Safety to the Department of the Premier and Cabinet is hocus-pocus. I also find it strange that it must go to the Department of the Premier and Cabinet to make it more independent and provide it with a whole-of-government focus. Where does Grant Dorrington fit into the picture?

Mrs Roberts: He is the chairman.

Mr BRADSHAW: When we were in Government, he constantly made statements about what should be done and how things should be done. I do not think that he could be more independent than that. I do not think he bothered to tell the Government beforehand.

Mrs Roberts: He does an excellent job.

Mr BRADSHAW: I am not complaining about it. The Government is saying that the Road Safety Council needs to be more independent, but the chairman of that organisation often says what the council thinks. I cannot see that it could become more independent.

Ms Katie Hodson-Thomas; Mr Terry Waldron; Mr John Bradshaw; Mr Bernie Masters; Mr Ross Ainsworth; Mr John Day; Mrs Michelle Roberts; Mr Max Trenorden; Mr Mike Board; Mr Rod Sweetman

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Mrs Roberts: You would be well aware that Grant Dorrington supports the best team in the Western Australian Football League.

Mr BRADSHAW: I am not sure that he does, because he was dumped as the coach of East Perth Football Club. I am not sure he appreciated that. He was a great player for East Perth in his heyday.

I do not think the system can be any more independent. The Government is supposedly elevating the status of road safety by putting it into the Department of the Premier and Cabinet, but the Premier is not here to deal with it. I am sure that the Premier will be so busy with other things that this will be pushed sideways, and the minister handling the Bill now will continue to deal with these issues in the future.

The recent reduction in the speed limit on suburban roads to 50 kilometres an hour is a step in the right direction, and we must work towards making our community safer by trying to stop road deaths and injuries. However, Main Roads has a different attitude to what I believe is a safety issue. I remember that for years I campaigned to get the speed limits in the towns of Pinjarra and Waroona reduced to 50 kilometres an hour. Main Roads would not budge. It had an idea that 60 kilometres an hour was fair enough, and that was the way it was going to stay. There was no way it would change. I drove through Pinjarra the other day, and saw the new 50 kilometre an hour signs. That is fantastic. Pinjarra is situated on the South West Highway, which is used by massive trucks. Some clowns, and even cars, try to do 60 kilometres an hour through that town. The main road has shops on either side and people are often getting into and out of their cars. The new speed limit is a great thing. I have been trying for years -

Mrs Roberts: One of the real benefits of introducing 50 kilometres an hour as the default limit statewide is that people must think about whether the posted speed limit of a road should be higher. People must justify raising the speed limit to 60 kilometres an hour.

Mr BRADSHAW: I have not noticed any of those signs in Waroona. I will check on that. Waroona is in a similar situation to Pinjarra. A few years ago a guy got out of his car and was hit by a truck and killed. It is a very important issue for those towns along the South West Highway.

Something that has annoyed me for the past eight or so years is that all we ever hear about with regard to the police is road safety and Multanovas. I know it is important to devote attention to road safety and to try to deter people from speeding, although some people believe Multanovas are a revenue raiser - I guess that is a debatable point. However, I think police operations are a more important issue, because people are more worried about their homes being burgled, being mugged, having their handbags stolen or being held up while at their businesses than they are about being killed in their motor cars. We should elevate the status of police operations ahead of road safety because people have a greater fear of crime. The Government is taking the wrong step by trying to elevate road safety by making it a Department of the Premier and Cabinet responsibility. We should better promote what the police are doing to try to get the criminals and the baddies, rather than say that there will be more Multanovas.

Mrs Roberts: That is why the Premier gave his best minister the police portfolio.

Mr BRADSHAW: I would probably agree. We want someone who is tough and who will go out and get the baddies. I have not heard the minister say it too often. One of the best policemen I have come across is Superintendent John Watson. He tells people that he will get them if they do something wrong. He gives society confidence. I do not hear enough of that. I once told Deputy Commissioner of Police Bruce Brennan that he should get out more often and say that the Police Service will get the bad guys, instead of saying that the police will put more Multanovas on the highways to catch speeders. People do not believe they will die from speeding or traffic accidents; they believe they have a greater chance of their houses being burgled, being held up in their shops or having their handbags stolen. I think the emphasis is on the wrong issues. I am not saying that we should not put a big effort into road safety; however, the Government should have elevated policing instead.

**MR MASTERS** (Vasse) [7.25 pm]: Various people were earlier today being very honest in advising the House how many demerit points they had lost. I will not do the same. I will also not mention a certain incident that occurred in the Merredin electorate recently; however, I am grateful for the policeman who pulled me over and had a word with me. We agreed that the 60 kilometre an hour speed zone for roadworks was inappropriate; otherwise it would have been a \$350 fine and another six demerit points.

Mr Ainsworth: I was there at the same time, and I agree with you.

Mr MASTERS: I thank the member.

We will not talk about demerit points. I thank Iain Cameron from the Office of Road Safety, who provided a good briefing to a number of members on this side of the House earlier today.

Ms Katie Hodson-Thomas; Mr Terry Waldron; Mr John Bradshaw; Mr Bernie Masters; Mr Ross Ainsworth; Mr John Day; Mrs Michelle Roberts; Mr Max Trenorden; Mr Mike Board; Mr Rod Sweetman

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At the end of my short presentation I will make a specific comment about the Bill, but I need to spend a couple of minutes in a preamble to that final comment. Country road deaths account for 60 per cent of all road deaths in Western Australia. Considering how few people live in country WA compared with the number of people living in the extended metropolitan area - including Mandurah - that figure is unacceptable. In the view of everyone to whom I have spoken, Multanovas are not the solution to the country road death problem, for a host of technical and other reasons. Putting Multanovas on infrequently used country roads will not achieve any goals or create a profit for the State, because so few people use those roads that not enough fines will be issued to cover the costs. The answer to country road deaths is a combination of education and police presence on those roads. Those two together are absolutely essential. Either one by itself will fail. The minister must combine those two elements.

I asked Iain Cameron at the briefing earlier today about the main causative factors in road deaths. He stated that seatbelt non-usage accounted for 38 per cent; speed, about 30 per cent; and alcohol, about 25 per cent. Fatigue was the final major causative factor, but he could not remember the figure. I make two comments about that. First, I think the figures will show that fatigue is overwhelmingly the major killer of people on country roads. It is not so much an issue in urban areas, but it is a significant killer in the country. Again, Multanovas will do nothing to counter that. Education will, and a police presence may, help reduce fatigue-related accidents. However, techniques and programs must be put in place to address the issue of fatigue. Second, I no longer believe that 25 per cent of country road deaths can be attributed to alcohol. I asked two questions on notice, to which I recently received replies, asking for statistical data from the minister's office on the number of people who were involved in serious or fatal motor vehicle accidents who registered a blood alcohol content over 0.05 per cent. The two figures were between 10 and 15 per cent. Although that suggests that we should not dismiss alcohol as an important factor in road accidents, the impact of that factor has significantly diminished over recent years because of the very good campaigns that have been run and supported by all parties. People now understand that alcohol and driving do not mix.

