

ROAD TRAFFIC LEGISLATION AMENDMENT BILL (NO. 2) 2015

Second Reading

Resumed from an earlier stage of the sitting.

MR M.P. MURRAY (Collie–Preston) [2.47 pm]: I too rise to speak on the second reading of the Road Traffic Legislation Amendment Bill (No. 2) 2015. I believe that I have quite some background in which to speak on this bill because I have travelled 750 000 kilometres over the years that I have been in Parliament. That is an average of about 50 000 kilometres a year, most of it done up and down the road to Perth. It disappoints me immensely that during the last 20 times that I have travelled to Perth—I have taken note of this—I have not seen one police car on the Forrest Highway. That beggars belief. People may say that the police may have been travelling at the same pace as me. If members had travelled on the road that I have, they would understand exactly what I am talking about. During that travelling time, I have come across six major accidents in which six people have died. I assisted in a couple of those. As I said, I have some experience in country driving in that area.

We must also take note, as many people would know, of people who have been injured while travelling in country areas and also in the city. On average, 1 738 people sustain serious injuries every year from road trauma on the highways. That is just amazing when we think of the cost to the community and the ongoing pain and sufferance to not only the person who has been injured, but also the people who have to look after them.

People who have a major head trauma or spinal injury and will never be able to walk again are not taken into account in the death toll. We need to take greater note of the cost to our community of people who have been injured. Believe me—it does not take a major crash for a person to have a head or neck injury. A minor crash can result in a person becoming paraplegic or brain damaged. The cost of those sorts of injuries is phenomenal. That is why we need to put more funding into traffic control, accident mitigation, black spot funding and driver training to try to stop this tragic death count, which is increasing by the day. There were five road deaths over the weekend and there have been two deaths since then. In the last seven days, seven people have been killed on our roads. That is absolutely appalling. The minister said by way of interjection that the government is going to spend the money. Why the hell did the government not spend that money before we got to this stage? This \$130 million has been sitting idle, while people are being killed on a daily basis. That is just not good enough from any government. While the government is trying to balance the budget in a cash sense, it is costing us an absolute fortune through increased health costs.

Some time ago, 11 people were killed on our roads during a long weekend. The question was asked: how many extra coppers were on the roads during that weekend? There was no answer. The question was also asked: how much extra overtime was paid to coppers during that weekend? There was no answer. Why could the government not use the money in the road trauma trust account to fund overtime for police to be on the roads during long weekends, Easter and other long breaks when traffic is out of control, and when young people tend to want to party? Those extra police would not necessarily be Big Brother, but they would be a visual presence.

As I have said, in all the time I have been travelling up and down Forrest Highway, I have not seen any cops. However, I have seen four speed cameras. During one of our committee hearings, I asked why the police pick easy spots for the placement of speed cameras, such as the Old Mandurah Road turn-off on Forrest Highway. Since that time, I have not seen those cameras again. The police could put a Multanova there and put the cameras in another location. The speed limit at that turn-off is reduced to 80 kilometres. Most people would know where that turn-off is. There have been several accidents at that intersection, and two fatalities. We do not need a copper to sit there just to catch a person who is driving at 90 kays instead of 80 at that intersection. They should be catching the people who get through that intersection and then speed up to 130 or 150 kays an hour.

We are being very short-sighted in what we are looking at. Revenue return has become more important than safety return. People talk about how much revenue is going into this fund from red-light cameras and speeding fines. That should not be the measure. The measure should be on the ground. The measure should be to reduce from 1 700 the number of people who are injured each year. The death toll has now been creeping up again. That was after some very good years when the death toll came down. However, that was also at a time when police were on our roads. We do not see police on our roads now. I sympathise very much with the police. This state is out of control with drugs such as methamphetamine. However, the day-to-day police practice of pulling up people and fining them for speeding or hooning has tended to drop off, because the focus is on another area. The police do not have the personnel to enable them to do both jobs. That is where the problem lies. We need to have dedicated traffic cops. That has been in and out over the years. If we do not have traffic police on our highways, we will have problems.