I hope that the message I am trying to convey to the minister will be conveyed to the Road Safety Council. Alcohol should be regarded as a less important consideration in the council's list of activities. Speed, fatigue and seatbelts should be emphasised instead.

Iain Cameron passed on the message that accidents rarely happen; most are preventable crashes. We are now at the stage when most of the preventable crashes are being prevented. The crashes that occur involve exceptional circumstances in which all the Multanovas, education and police presence in the world do not carry a great deal of weight. Only 12 to 18 months ago there was a very serious car accident in one of Perth's outer metropolitan areas. Three or four young people, all under the age of 25 years, were killed. The car they were driving was described in a newspaper as a red Nissan sports car. In a 60 kilometres an hour zone it was travelling in excess of 100 kilometres an hour. The road was wet and the driver was inexperienced. No alcohol was involved but youthful exuberance took its toll. In that situation all the standard preventives of road death would not have worked. Speed was very much a factor, but it was not a preventable accident in the sense that a policeman could have caught the driver before he had the accident. A Multanova would have made no difference. Education may have helped, but it did not in that case. Something more is required.

The Ludlow tuart forest is in my electorate. The old Bussell Highway used to go through that forest. The Busselton bypass now takes most traffic away from the danger presented by the trees that grow along the side of the road. In recent years there have been at least five deaths in three accidents. In one case a suspected heart attack caused the motorist to drive into a tree. If the heart attack did not kill him, the collision with the tree certainly did. Another accident involved a young man driving with his girlfriend at five o'clock in the morning. I assume he fell asleep at the wheel and that his girlfriend was also asleep. As he was the driver, he should have stayed awake. The car hit a tuart tree and he died. About two years ago a car hit a tree while travelling in excess of 160 kilometres an hour. Three people were killed, but one survived without a scratch. Of the three dead, one was a young woman who I understand was literally cut to pieces. Drugs and guns were found in the boot of the car. It was clearly an exceptional situation in which a police presence, education and Multanovas may not have had any potential for preventing the accident.

This legislation deals with the membership of the Road Safety Council. I strongly suggest that somewhere in the list of the 12 members there should be someone with significant experience in psychology or psychiatry. We are getting to the stage at which all the stock-standard answers to overcoming traffic accidents are no longer applicable because more of the fewer and fewer accidents are due to exceptional circumstances or situations. I was once told that a member of Parliament has to be a pretty damn good psychiatrist to survive in his or her job. Maybe I am suggesting that this is a job I would like to do when I eventually retire from this place. However, it is a serious suggestion that someone with expertise in psychiatry or psychology should assist the Road Safety Council to understand the psyche of people involved in exceptional crashes, the ones in which normal preventive measures may have no benefit.

Ms Katie Hodson-Thomas; Mr Terry Waldron; Mr John Bradshaw; Mr Bernie Masters; Mr Ross Ainsworth; Mr John Day; Mrs Michelle Roberts; Mr Max Trenorden; Mr Mike Board; Mr Rod Sweetman

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**MR AINSWORTH (Roe)** [7.35 pm]: I support the legislation. I want to take the House and the minister back to the term of the previous Government, when it was recognised that Western Australia's road safety record worsened in comparison with other States. It is important to put that in the right perspective. Western Australia had a better road safety record than other States. Other States improved their road safety records and did better than Western Australia. That was achieved in several ways. They reorganised their administration of road safety into a more encompassing process that involved the police and other related agencies in a coordinated effort. They also changed road rules. The result was that their bad road safety records improved. Comparison with Western Australia made our record look worse. Our record had not got any worse, it had simply not got better. That has been the case until recently.

As a result of that, the then Minister for Transport suggested that a select committee on road safety be formed. I was fortunate enough to be the chairman of that committee. It was one of the longest serving select committees of this Parliament. It was initiated in August 1993 and its final reporting date was December 1996. It was not a reflection on the slow work of the committee; it was a reflection on the complexity of issues that one has to deal with when looking at road safety. Very early on it became apparent to the committee that if it were to even attempt to report by the initial reporting date, one of two things would happen: important issues would be skipped over or the committee would miss out entirely on some major issues and report properly on only two or three specific items. Neither of those options was supportable at the time, so the life of the committee was extended several times.

It is important to recognise that the Road Safety Council was a direct result of the recommendations of the committee. The committee suggested that it be called the Road Safety Board. It is only a matter of terminology. The structure and general processes were taken up by the previous Government and have been continued by this Government.

Prior to the changes, the Traffic Board, which had been in place for some years, was dominated largely by the Police Service. The Commissioner of Police was ex officio the chairman of the board. Another senior member of the force was nominated by the commissioner to be a member of the board. Other members included representatives from the Department of Transport and Main Roads, and a person appointed by the Governor on the nomination of the Minister for Police. In the latter stages of the Traffic Board's existence, a representative from the Department of Health was invited to join the board. By and large, the board was dominated by the police because they administered road safety in respect of infringements and catching offenders. The only problem with that was that the police were both the administrators and the enforcers, and the two roles did not always sit very comfortably together. It also had some detrimental effects on public attitudes, because the police trying to give them the road safety message were also the ones who would catch them if they broke the law. It tended to put the whole issue of road safety into a negative light and did not sufficiently involve some of the other agencies and government ministers who are involved in the existing ministerial council.

In other jurisdictions in Australia and overseas, a more inclusive model had been successfully put in place and had reduced the road safety statistics in those jurisdictions quite dramatically, while they did not change in Western Australia. It was seen as the way to go, and the recommendation was taken up by the previous Government and has been continued with by this Government. It has been very successful. Out of the seven reports and several hundred recommendations made by the select committee, many of which have been taken up, the better coordination of the road safety message and the administration of the whole process through the Road Safety Council and the ministerial council have contributed to the steep downward curve in the road trauma statistics. Like all things that need attitude, legislative and other changes, the major steps in reducing the road toll cannot happen overnight. It is like turning around a battleship - it cannot be done in a small circle and it takes a lot of work.

The administrative and other changes were put in place with the support of both sides of this Chamber. The only other remaining member of the select committee to which I refer is the member for Darling Range. The other three members - one Liberal and two Labor - have since left this place, which is a pity because they were all good members. We had a very cohesive group of people on this committee, which looked at the issue of road safety, not for the purpose of scoring a political point for one side of the House or the other, but to do something as a Parliament that would benefit road safety in Western Australia. What was put in place then, and the statistics the minister has talked about in the last few days, suggests that our work and the work of the Government and the Parliament that has flowed on from that has been successful, at least in part. That success has not always been shared by other select committees, not because their reports have been incorrect, but because in many cases, although the work has been done diligently and a report has been presented to the Parliament, that has been the last that was heard of the recommendations. That was not what happened in this case. Progressively, changes have been put in place that reduced the road toll. I support the Government in wanting to further reduce the road toll. The framework has already been put in place. It requires some

Ms Katie Hodson-Thomas; Mr Terry Waldron; Mr John Bradshaw; Mr Bernie Masters; Mr Ross Ainsworth; Mr John Day; Mrs Michelle Roberts; Mr Max Trenorden; Mr Mike Board; Mr Rod Sweetman

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finetuning. I would have been very concerned if a proposition had been put forward to restructure the whole thing in a major way, which would have been restructuring for its own sake. I am happy to support the Bill on that basis.

One of the recommendations of the committee that was not taken up was to direct the entire income from red-light and speed cameras convictions towards the road trauma trust fund. The previous Government, to my dissatisfaction, did not accept that recommendation, and neither has the present Government.

The other area of concern to me, which neither the previous nor the present Government seems to have done much about, is the issue of impairment caused by the use of drugs other than alcohol. Some media comment has been made in the past few days about the difficulty the police have in dealing with people driving under the influence of drugs other than alcohol. Part of the work of the committee to which I was referring was to travel to California, where the Highway Patrol has a highly successful drug recognition program. Police officers in the service volunteer for training as drug recognition experts. They do not receive any extra pay for it, but they see it as a community service, and it is probably beneficial to them for later promotion. The DREs, with the training they have had, go to where an officer has apprehended a person who is obviously under the influence of something but who has returned a negative alcohol test. They are able not only to say what drug or combination of drugs that driver has been taking, but also the stage of the progression of the drug through the person's system. As some drugs begin to take effect, the level of impairment of driving capacity changes. The characteristics of the person under the influence of that drug or cocktail of drugs varies depending on the stage of the cycle he or she is in. These officers have become so good at detecting both the drug and the level of impairment that their testimony is accepted in American courts of law. These people are not experts in the sense that they have scientific training. They are ordinary police officers who have been trained intensively in this one aspect of police work. Their skill derives from their experience in assessing, by visual means, the impairment levels of various drugs. Given the vagaries of the American legal system and the propensity of people to institute litigation at the drop of a hat, and the fact that people who are wrongly convicted may sue for millions, the fact that the testimony of DREs is accepted by the judicial system is evidence of how good they are.

One of the recommendations of the select committee to the previous Government was that the sergeant running the drug recognition expert training section be brought out to Western Australia to speak with police officers and the ministers involved with road safety with a view to establishing a similar program to train drug recognition experts in the Western Australia Police Service. I do not know what happened to that recommendation, but I know that it has not yet been done. There may have been talk, but that is about as far as it goes. In today's society, where people may drive motor vehicles under the influence of a range of illicit drugs, they are often led to believe, probably correctly, that they stand less chance of apprehension than if they drive under the influence of alcohol. Police officers have difficulty in dealing with this. It is time that the current Government looked at the recommendation and spoke with the appropriate sergeant. I cannot think of his name at the moment, but it is in the report. If that person, or someone like him, were brought to Western Australia to brief police officers and the Police Service, so that something flowed from that to enable a replication of the process used so successfully by the Californians, it would go a long way towards solving what I believe is a growing problem in this State. Having said all that, I support the legislation. I trust that further progress will be made in reducing road trauma in this State.

**MR DAY** (Darling Range) [7.50 pm]: I will make some brief statements and largely echo the comments of the member for Roe. Both he and I were members of the Select Committee on Road Safety in the thirty-fourth Parliament, between 1993 and 1996. The select committee came up with a number of reports and recommendations which have made a significant contribution towards achieving a better approach to road safety management and related issues in Western Australia. Significant improvements have been made, in particular the establishment of the Road Safety Council, which was a direct consequence of the recommendations of the select committee. One of the effects and the intentions of the establishment of the council was to move the primary responsibility for road safety issues from the Police Service to the then Department of Transport and to give the responsibility to the then Minister for Transport. That was done not to downplay in any way the role of the Police Service and police officers in dealing with road safety matters, but to make sure there was a broader degree of coordination and input into ensuring the promotion of road safety in Western Australia. Until that time, there was not the degree of broad input that there needed to be from such sectors as health, transport, education, road users and the Insurance Commission of Western Australia. The establishment of the Road Safety Council has been very successful in that respect. It means that a much more inclusive approach is taken and much greater ownership is shown by all organisations, in addition to the Police Service, that have an important role to play in road safety matters in Western Australia.

I challenge the statement in the second reading speech that "this Bill is introduced to elevate the status of road safety in government". That statement is patently untrue. The reality is that road safety already has a very high

Ms Katie Hodson-Thomas; Mr Terry Waldron; Mr John Bradshaw; Mr Bernie Masters; Mr Ross Ainsworth; Mr John Day; Mrs Michelle Roberts; Mr Max Trenorden; Mr Mike Board; Mr Rod Sweetman

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profile and status within this Government, and certainly within the previous Government. There has not been an increase in the status of road safety as a result of the change of government in February this year. This piece of legislation has been introduced as a result of the problems caused earlier this year by the driving record of the Minister for Planning and Infrastructure. The Minister for Police was appointed to be responsible for road safety, and therefore a very difficult administrative situation was created in which another minister was responsible for an area of government for which the Minister for Planning and Infrastructure had responsibility and for a department that was answerable to her. That was clearly an unsatisfactory and unworkable situation. To get the Government out of that situation, we are now debating this legislation. The Premier has said that he will put the Office of Road Safety within his department, so that there will be no squabbling between the Minister for Planning and Infrastructure and the Minister for Police about the problems that were created.

Mr Bradshaw: It is not to give it a higher profile.

Mr DAY: This is certainly not about giving road safety a higher profile or status within government. As I said, it already has a high status; it certainly did within the previous Government.

Mr Bradshaw: If the Premier were so interested, he would be dealing with the Bill; therefore, it will not get a greater priority from the Premier.

Mr DAY: Exactly. This is merely a matter of administrative convenience to get the Government out of a difficult situation. In making those comments, in no way am I seeking to diminish the extremely high importance of this subject to all members of Parliament. We all need to do whatever we can to ensure there is no more suffering on our roads as a result of either fatalities or injuries.

In question time today the Minister for Police referred to the substantial reduction in the number of fatalities during this calendar year. We hope that that trend will be maintained until the end of the calendar year and in future years. I am pleased to say that, as far as I could ascertain, in her answer she did not seek to claim responsibility for that on the part of the current Government. Hopefully, it is a result of the changes which have been put in place over the past eight years and which have been carried forward by this Government and a result of a much greater awareness in the community of the sorts of issues that need to be dealt with and faced by all members of the community on a day-to-day basis. One death on our roads is one death too many; and 143, which I think is the number of fatalities so far this year, is 143 too many. However, it is far better than the number of fatalities recorded at this time last year of around 200 or so. That is a very welcome development.

One of the recommendations made by the select committee was that the number of people who are seriously injured on our roads should be publicised each year in the same way as is the number of fatalities. It is my recollection that the number of people who are seriously injured in road crashes is recorded by hospitals. It is a much greater number than the number of people killed on our roads; I think it is about 600 or so a year. The burden on families, individuals and the community as a whole as a result of serious injuries suffered in road crashes is probably greater than is the effect of people who are killed on our roads, tragic as that is. I urge the Government and the minister who is now responsible for road safety to give very serious consideration to and implement the recommendation of the select committee to publicise the number of people who are seriously injured on our roads. For whatever reason, it was not taken up by the previous Government, and that is somewhat regrettable. However, if the number of people who are seriously injured were publicised, it would help get the message across to the community about the terrible cost of road trauma in social, family and economic terms. As the member for Carine has made clear, the Opposition does not oppose this Bill, but, equally, it questions the real motivation for its introduction.