The other issue in country areas is the use of Multanovas. They are a waste of time. Whenever a speed camera is on the side of a road, young kids, and also grown-ups—because I certainly get alerts from mates—hit their mobile phone and send out an alert to say there is a camera on such and such a road, on the left, under the tree,

watch out for it. Everyone then knows where the camera is, and they go back to speeding again. That means that the issue is not addressed. I do not think anyone in this place would doubt that that happens. In today's world of electronics, it takes only a second to send an alert. I am told we can even get an app on our phone to find out on a daily basis where speed cameras are located. A speed camera might cause drivers to slow down for a short time, but after they have gone past the camera, who cares? Even if a driver is knocked off for speeding, there are rarely two speed cameras in a row. It is more about revenue raising than trying to fix the problems. We need to deal with this issue as both a government and an opposition.

I think the number has increased since I grabbed these figures, but this year, 74 people have been killed on country roads, as against 40 in the metropolitan area. Unfortunately, in the last month, two young fellows in my community—one aged 18 and the other aged 19—were killed in close proximity to the town. It was not as though they were hoon driving or anything like that. One young lad was driving from Collie to Harvey for an end-of-term party. He told his parents that he would ring them when he got there, so he was doing everything right. However, unfortunately he never got to the party, and when they came to look for him, they found that he had run into a tree on the side of the road. We wonder why those things happen. Some would say that he was probably using his phone. However, we do not know. We do not do those checks. We asked some questions in the upper house about what data is collected after a crash in country areas, and there were not many answers to that. We were told they just check where the person has come from. What checks are made about whether people having been working on a mine site and are driving home? Many people on mines sites work seven 12-hour night shifts in a row. I know of people working in the Collie area who would drive home to Geraldton after a 12-hour shift from 7.00 pm to 7.00 am. These people are like suicide bombers—somewhere they are going to go off. That is what happens. There are many single-car crashes in the country, often as a result of a rollover or running into a tree. I often wonder whether these people have been working on night shift and are trying to get home quickly, as everyone wants to do, and they have not broken the rules in any way but have nodded off and run into a tree. We certainly need to do some studies to make sure that we know exactly what has happened and where those people were working.

With the increase in tourism in country areas, another issue is that many younger people buy a car between them and travel from place to place. Recently there have been several high-profile court cases involving people from other countries driving on the wrong side of the road. One was an American who was jailed, and recently a Ukrainian, I think it was, was not jailed but had the same problem. When the pressure comes on, they swap to the wrong side of the road.

I take off my hat to the Manjimup shire, which gets a lot of backpackers in that area. The shire issued a pamphlet that explained the road rules in several different languages. The community is concerned about those types of issues and they are being proactive. However, where has the government been in that space? It is not out there doing those sorts of things that could reduce the number of those crashes, especially in the Manjimup, Donnybrook and Boyup Brook areas. In the apple-picking season, 3 000 backpackers on average work in the area around Donnybrook. I imagine that many of them would not even get to drive in their countries, let alone drive on open roads over very long distances. When they are distracted, they revert back to old habits by swapping to the other side of the road.

Another thing that has caught my eye—there is certainly no science to it—is that when Channel Seven or Channel Nine shows helicopter footage of a crash, on numerous occasions those head-ons, which have been frequent in recent times, have been on double white lines. That was the case in the Busselton crash, and there were two north of Perth. From the helicopter vision it was clearly visible that the double white line issue came into play. As a young bloke, if there was anything that my dad hounded me about, it was to never pass on a double white line because they are there for a purpose. I do not see people abiding by that now. I am regularly passed on the road on double white lines. It appals me to think that that is going on because in one split second there can be a major crash. The cars are doing 100 kilometres an hour each way; that is a 200-kilometre-an-hour collision and there are bits and pieces everywhere. Again, that is something we must look into.