**MRS ROBERTS** (Midland - Minister for Police) [7.58 pm]: First, I thank all members who have spoken on this legislation for their supportive and positive comments. I particularly thank the members for Carine, Wagin, Murray-Wellington, Vasse, Roe and Darling Range. The members for Darling Range and Roe have had a long interest in the area of road safety, having previously served on the select committee, as the member for Roe pointed out.

A number of general road safety issues have been raised, the most important of which is that we continue to adopt a bipartisan political approach to the issue of road safety. All of us in this Chamber are very interested in seeing a reduction in the road toll, the number of fatalities, the number of injuries, the number of crashes and the trauma that is associated with those deaths and injuries. First and foremost, we want to avoid that trauma. It is also an enormous cost to this State when large numbers of people are killed or maimed in road crashes.

My second reading speech already outlines the rationale for this Bill. However, a few matters have been touched on, some on which we could have long and productive discussions, but it is not my intention to go into the detail on all of the issues this evening. The member for Carine spent some time focusing on the introduction of the new 50 kilometre per hour speed limit. It is probably true to say that the new speed limit has been received



Ms Katie Hodson-Thomas; Mr Terry Waldron; Mr John Bradshaw; Mr Bernie Masters; Mr Ross Ainsworth; Mr John Day; Mrs Michelle Roberts; Mr Max Trenorden; Mr Mike Board; Mr Rod Sweetman

---

relatively well in the community. The introduction in Western Australia has gone more smoothly than it did in some of the other States, because we followed behind some of them and learnt from their experiences. The member for Carine highlighted the signage on an off-ramp and the member for Murray-Wellington referred to how beneficial the 50 kilometres speed limit was through the town of Pinjarra. When one leaves an off-ramp and speed must be reduced to 50 kilometres per hour, a bit more effort is involved. According to the member for Carine, some people are noticing this too late and applying their brakes, which is causing some difficulty. It is the same when a driver enters a country town. Initially, one needs to slow down rather quickly. People may get used to this as time goes on and there may need to be some review. However, I am sure that the Office of Road Safety and Main Roads Western Australia will monitor the situation very carefully.

Mr Board: Notwithstanding the publicity and promotion that has gone on about the new 50 kilometre per hour speed limit, it was promoted by our side of Parliament prior to the State election. The community is still confused about where the limit applies. What are the police implications for that 50 kilometres per hour zone, are they starting to police it, and, if so, what are the enforcement mechanisms for it?

Mrs ROBERTS: As I advised the member for Carine, it is not intended by the Police Service to purchase more Multanova cameras, but rather, that the 50 kilometres per hour speed limit on local roads will be policed, or enforced, by the use of the hand-held radar guns, which are more mobile and can be deployed to areas of concern. The member for Carine also asked what would happen with infringements for driving over 50 kilometres per hour, and over what period that would occur. One of the assistant commissioners for the Police Service, Mr Mel Hay, said that warnings would be issued to people during December. Literature would be provided also about the new speed limit, how it applies and its benefits. This would not absolve people who travel at 70, 80 or more kilometres per hour in a 50-kilometre zone or residential street. Drivers who travel significantly in excess of the speed limit will still be booked. However, people who genuinely make the mistake of driving in a 50-kilometre zone at 58 or 60 kilometres per hour will get a warning rather than an enforcement until the end of December. When it was decided to introduce the new speed zone, it was decided also to introduce it statewide. The member for Murray-Wellington has already referred to its success, particularly in the town of Pinjarra. Its introduction statewide and the fact that it has not been done with a proliferation of 50 kilometre per hour signs on every residential street has meant that the introduction of the limit in Western Australia has been better than in other States. The new limit has been introduced as a default speed limit with the speed limit on arterial roads remaining at 60 kilometres per hour.

A number of months elapsed between the announcement of the new limit and its introduction on 1 December. During that time, there was considerable consultation with Main Roads and local government authorities on roads in individual shires. That allowed us to get the best advice possible from those who are responsible for local roads.

Others in the community have also highlighted the problem with off-ramp signage. The Office of Road Safety and Main Roads will monitor that situation and determine whether some modified signage is required, or, whether, over time, people will adapt to the new circumstances that they find on the roads.

Mrs Hodson-Thomas: Will speed signs be dealt with by the Office of Road Safety in conjunction with Main Roads?

Mrs ROBERTS: The Office of Road Safety always has input but the final decision rests with Main Roads.

During the debate, members' comments on people's perception of Multanovas reflect the community's views fairly accurately. There is concern about the placement of Multanovas. However, a speed camera placement committee will advise the police on the placement of Multanova cameras. The membership of that committee includes representatives from the Office of Road Safety, the Royal Automobile Club, local government and the police. The criteria used for placement of Multanovas includes crash data statistics, local community concerns, the average speed of vehicles and data from Main Roads; that is the committee's focus.

I was also interested in the member for Wagin's comments and appreciate his support for the Road Safety Council and the council having meetings in country areas. He said that country football matches are particularly targeted by police. As he rightly pointed out, one of our key targets for road safety is young males, particularly those aged between 18 and 25 years, because the number of times that they appear in our crash statistics is alarming. The member also expressed support for the RoadWise committees. I too commend the excellent work of the RoadWise committees throughout Western Australia and I am confident that the work of those local committees raises the awareness of road safety issues and makes a difference.

Comments by the member for Murray-Wellington related more to the police portfolio than road safety per se, but I appreciate his support for pro-active policing. The member for Vasse referred to the fact that 50 per cent of road deaths occur in the country. There seems to be a line put about in country areas that the people killed on

Ms Katie Hodson-Thomas; Mr Terry Waldron; Mr John Bradshaw; Mr Bernie Masters; Mr Ross Ainsworth; Mr John Day; Mrs Michelle Roberts; Mr Max Trenorden; Mr Mike Board; Mr Rod Sweetman

---

country roads are mainly city folk who do not know how to drive on country roads, or are unfamiliar with those roads. Those statements are not supported by an analysis of the postcode areas in which a road crash victim dies and that of where the victim normally resides. There is a strong correlation between people's residential postcodes and the postcodes in which they are involved in a fatality. Therefore, I do not think country people can say that it is mainly city people who are being killed on country roads.

The member for Vasse also referred to the alcohol factor in crashes, and stated that he had asked my office for information on that issue. He suggested that, because a blood alcohol content of over .05 was a factor in about only 10 to 15 per cent of crashes, more focus should be placed on fatigue and other road crash factors. The advice I have received from the Office of Road Safety is that the figure for drivers or riders, with a blood alcohol content of .05 or over, killed in crashes is 26 per cent and not the 10 to 15 per cent that was suggested. Fatigue is no more or less an important factor than seatbelts, drink-driving or speeding. They are all significant factors and they can also occur in combination with one another.

I was also interested in the worthwhile comments made by the member for Roe. He has an earnest interest in reducing the road toll and in road safety matters. Of course, for a number of years he was a member of the select committee on road safety. He highlighted the fact that a person might not necessarily be driving under the influence of alcohol, but could be under the influence of drugs or other substances, and this is sometimes the case. The advice I have received is that people sometimes drive while under the influence of a combination of factors, and, of course, that combination can have a multiplier effect. I assure the member for Roe that the Government is following up this matter and I hope we can progress it.