Another thing I have raised briefly before is the issue of training before people get their licence. Most people in year 12 now are 17 or 18 years of age. I believe that it is time to get money out of the road trauma trust account to assist—not pay for, but assist—those students in getting some driver training. We have a wonderful facility in Collie that could cover the whole south west. I believe that young people must contribute to that driver training to be more respectful of what it costs before they can go on to get their licence. They need something to put them on the map so they can say, “I’ve done my driver training. Gee, that hurt my pocket money.” It should be assisted by government funding from the road trauma trust account. That would be a simple way of making sure that they know and have an understanding of the road rules and do not come out all gung-ho. Some of that training should contain some gruesome vision of people who have been injured. When I was in London I could not believe the photos that were on the billboards of people who had gone through windscreens, showing the number of stitches they had. The pictures were bloody confronting, to put it bluntly. We need more of that in

today's visual world as far as the younger people are concerned. Everything is a visual: it is on the phone; it is on YouTube; it is out there. I saw the latest advertisement with the 22 or 23-year-old sitting next to his mum in the car, very bored because mum is driving. They are the types of messages that will get through to that age group. It takes only one to be doing exactly that and talking to his mates, and it expands from there. Many, many issues have to be addressed.

Another thing I have noticed in my extensive travelling is that no-one is pulled up these days if their car's tail-lights are not working or if it has only one headlight working. That was always a yellow sticker for the car and people had to then put their car over the pits. In some cases that was certainly a very expensive exercise. However, there do not seem to be any checks and balances on the condition of cars. In European countries, not many old cars are on the road in comparison with Western Australia, because they are either put off the road or people buy another one. There is still the issue of unroadworthy vehicles or vehicles that have one headlight or one tail-light, or no tail-lights, or no brake lights. Those checks are not done as vigilantly as previously. That is certainly a concern from my perspective. We should be looking at harder scrutiny of the cars themselves and whether they should be on the road.

It was suggested that road barriers be installed to stop people hitting trees and deflect them away from suffering major injuries. I agree that more work should be done on that. However, people have been complaining for nine years about an intersection in Esperance. Did it get fixed? It was not fixed until there was a double fatality there. Unfortunately, they were young girls who were in Australia on a backpacker's holiday. They did not know the area as well as others; country knowledge is quite good. They went through an intersection and were cleaned up by another car, which was very sad for the parents. Why should it take nine years for an intersection that has been complained about and complained about to be fixed? Those are the sorts of things that can be fixed by the road trauma trust account immediately.

Both the opposition and the government have a lot of work to do to reduce the statistics. I hope that the Minister for Road Safety will take some notice of my comments.

MR P.B. WATSON (Albany) [3.08 pm]: It gives me great pleasure to talk about the Road Traffic Legislation Amendment Bill (No. 2) 2015. It is a real issue, especially for people in regional areas. Just the other day I got some statistics for the great southern. The great southern had 17 fatal crashes in the first couple of months of this year, with 19 fatalities in total. There have been multiple deaths. A crash north of Albany on Albany Highway near Narrikup resulted in both occupants of one car dying at the scene. Also, a ute rolled over near Lake King on an unsealed road, with two occupants dying at the scene. The figure for fatal crashes in regional WA in the seven months up to July this year was 63. The great southern had over 18 per cent of all fatal crashes across the state and over 27 per cent of all fatal crashes across the seven regional WA districts. The majority of the fatal crashes have occurred in the wheatbelt and great southern areas, followed by the south west. In the metropolitan area, up to the end of July, there were 31 fatal crashes out of a total of 94. Obviously, there is a reason. Do we look at the reason for the number of fatal crashes on country roads? Do we say it is speed or inattention? Is it alcohol? Is it drugs? I heard the member for Collie–Preston say earlier that he drove to Perth from Collie 20 times and did not see a police officer. I have driven a fair bit lately. Our new airline is going well but it has a rather difficult schedule for members of Parliament, as Rick Wilson, a federal member, is finding out at the moment. We spend a lot more time on the road, and I have not seen a police officer on Albany Highway in the last eight or nine times I have travelled on it. I am going back on Friday morning; you can bet your life a police officer will ping me! I cannot remember the last time I saw a police car on Albany Highway. It just might be the times that I go, which is early in the morning when I leave and late Monday night or early Tuesday morning when I travel up. This issue concerns me. I can tell by the way people drive on regional roads that a police car is around; indeed, people slow down and flash their lights, which I do not agree with. I have never flashed my lights to another car to indicate that there is a police car up the road. The only time I have flashed my car lights was when a tree fell on the road. As the statistics show, this is an issue on country roads. What is the answer? I heard the member for Hillarys refer to barriers. There are barriers on the side of the roads in the eastern states. If a car is driven off the road and hits a barrier, it bounces back or is slightly damaged and slows down. But there are big trees on the side of the road on Albany Highway and once a car goes off the side of road, they are a real issue. On the other side is the narrow road that is South Coast Highway between Albany and Jerramungup. It is probably one of the most dangerous roads in the state because of the grain and cattle trucks that travel between Esperance and Albany. There is no gravel on the side of those roads. On South Coast Highway, especially between Manypeaks and Jerramungup, the road drops down. If only one car wheel gets in the gravel on the side of the road, the car drops down. It does not sit on the gravel and drive along—it just drives down. Given the number of truck rolls along that road, it is amazing that no-one has been hurt.

I can talk about road safety only in regional areas, even though I know there are issues in the city. A road crash fatality in a country area affects the whole community, because the majority of people who attend accidents are volunteers and 90 per cent of the time they know the people involved. When there is a crash on a highway, it is

attended by emergency services personnel. It is a huge problem for a member of that personnel to learn that one of their loved ones, a neighbour or a someone they played footy or cricket with is involved in that crash. It is a real issue because it is community thing. The Albany police district goes out as far as Williams. They go right through the region. It is a real worry when not only the police but also emergency services people go out to do their job.

One issue is the state of the roads. We have had royalties for regions for a long time. I know that some really good things have come from royalties for regions funding, but no royalty for regions funding has been spent on roads. The roads in some regional areas are testing for people to drive. A lot of people from Asia visit Western Australia. I think that it is 25 kilometres from one end of Singapore to the other. When people visit they get a people mover. I see them all the time stopped along the way to get a coffee or something like that. They are inexperienced drivers and they cannot judge the speed of the car that is coming the other way. There have been a lot of close calls involving inexperienced drivers. It takes five hours to drive from Perth to Albany. Most people from overseas might not drive for any more than an hour or an hour and a half at a time. We must provide more education about taking breaks. When visitors arrive at Perth Airport, they hop into a hire car and put on the thing that says "Turn left here", "Go to Armadale" or "Follow Albany Highway for 380 kilometres" and they are there. They are not told that they have to take breaks or that they should do this or that if they are going to drive long distances. Given that car hire companies want to look after their cars and want them to come back in one piece, they should tell people what can happen to them and what they should look out for when they are driving on our country roads.

I turn to drug testing. The government's publicity campaign on drugs has been tremendous, but I am really concerned about the number of people who drive while under the influence of drugs. I have spoken to my local police and they have picked up people who are in a really bad way. People are tested for alcohol, but they are not over the limit. There is not enough drug testing. There is only one drug testing machine for the great southern. The government wants to encourage road safety, but I have been advised there is only one machine for the whole great southern region. It has to cover a huge area. It picks up people who are then tested with the mobile thing, but as I have been advised, if they cannot put it on the machine, they have to get a second reading back at the station. If it is not there, it is invalid. Sometimes the machine is lent to the police in Narrogin or Williams or is used on South Coast Highway. When it is used in those places, people in Albany cannot be picked up for drug-driving. A lot of publicity is given to drink-driving. The police do a tremendous job in that area, but I think drugs are the more debilitating of the two. People are affected after a few drinks, but if they drive a car after taking drugs, they could slam into someone, go into a haze or have a seizure. It is a real problem.

Going back to the statistics to which I referred, there were 11 fatal crashes in the north metropolitan, which is a percentage of 11.7; 9.5 in central metropolitan; and 19.1 in the wheatbelt. Crashes in the wheatbelt have received greater publicity. I remember the big elephant campaign to make people aware of the danger of driving in the wheatbelt. The figure for the great southern district is 18.09. It is only one per cent behind the wheatbelt in the number of fatal crashes, but the government has not put the same effort into our region. I cannot say enough about the policemen in the region who do a tremendous job with the number of staff they have and the facilities that are provided.

Looking at these figures, the further one goes out, the more chance there is of people having accidents. As I said, that can be attributed to many factors, such as distance. About 10 to 15 years ago, we lost 10 young people in one month. I think six or seven of those young people attended the one school.