No-one raised this issue in the debate, but I am also interested in putting identifiers on motorbikes; that is, a suitable number plate, bar code or some other system that will allow the police to catch motorcycle riders who are currently escaping the Multanovas. This is a national problem and people in every State are working on it, but it is an area that I am keen to progress because far too many motorcyclists are killed on our roads.

I draw to the attention of members information about seatbelts. One of the factors that is considered when we look at road crash statistics is the wearing of seatbelts and evidence indicates that people in the country are far less likely to wear seatbelts. We want to target men over 40 years of age to ensure that they wear their seatbelts; then if they are involved in a crash they have a much greater chance of survival or of reducing injuries.

In closing, I thank all members who have made worthwhile contributions to this debate and who have given their support to this Bill. I am keen to see road safety progressed in a bipartisan way.

Question put and passed.

Bill read a second time.

*Consideration in Detail*

**Clauses 1 to 4 put and passed.**

**Clause 5: Functions -**

Mrs HODSON-THOMAS: I refer to paragraph (f) which states -

to recommend to the Minister how money standing to the credit of the Account should be spent to implement those measures and to facilitate the performance of the Council's functions.

I understand that, in essence, this legislation mirrors the provision in the Road Traffic Act 1974, but that the word "fund" has been changed to "Account". Will the minister clarify the reason for this change?

Mrs ROBERTS: I am told that this change does not make an effective difference and that it is just a change in terminology. The change is also reflected in clause 12(1) which states that there is to be an account called the "Road Trauma Trust Fund". It is something that the parliamentary counsel recommended to clarify the situation. It does not change anything.

Mr TRENORDEN: I will raise a couple of serious safety issues and I want to determine whether they come within the function of this council. One issue concerns the Great Eastern Highway. After work has been finished on road sites, the road signs that indicate speed limits of 60, 70, 80 or 90 kilometres an hour are not removed and because no one is working, one of two things happen: people either obey the speed limit that is indicated on the sign that has been left behind or they disobey that sign and drive at whatever speed they believe to be the standard. Is this a matter of control for the police or will the council have control over such matters, because a range of contractors are not removing signage after work has been completed. If we have this mixture of some people obeying the signage and others not, we have a potential problem. That is a regular event on the Great Eastern Highway between Northam and Perth. Believe it or not, we have two 50-kilometre signs on the

Ms Katie Hodson-Thomas; Mr Terry Waldron; Mr John Bradshaw; Mr Bernie Masters; Mr Ross Ainsworth; Mr John Day; Mrs Michelle Roberts; Mr Max Trenorden; Mr Mike Board; Mr Rod Sweetman

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Great Eastern Highway in Northam. The Great Eastern Highway provides east-west access to Western Australia. It is peculiar that that occurs on a national highway. Do those measures originate from within the Road Safety Council?

Mrs ROBERTS: It is not a function of the Road Safety Council to ensure that the speed signs go up and then come down again; it is a function of Main Roads. Clause 5(b) states -

to recommend to relevant bodies and persons the action that should be taken to implement those measures;

It would certainly be within the ambit of the council to make a recommendation to Main Roads on the matters raised, but it is the function and primary responsibility of Main Roads.

Mr Trenorden: Are you saying that people from local government and others should ring Main Roads and not the Road Safety Council?

Mrs ROBERTS: As a general principle, it is the function and responsibility of Main Roads. However, it is always open to the council to also contact Main Roads if it chooses, and to make a recommendation about what Main Roads should be doing.

As to the town of Northam having a 50-kilometre speed limit, again that is a responsibility of Main Roads and the local government authority. As to the member's comment that this would be a rare and unusual thing, a lot of country towns on major highways have traditionally gone down to a 60-kilometre limit, and there are towns other than Northam with a 50-kilometre speed limit on major highways.

Mr BOARD: Clause 5(f) states -

to recommend to the Minister how money standing to the credit of the Account should be spent to implement those measures and to facilitate the performance of the Council's functions.

What role has the minister played in determining the functions of the council and directing its operations, or is the minister aware that the council's funding may have been proportioned? Is there a direct correlation between those directions and the priorities of the Government; and what are the priorities the minister has set for the Road Safety Council in determining the funding priorities?

Mrs ROBERTS: I have enjoyed a very good and productive relationship with the Road Safety Council since becoming the minister responsible for that council and for related matters. Most matters between me and the council have been matters of negotiation; I have largely "ticked off" on the recommendations of the council. There was some negotiation over the provision of funds for youth driver development in Bunbury, and we gave that commitment during the election.

Mr BOARD: The Multanova issue has been given some publicity. Has the Office of Road Safety been involved in that issue? What is the correlation between police operations and the policy of the Office of Road Safety for Multanovas and determining their priority in road safety?

Mrs ROBERTS: The police, through Assistant Commissioner Mel Hay, provide an integral member of the Road Safety Council. The relationship between the police and the Road Safety Council is a very close one; education and enforcement have to go hand in hand. It is important that the Road Safety Council and the police work closely together. My understanding is that there is a good working relationship between the Road Safety Council and the police. I suppose, ultimately, operational matters are the jurisdiction of the police, but from my perspective the council and the police have been working closely together and I am unaware of any difficulties.

Mr Board: Does the Office of Road Safety believe that the difficulties police have faced with Multanovas and some of the items that have been highlighted in the media have somehow impinged upon its objectives? I am referring to the relationship between the policies of that body and the enforcement policies of the police, which are dovetailed, and the extent to which they operate on a day-to-day basis.

Mrs ROBERTS: The objectives of the Police Service in this matter and the objectives of the Road Safety Council are at one. From time to time the police make decisions following comments about Multanovas. There was an incident earlier in the year when Assistant Commissioner Hay made some comments about the degree of leniency or tolerance that would be allowed for drivers caught speeding by Multanova cameras. There was a suggestion that this tolerance could be set as low as one or two kilometres per hour, which I can clarify is not the case. There is a reasonable but small degree of tolerance.

Mr Bradshaw: How much faster can we go?

Ms Katie Hodson-Thomas; Mr Terry Waldron; Mr John Bradshaw; Mr Bernie Masters; Mr Ross Ainsworth; Mr John Day; Mrs Michelle Roberts; Mr Max Trenorden; Mr Mike Board; Mr Rod Sweetman

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Mrs ROBERTS: That is something that the police and the Road Safety Council do not divulge; it is something that they have agreed on. I think the relationship is working very well. The total membership of the Road Safety Council is an excellent model. These functions are absolutely unchanged by the current legislation.

**Clause put and passed.**

**Clause 6: Membership -**

Mrs HODSON-THOMAS: I notice that membership has increased from nine to 12 members. Paragraph (d) states -

a person employed in the department of the Public Service principally assisting the Minister in the administration of this Act whose duties relate to road safety.

That refers to one of the new members; as well as those covered by paragraphs (j) and (k), if I am correct. Can the minister also outline the reason for the increase in the membership and how the terms of members will operate? Will the minister enlarge on the current terms; when will those people take office; and will the minister provide any other information in that respect?