A lot of young people were going up to Perth on a Saturday morning for the nightclubs. They were probably drinking a bit, thinking they would sleep in the next day, then they went home, but at around about Mt Barker or just past there, a lot of them were going to sleep and going off the roads. This concerns me. I must admit that it has improved a lot—probably in the last 10 years. We do not seem to be losing as many young people on the roads.

There was an accident in which young Warrick Proudlove was in a car that went off the road. The driver dodged a horse and went off the road and hit a tree. Warrick now has brain damage. The thing with the insurance company is that even though the horse was on the road and the young driver swerved and just hit a tree, the insurance company say that the horse did not cause the damage; the tree did. I am on the board of a foundation in Albany. I realise how a whole community can be affected by such an accident. Warrick's family had to uproot and shift to Perth. As a foundation, we are trying to help to get them a car with a lift or jack in the back so that Warrick can be lifted up in his wheelchair. It has disrupted everyone's lives. He survived this accident, and members can imagine how people are affected when someone does not survive.

Minister, I do not know whether there are any plans in the future for barriers on the side of the road.

Mrs L.M. Harvey: Part of the regional roads program of \$64 million will look at putting up barriers in appropriate locations.

Mrs M.H. Roberts interjected.

Mrs L.M. Harvey: It will install them as part of the \$64 million funding.

Mr P.B. WATSON: The government has been in for eight years and the road toll is just rising, as I said. We had 17 crashes in the first seven months of the year, and we had only 19 crashes altogether last year. Obviously, what the government is doing for road safety is not working. We have all the money in the road trauma trust account; I think it is over \$100 million.

Mr R.F. Johnson: It is \$145 million.

Mr P.B. WATSON: There is \$145 million. What do we weigh? Do we weigh keeping the budget bottom line or do we worry about saving people's lives on roads? I think that this government has it all wrong. It has the wrong priorities. It spent its money on things, which is fair enough, but it has forgotten the people in the streets. The government has forgotten the people who want to go from Perth to Albany or Perth to Bunbury, or wherever, on a safe road. When their kids come home from university for a weekend, people in Albany want to know that they will get there safely and will get back again. This is what governments are for. The government can have Bigger Picture projects like stadiums and all those sorts of things, but it has to get its priorities right. The government has to look after the safety and interests of the people. I think that this government has it all wrong. Members opposite in government will live and die by the decisions that they make. We have roads in regional areas that are not safe. We can put in legislation for accidents and after accidents and people will be charged; however, if we do not have the proper roads for people to confidently and safely drive on, the government is behind the eight ball.

We have one drug testing machine in Albany. It is mobile so it can go to any area in our region, but that means that only one part of the region gets a drug testing machine. If the government is dinkum about stopping people taking drugs and driving, there should be a machine in all the major towns. I can understand that in little towns, the machines can be sent out or the guys from Albany can go out there, but we need the proper facilities and enough police. The police are working their butts off. I can only talk for the Albany region. Dominic Wood is the district inspector down there and he is doing a great job.

Mr R.F. Johnson: He's a very good man.

Mr P.B. WATSON: He is.

Mr R.F. Johnson: I know him well.

Mr P.B. WATSON: Yes. We have a tremendous group of people in Albany. I went to a forum we had there on road safety. The guy in charge of traffic was there saying that they are doing everything they can; they are sending patrols right out and they are trying to pick the danger areas. He did not say that they do not have enough staff, but if they did not have enough staff, they could not do the work. These people really want to get out there and make the roads safer for everyone. They do not want to go to a house and knock on the door to ask a mother or father whether their son or daughter is a certain name and say, "I'm sorry to have to tell you that they've been hurt or killed in a car crash." These people probably have a harder job than anyone else in the public service or anywhere. They are out there day and night. Our emergency services staff are the same. They are out there or on standby. They leave their families and warm beds to go out. We have to provide the facilities to make it easier for them, we have to make the roads better, we have to give them enough staff and we have to give them enough things like drug testing machines to get these idiots who are on drugs off the roads. I would hate to think that because we did not have a machine in Albany, police could pull over a guy and use the little testing thing but they could not bring it back because it did not work and that person could continue to drive and cause a fatality or even injure someone like Warrick Proudlove. I support this bill but think that the government is still not doing enough to help our police and emergency services.

MS M.M. QUIRK (Girrawheen) [3.26 pm]: It never ceases to amaze me how legislation in this area takes an inordinate amount of time to be introduced and passed when there is bipartisan support for various legislative changes to bring about better outcomes on our roads and to reduce road trauma. I make that comment as a number of my colleagues have. We have anticipated this legislation for some time. If some of these requirements had been introduced earlier, one can only wonder whether the outcomes might have been different.

The explanatory memorandum for the Road Traffic Legislation Amendment Bill notes that the legislation covers a range of issues. It states —

- the introduction of drug and alcohol restrictions for persons providing driving instruction to learner drivers;
- the introduction of an offence for careless driving causing death, grievous bodily harm or bodily harm;

- the power to require compulsory blood testing of suspected drivers involved in a traffic crash which resulted in death or serious bodily harm;
- the removal of an anomaly in the offence of driving without authorisation whilst under suspension or disqualification;
- the removal of an anomaly limiting the time period for the commencement of a prosecution for an indictable offence under a road law to 12 months;
- the option to report a traffic crash ... online through the internet;
- the power for the Commissioner of Police to disclose RTA information to a relevant authority or to specified persons involved in an incident;
- a mandatory disqualification of a driver's licence of 2 years for an offence under s.54 ... "Driver in incident occasioning bodily harm to stop, ensure assistance and give information";
- updated terminology relating to the use of speed and distance measuring equipment;
- the power for the Minister for Police to approve or revoke the types of apparatus and equipment used to measure speed and distance;
- the power for the Minister for Police to approve or revoke the types of apparatus and devices used to ascertain the presence of alcohol and drugs ...
- the power for the Commissioner of Police to certify a person as being competent to operate all types of breath analysing equipment;
- the power to issue infringement notices based on photographic evidence for the offence of using an unlicensed light vehicle;
- the repeal of the superseded section 50 of the RTA;
- the power to arrest under section 67 ... a person who fails to comply with a request to accompany a police officer in relation to a failure to comply with a request to provide a breath, blood, urine or oral fluid sample;
- an amendment to provide that a person who is convicted of an offence under a road law and who is sentenced to imprisonment, and disqualified from holding or obtaining a driver's licence, the period of disqualification does not commence while the person is in custody;

The explanatory memorandum also refers to a couple of other offences.

Some of these changes have been mooted for a considerable time and I will address some of them shortly. The first thing I need to say is that we are about halfway through the Towards Zero road strategy but, sadly, we are not heading towards zero. In fact, as we have already heard, our road toll in metropolitan Perth and in the regions is a matter of grave concern. How do we judge how we can do better and what works and what does not work? The Community Development and Justice Standing Committee looked at that issue. In submissions and oral evidence to the committee, Western Australia Police made the point that it was unfair that they simply be judged on their performance in road safety by virtue of the road toll figure. The committee accepts that other issues come into play in road safety—for example, road design and weather conditions—that are outside the purview of police responsibilities. Nevertheless, throughout that inquiry, the police were unable to offer any performance indicators that would indicate whether they were doing good, bad or indifferent and what strategies were most effective. The problem with that is that the road trauma trust account has a big pool of money and we need evidence-based policing. We need that evidence so that we can invest in the strategies that are most effective in addressing road trauma. It is in the public interest to have a level of transparency and accountability in what the police do.

The first thing I need to say is that it was apparent from the inquiry that the number of traffic police on the road had reduced substantially. That is evidenced, for example, by the quite significant reduction in on-the-spot fines. These are offences captured by an actual policeman and not by a Multanova camera or a red-light camera. That is objective evidence that fewer infringement notices are given, which means there are fewer traffic police on the road. I did not hear where they were going, but the other day I heard something about a new operation and that more traffic police were being taken off the road to undertake other duties. That is a concern. It is what I would call almost a talkback radio issue. At the end of every long weekend when there have been multiple fatalities it is common for people to say, as the member for Collie–Preston said, that they were travelling on such-and-such a route and they saw no police. It is incontrovertible that the presence of police on roads is a real deterrent. Conversely, a lack of police presence on the roads encourages people to drive with less caution and, more importantly, less consideration for other drivers. This transparency and accountability extends not just to the police but also to the minister herself. The minister is somewhat coy in responding to questions. For example,

I submitted a question on notice on 15 March and I am still trying to get an answer to what is quite a simple question.