Mrs ROBERTS: As things stand, the minister responsible for this legislation, when it is enacted, will be me, as pointed out by the Premier. The person I will nominate is Mr I. Cameron, the head of the Office of Road Safety, who is the current Department of Transport nominee. This provides separately for the person administering the Transport Coordination Act to appoint a member, which is important. It is my intention to appoint additional members to the Road Safety Council at the earliest possible opportunity following the proclamation of this legislation.

Mrs HODSON-THOMAS: Are council members currently elected for a three-year term? Will the current members complete their terms?

Mrs ROBERTS: Private members are elected for a term of three years and members from the public sector are appointed in perpetuity, until a change is made under the terms of this legislation.

Mr BRADSHAW: What the minister said intrigued me. She said that she will be in charge of this legislation, so why will the Office of Road Safety be organisationally located within the Department of the Premier and Cabinet? I assumed that the Premier would be in charge of the legislation if that were the case. I find it a bit strange that it has gone to the Department of the Premier and Cabinet. I do not know why it could not stay in the minister's area of responsibility, rather than being shoved off to the Department of the Premier and Cabinet.

I also have some problems with the expansion of the committee. Small committees are best; they are more focused. In many cases, once a committee is expanded, people talk for the sake of talking. I know that it is important to have expertise on this sort of committee, but it has obviously worked well in the past and I do not necessarily agree with its expansion. I find it interesting that it will be transferred to the Department of the Premier and Cabinet, but that the Minister Assisting the Minister for Planning and Infrastructure will still have control of the legislation.

Mrs ROBERTS: I thank the member for the question. His principal query was why the Premier would not be responsible for this legislation if the Office of Road Safety is to come under the Department of the Premier and Cabinet. Essentially, this change enables the establishment of a separate entity. The Office of Road Safety does not come under the police portfolio at the moment; it is separate from that portfolio. Under current legislation, it comes under the Department for Planning and Infrastructure. The idea is to separate it from the Department for Planning and Infrastructure, because that department has an interest in road safety. As members can see, the 12-member committee will have representation from all agencies that have an interest in road safety.

It is believed that this is probably the best and most strategic location for the Office of Road Safety within government. Although the Office of Road Safety currently comes under the Department for Planning and Infrastructure, I am responsible for this legislation. When a minister is assisting another minister, specific legislation can be allocated to the different ministers. It is the Premier's intention that I will continue to have responsibility for the Road Safety Council legislation. The Office of Crime Prevention is located centrally in the Department of the Premier and Cabinet. That will also occur with the Office of Road Safety. The Premier gave the example during question time today that although the Office of Native Title is contained in the Department of the Premier and Cabinet, ministerial responsibility for that portfolio is allocated to the Deputy Premier.

The number of government departments was narrowed down as a result of the machinery of government review, so there was a need to put the Office of Road Safety somewhere. The most strategic place for it was to be placed centrally within government. The Government strongly believes that this move to the Department of the Premier

Ms Katie Hodson-Thomas; Mr Terry Waldron; Mr John Bradshaw; Mr Bernie Masters; Mr Ross Ainsworth; Mr John Day; Mrs Michelle Roberts; Mr Max Trenorden; Mr Mike Board; Mr Rod Sweetman

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and Cabinet will elevate road safety within government. It will not be attached to the police, transport or other portfolios that have an interest in road safety. Members may have followed the placement of road safety in various Governments over recent years. One member who spoke tonight said that Governments around Australia had made a strategic move to separate road safety from policing, so that the enforcers were not the only ones dealing with road safety. The Government will develop a more holistic approach to road safety and will involve all agencies that are represented on the Road Safety Council.

As the member for Roe and others have said in the debate tonight, this appears to be an effective model. The Government does not intend to change it, other than to increase the size of the council. I appreciate the comments of the member for Murray-Wellington that it might make the council more cumbersome. Time will tell whether that is the case. I have been advised by the Office of Road Safety that it is looking for specific skills among the people who become members of the Road Safety Council. That is why it recommended this formation to government.

Mrs HODSON-THOMAS: Although the Office of Road Safety will come under the Department of the Premier and Cabinet as a separate entity, the Minister Assisting the Minister for Planning and Infrastructure will become the minister responsible for road safety. However, she is still the Minister for Police. Members of the community will have some problems with that, because policing and road safety will be married together by virtue of the fact that the minister will be responsible for both portfolios. Will the portfolio be passed on to another minister?

Mrs ROBERTS: I can advise the member for Carine that I take very seriously my role as the minister with responsibility for road safety. I am keen to guard the independence of the Office of Road Safety. I intend to be diligent in that role. The Premier said earlier today that he intended me to continue as the minister responsible for road safety.

**Clause put and passed.**

**Clauses 7 to 11 put and passed.**

**Clause 12: Road Trauma Trust Fund -**

Mrs HODSON-THOMAS: I move -

Page 7, line 23 - To delete "one-third of" and substitute "any money received from".

I raise this issue mainly because of the commitment made by the Labor Party prior to the election that all funds from red light and speed camera infringements would be allocated to road safety initiatives. I note that that can be provided in the clause. However, subclause (6) reads -

Money standing to the credit of the Account is to be applied for the purposes determined by the Minister on the recommendation of the Council.

Members have already discussed that all road safety initiatives will be brought by the Road Safety Council to the minister to determine the allocation of funding. The minister will ultimately make a determination about the initiatives she will embark upon. Given that the minister will determine where those moneys will be allocated, why cannot all the funds go into the road trauma trust fund?

Mrs ROBERTS: I thank the member for her comments. We have said over and again that the Government will table a report in Parliament detailing all the funds from photograph-based vehicle infringement notice offences and we will table how that money is spent. We are doing it in that way to fulfil our election promise. The then Leader of the Opposition did not say that all the money would go into the road trauma trust fund. He said we would account to the Parliament by tabling a list of items about how we had expended all the money from Multanova and red light cameras. As it stands, and as it will continue to stand, the Road Traffic Act does not provide as great a discretion as members might want for spending that money. One example is the safe routes to schools program. I am advised that that would not fit into the criteria for which the road trauma trust fund could allocate money, yet that could be allocated out of the other two-thirds of the money.

Mrs HODSON-THOMAS: Will the other two-thirds of the funds go into consolidated revenue? Will the minister provide me with an explanation of where the other two-thirds of the funds will reside?

Mr BRADSHAW: Over the past couple of weeks during debates about legislation, members of the Government have said that they have a mandate. Some of us have doubts about whether the Government had a mandate for the legislation that was passed in the early hours of this morning. However, the Government has a mandate to

Ms Katie Hodson-Thomas; Mr Terry Waldron; Mr John Bradshaw; Mr Bernie Masters; Mr Ross Ainsworth; Mr John Day; Mrs Michelle Roberts; Mr Max Trenorden; Mr Mike Board; Mr Rod Sweetman

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use the revenue raised from traffic infringements from red light cameras and Multanovas for road safety measures.

I have noticed that Western Power and AlintaGas have corporate boxes at the football ground. Does the Road Safety Council have a corporate box? I noticed its many advertisements there.

Mrs Roberts: I am advised that it does not.

Mr BRADSHAW: That is good, because if it did, I would wonder why.