Mrs L.M. Harvey: What is that question?

Ms M.M. QUIRK: It is question on notice 5155, and I will explain the issue in a minute. I notice the Minister for Police has stopped holding general police forums with her local members. That is because, invariably, 70 per cent of the questions, if not more, were about hoon driving. It is not just an issue in one electorate; it seems to be a common problem across electorates. One might wonder whether the lack of police on the roads has exacerbated this issue. On 15 March I asked a question that I had asked in other years, which was —

Can the Minister advise for each of the calendar years ... the ... outcome of traffic operations targeting hoon driving offences in each of the following suburbs:

I listed each of the suburbs in my electorate. I have asked that question for a number of years and it was answered without demur for a couple of years. I admit that when I received the answer I was horrified at how few charges had been laid in each of those suburbs compared with the level of feedback I had received from my constituents.

Last year the government got a bit trickier when I asked a question about hoon driving. The initial response was that there was no such offence as hoon driving. I had to rephrase the question referring to the relevant sections of the Road Traffic Act, and then, after some time, the answer was duly given. This year I again asked the question, because it is an ongoing problem. I got an answer on 10 May, so it took almost two months to receive an answer. The answer states —

The response required for this question would take a significant amount of time and resources to collate and process. It is therefore not possible for Police to obtain this information without significantly compromising other core policing activities.

That certainly was not a problem in previous years. On 30 June, I wrote to the minister and said that, given she was able to answer this question in previous years, I interpreted this as a refusal to answer the question, and as such I asked her whether she had notified the Auditor General in accordance with section 82 of the Financial Management Act 2006 as to her reasons for refusing to answer the question. I stress that that was on 13 June. I knew that we were coming back to Parliament this week, so I contacted the minister's office to ask when I could expect an answer to my letter of 13 June. I have received no reply. I have since forwarded all the relevant information to the Auditor General, which is something the minister should have done, and I hope that before the end of the year I get some answers. It is unsatisfactory to have this lack of transparency from the minister, which serves no purpose. In this context of lack of police on the road, it might be worth mentioning that approximately half—I stand to be corrected and the minister can tell me—of hoon drivers are caught by speed cameras, so there is no physical intervention by a police officer at the time. We hear reports of hoon drivers being caught, but that is just the luck of the draw that there happens to be a camera in place at the time.

The second issue I want to raise is the amendments that require compulsory blood testing of drivers involved in a traffic crash and suspected of being under the influence of alcohol or drugs. This has been suggested for a number of years. It is absolutely essential that this provision be enacted and implemented expeditiously. Dr Rao, who is a trauma doctor at Royal Perth Hospital and is quite an inspiration in the work that he does with road trauma victims, has been pressing for this for a considerable amount of time.

At the moment we have no data. We can infer that alcohol or drugs might be involved, but those participants in the crashes may or may not have been tested. This information would indicate whether alcohol is a player in some cases or whether methamphetamine is a causal factor. One that tends to go unnoticed is a cocktail of prescription drugs, which certainly causes problems, maybe more particularly with older drivers. They are not taking illicit drugs, but the combinations of drugs they are taking certainly impacts on their capacity to drive safely. I am very keen for that provision to go in because at least it gives police data so that resources can be targeted a bit more strategically to areas in which enforcement effort needs to be enhanced.

I note there is a provision to report crashes online. I am somewhat concerned about that. A car belonging to one of my constituents was run into by another driver when it was parked in a driveway off the street. The driver, after mounting the kerb and hitting my constituent's car in the driveway, drove off. When the police were contacted, they said that incidents incurring damage of \$6 000 or less could be reported online. There was no question of a policeman attending and perhaps subjecting that driver to an alcohol or drug test to see whether he was impaired at the time of the accident. Because more and more reports of crashes are being lodged online, I wonder whether the abhorrent behaviour that we need to deter and stop will go through to the keeper. That is another concern I have.