Mrs Roberts: If it did have one, why have I not been invited?

Mr BRADSHAW: The Government probably does have a mandate to put money into the road trauma trust fund from traffic infringements. It is important that it keep its promises. In this case the Government has backed away from its original promise and is now talking about allocating one-third of the revenue raised to the road trauma trust fund. That is different from saying that 100 per cent of the revenue raised from traffic infringements will go to the road trauma trust fund.

Mr SWEETMAN: The community certainly understood that the Labor Party had committed to spend 100 per cent of the revenue it raised from traffic infringements on road safety projects or initiatives. Publications from the Royal Automobile Club of Western Australia show that it clearly understood that to be the case. The Minister Assisting the Minister for Planning and Infrastructure made a reasonable explanation to start with. She said that that is not quite the commitment that was given. What did the then Opposition have in mind? Many projects fall within the ambit of road safety. The graduated driving program, the multi-combination heavy vehicles program, the new endorsements and licences accreditation, and recommendations from the road train forums would all fall loosely within the category of road safety. Many departments deal with road safety, including Main Roads, the Department of Transport, the police, the Office of Road Safety and the Road Safety Council. Even though the two-thirds of the revenue that will not go into the road trauma trust fund will be quarantined in other agencies and in consolidated revenue, is the minister satisfied that that will be appropriated to various road safety enhancement projects?

Mrs ROBERTS: The member for Carine said during the second reading debate that people are cynical about Multanova fines. People consider the fines to be a money-grabbing exercise by the Government to put money into the consolidated fund. My understanding of the undertaking given as part of the Labor Party's pre-election commitment was that we would table annually in Parliament a list of expenditure, totalling 100 per cent of the fine money raised from Multanovas and red light cameras. We did that in the hope of redressing some of the cynicism in the community about the expenditure of money raised from the fines.

Members have talked about the placement of Multanova cameras and how their placement affects people's perception of the reasons for them. The question also arises of whether they are used to raise money or for reasons of road safety. As I have already outlined in my response, a committee determines where the cameras will be located. During the election campaign, the Premier and the then Opposition's spokesperson gave an undertaking that a Labor Government would be transparent and table a full list of the expenditure for the total amount of income received from the Multanovas and red light cameras. That remains our intention. I was asked a specific question by the member for Carine about where the money goes that is received from fines. It goes into the judicial fines and fees account within the consolidated fund.

Mrs HODSON-THOMAS: I understand all that. Do two-thirds of the revenue currently go into the judicial fines and fees, and does one-third go to the road trauma trust fund?

Mrs Roberts: Two-thirds of the revenue go there and one-third goes to the road trauma trust fund.

Mrs HODSON-THOMAS: I know that the minister is genuine. She wants to table all the initiatives in Parliament. However, I do not know why it is difficult to determine that all those funds will go into the road trauma trust fund. In that way the minister would win over the community and we would get past the cynicism that people in the community have about this process. I make this amendment in a genuine and bipartisan way.

Mr BRADSHAW: I support this amendment to keep the Government honest. I think the then Opposition made a stupid election promise. It should spend the money that it is necessary to spend. It should not spend all the money collected from fines. However, because the Labor Party made an election promise, it should keep it. I am having two bob each way. In my opinion, we should spend the amount of money required to save lives rather than allocate a global amount - I mean the amount of money received from all those fines, which probably adds up to a fair amount of money.

Ms Katie Hodson-Thomas; Mr Terry Waldron; Mr John Bradshaw; Mr Bernie Masters; Mr Ross Ainsworth; Mr John Day; Mrs Michelle Roberts; Mr Max Trenorden; Mr Mike Board; Mr Rod Sweetman

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Will the minister tell me how much revenue has been raised from those fines in the past six or 12 months, so that we have a rough idea of the amount about which we are talking? I do not see the point of wasting money for the sake of it in a big black hole on road safety if it will achieve nothing. If it will achieve something, I am all for it; otherwise, I would prefer that the money be spent on hospitals or schools.

Mrs ROBERTS: I assure the member for Murray-Wellington that we will live up to the undertaking we gave in opposition, which was to table the expenditure of that money. That is exactly what we will do. At no point did the Premier undertake to put all the money into the road trauma trust fund, nor was it a commitment of the member for Armadale in opposition. Similarly, our election platform did not say that we would put all that money into the road trauma trust fund. It is not as if we did not know about the existence of the road trauma trust fund. If we had wanted that to be our promise while in opposition, we would have made it. We are living up to the promise we made during the election campaign, and we will table in the House a full list of the ways in which the total amount has been spent. The member for Murray-Wellington asked me for a rough idea of the amount of money that will be raised. It is anticipated that the total amount this financial year will be in the order of \$33 million.

I put on record that neither the Liberal Party nor the National Party gave any undertaking to spend 100 per cent of the money received from Multanovas and red-light cameras on road safety. This seems to be an opposition stunt. It is something the Liberal Party had no intention of doing while in government, despite the fact that a bipartisan report published some years ago - to which the member for Roe referred - recommended the level of transparency our Government is about to introduce. Despite that and many questions from people on our side of the House while in opposition, the previous Government made no move to increase the amount of money going into the road trauma trust fund. It made no undertaking during the election campaign to increase the amount of money going into the fund. I question whether the Opposition is pulling a stunt by now saying that it thinks all the money should go into the fund.

Mrs HODSON-THOMAS: I understand where the minister is coming from. It was never my intention to make this a political stunt. It was a genuine offer of support. The now Premier said when in opposition -

Every dollar of revenue raised from speed and red light camera fines will be spent on road safety initiatives under a Gallop Labor Government.

We could play semantics about that statement. Two-thirds of the revenue will go into the consolidated fund, and one-third will go into the road trauma trust fund. The minister will come in here in 12 months and show us how those two-thirds were spent. I do not see why that money cannot automatically go into the road trauma trust fund.

I do not want to waste time. I know that many people in this place are very tired; however, this is a genuine attempt to ensure that all those funds go into the road trauma trust fund. The Government will instead make a determination about where that money is spent.

Mrs ROBERTS: I thank the member for her comments, but we obviously differ.

Mr SWEETMAN: The minister does not accept what we are saying. If a third of the \$33 million collected from speed and red-light camera fines goes to the Office of Road Safety, can the minister be confident that the office is sufficiently resourced to conduct the audits that are an essential part of determining black spots? We were told in the briefing today that the federal Government takes crash history into account when allocating funding for black spots. The Office of Road Safety and the Road Safety Council take into account crash history and road audits. Who collects the audits? Does the Office of Road Safety have sufficient resources to do its own audits, independent of, for example, Main Roads Western Australia or local government, which both sit on the Road Safety Council? We are saying that if the minister is backing away from the fact that the Labor Party committed to put 100 per cent of the money into road trauma and road safety programs, we should be content when passing this clause that the Office of Road Safety, with \$11 million, will be adequately resourced to continue the black spots program.

A classic example is road safety in regional areas. I am not sure that the Office of Road Safety has the resources to go to those areas and conduct independent audits and assess black spots related to, for example, the fencing along national highways and main roads. We developed a proposal three or four years ago, to which I could not get the then minister to listen, to establish black spot funding for fencing to stop cattle straying from properties on to road reserves and roads. Many near misses have occurred. Going through some of those river crossings is like playing roulette. Although it would not be a horrendously expensive exercise, I do not think that any of those sections of road have been officially certified as black spots.

Ms Katie Hodson-Thomas; Mr Terry Waldron; Mr John Bradshaw; Mr Bernie Masters; Mr Ross Ainsworth; Mr John Day; Mrs Michelle Roberts; Mr Max Trenorden; Mr Mike Board; Mr Rod Sweetman

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Mrs ROBERTS: I advise the House that the research on black spots is done by Main Roads Western Australia. A state black spot committee is hosted by Main Roads, and members of that committee include the Royal Automobile Club of WA, the Office of Road Safety, and local government. I clarify that the \$11 million to which the member referred is not for the running of the Office of Road Safety; it is the amount of money that goes into the road trauma trust fund and flows out from there. I believe that the Office of Road Safety is very well resourced. It will continue to be resourced to at least the same level at which it is currently resourced. There is no difficulty in assessing black spots. There is sufficient money for that. As I pointed out, that program is administered by Main Roads, with input from the state black spot committee, the RAC, the Office of Road Safety and local government.

Amendment put and a division taken with the following result -

Ayes (17)

|              |                   |              |                               |
|--------------|-------------------|--------------|-------------------------------|
| Mr Ainsworth | Mr Day            | Mr Masters   | Dr Woollard                   |
| Mr Barnett   | Mr Edwards        | Mr Omodei    | Mr Bradshaw ( <i>Teller</i> ) |
| Mr Birney    | Mr Grylls         | Mr Sweetman  |                               |
| Mr Board     | Mrs Hodson-Thomas | Mr Trenorden |                               |
| Dr Constable | Mr McNee          | Mr Waldron   |                               |

Noes (26)

|              |               |             |                            |
|--------------|---------------|-------------|----------------------------|
| Mr Andrews   | Mr Hill       | Ms McHale   | Mrs Roberts                |
| Mr Bowler    | Mr Hyde       | Mrs Martin  | Mr Templeman               |
| Mr Brown     | Mr Kobelke    | Mr Murray   | Mr Watson                  |
| Mr Carpenter | Mr Kucera     | Mr O’Gorman | Mr Whitely                 |
| Mr Dean      | Ms MacTiernan | Mr Quigley  | Ms Quirk ( <i>Teller</i> ) |
| Dr Edwards   | Mr McGinty    | Ms Radisich |                            |
| Ms Guise     | Mr McGowan    | Mr Ripper   |                            |

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Pairs

|               |             |
|---------------|-------------|
| Mr Johnson    | Mr D’Orazio |
| Ms Sue Walker | Dr Gallop   |

Independent Pair

Mr Pandal

**Amendment thus negatived.**

**Clause put and passed.**

**Clauses 13 to 15 put and passed.**

**Schedule 1 -**

Mrs HODSON-THOMAS: I would like the minister to give an explanation that was provided to me during a briefing in relation to the owner-onus legislation. I understand that the technology is not available to provide for traffic infringements. When we were discussing the legislation, it was determined that a traffic infringement would require a photograph of the driver, but that technology is still unavailable. How long will it be before the technology is available? I would like other members of the House to be privy to the information.

Mrs ROBERTS: In order to proclaim the owner-onus legislation, it is a requirement that we are able to send out an infringement notice that has a photograph of the offence. The owner-onus legislation also provides that when the driver is not identified a penalty of twice the fine is applied. An example would be a company that does not identify the driver of one of its vehicles. We have inherited an archaic infringement system. We are looking at introducing a new cap speed project that will enable us to send out photographic infringement notices. I hope that in the next budget round money will be allocated for the cap speed program so that we can put in place the technology that is required in order to send out infringement notices with photographs on them. I look forward to our putting the owner-onus legislation in place. It has been in place in Queensland for some time. I had the opportunity of visiting Brisbane a few months ago and was able to look at the process from start to finish. It was very impressive. If a company does not identify the driver of a vehicle that incurs an infringement, the penalty is seven times that of the original infringement. That is very hefty. We are proposing a double penalty, which is



Ms Katie Hodson-Thomas; Mr Terry Waldron; Mr John Bradshaw; Mr Bernie Masters; Mr Ross Ainsworth; Mr John Day; Mrs Michelle Roberts; Mr Max Trenorden; Mr Mike Board; Mr Rod Sweetman

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obviously not of that magnitude. The system is working reasonably effectively in Queensland but there are a number of technical issues about whether to use analog or digital technology. I am keen for us to get the most up-to-date and effective system in place so we can introduce the owner-onus provisions.

Mr BRADSHAW: During our term of government one of our ministers tried to introduce owner-onus. My recollection is that the suggestion was thrown out of the party room.

Mrs Roberts: No, it went through both Houses of Parliament. The section has not been proclaimed because we do not have the technical capacity to comply with the legislation at the moment.

Mr BRADSHAW: It is sad if it went through. I cannot remember it going through.

Mrs Roberts: I think the member should leave all comment on this Bill to the member for Carine. She is my expert.

Mr BRADSHAW: The minister is right. I have no problem if the driver of a vehicle can be identified, but if it is only a blurry picture of a car with a number plate, that presents a problem.

Mrs Roberts: It will be part of the system that we have very clear photographs. Very clear photographs are used in Queensland. Consequently, a far greater percentage of fines are paid without the necessity of going to court. The fines are paid in a far more timely fashion.

Mr BRADSHAW: That is good. I can support that.

**Schedule put and passed.**

**Title -**

Mr BRADSHAW: The Government has made things cumbersome by putting this legislation under the Department of the Premier and Cabinet. It has resulted from problems that arose earlier in the year. It is best to keep things simple in this life and it is ludicrous to have the legislation under the Department of the Premier and Cabinet while the minister in control of it is attached to another department. I am totally baffled about why it has been done this way. The minister said that it had to be kept as a separate entity. It could have been done under the police portfolio. It is crazy and cumbersome. I am sure it is not being done for the right reasons, but the Government has the numbers and can have its own way.

Mrs ROBERTS: Unfortunately, the Government cannot please everybody. While the member for Murray-Wellington would clearly be happy for me to have this responsibility along with the police portfolio - and there would be a certain merit in that - the member for Carine on the other hand has commented to the effect that one concern that people may have is that it remains too closely aligned with police, because I have responsibility for both areas. I cannot win, given the views of various members of the Opposition. Ultimately, though, a decision must be made on where it is to be situated. This will allow this Government and any future Governments the flexibility to decide which minister has responsibility for road safety. An argument could be made for a number of ministers to hold that portfolio. I have already explained the merits, as the Government sees them, of the office residing within the Department of the Premier and Cabinet.

As consideration of this Bill reaches its conclusion, I would like to take this opportunity to thank Mr Trevor Maughan and Mr Ian Cameron from the Department of Transport and the Office of Road Safety for their work on this legislation, and also for their availability for some very odd sitting hours.

**Title put and passed.**

*Third Reading*

Bill read a third time, on motion by Mrs Roberts (Minister for Police), and transmitted to the Council.