As I said, the Community Development and Justice Standing Committee issued a report in June last year and the government responded to it. One of the recommendations related to driver attitude surveys. These surveys had been conducted by Main Roads WA. They are a very useful tool because, for example, they showed that 70 per cent of drivers thought that it was very unlikely that they would be picked up by a random breath testing bus on a weekday in the suburbs. That indicates that the deterrence of RBTs was not strong; people did not believe the “anytime, anywhere” message. That was a great tool in working out community attitudes and using resources accordingly. However, those surveys stopped some time ago. I gather there was a thought that they were expensive. Now we are in the position of the police searching for what they believe is a deterrent and there does not seem to be any objective evidence about what really deters drivers and what does not. The government response to the recommendation that the driver attitude survey should be reinstated was as follows —

A new evaluation tool for measuring the effectiveness of community education campaigns and driver attitudes is in development for commencement in 2015/16.

I have heard nothing on that, so I would certainly like some advice from the minister about where that initiative is at.

[Member’s time extended.]

Ms M.M. QUIRK: The other issue that I think is very contentious is quantitative or qualitative random breath testing. For example, because more random breath tests are conducted and there are fewer positives, can we say that we are winning the drink-driving battle? I say not necessarily, because if that is done on a Tuesday morning on St Georges Terrace, yes, it gets the statistics up when more tests are conducted, but the chances are obviously smaller that someone will be picked up at that location at that time unless they had a very big night the night before. As far as the minister is concerned, that translates into being able to say that the number of positives went from five per cent to three per cent. Again, I think the performance indicators being put up by police are very misleading and I think there has been some attempt to skew the statistics by focusing on volume and not on where the real risks are.

Similarly, I have for some years been very concerned at the very low numbers of drug-driving tests. We are constantly told that a significant percentage of the population are users of methamphetamine and authorities are now even going to the trouble of testing our wastewater to try to ascertain the percentage of methamphetamine use, yet, comparable to other jurisdictions, Western Australia has one of the lowest levels of drug-driving testing. Professor Max Cameron, who is an acknowledged road safety expert, thinks that 90 000 roadside oral fluid tests should be submitted or undertaken a year. Western Australia conducts considerably fewer than that. In 2014–15, WA Police conducted 19 000 roadside drug tests. That is incredibly small.

Mrs L.M. Harvey: We are going to do 30 000 this year.

Ms M.M. QUIRK: Thirty thousand is still a fair percentage lower than what Professor Cameron indicates and, as I said, given our concerns about the consumption of methamphetamine, it seems too low. I understand that there are two reasons there might be some reluctance to do this. I understand the first reason is that roadside tests are quite costly; I think the kits are about \$10 each. Within some districts that are trying to save money and where efficiency dividends are needed, the message goes through to the officers that they are only to submit those tests in circumstances in which a random breath test has been conducted and it has been found that although a driver is impaired, it is not from alcohol. In those cases they will then be tested for drugs. I also understand that some officers believe that there are legislative impediments, although I have had some trouble ascertaining exactly what the problem is with drug tests as opposed to alcohol tests. There is also the issue of drivers who have consumed a combination of alcohol and drugs. The recommendations were that there should be amendments introduced that establish an offence for the combined use of alcohol and illicit drugs, and for drug-driving to attract the same penalties as drink-driving. The other impediment for police conducting drug-driving tests is that there is a lower penalty. I understand that in terms of work, the path of least resistance is taken; that is, it is done by way of summons, and lower penalties apply. Those amendments were recommended in June 2015 and I am sorry that they are not included in this legislation. The response from the government at the time was that the Road Safety Commission would be conducting a review into drug-driving legislation in conjunction with WA Police and other key stakeholders. There was a statutory review some time ago, so I am not quite sure why another review is needed.

To summarise some of what the Community Development and Justice Standing Committee found, the report was titled, “Are we there yet? How WA Police determines whether traffic law enforcement is effective”. The report concluded in part that deterrence is an important outcome of enforcement. If police are able to create the perception among drivers that they are at risk of being caught for speeding, drink-driving or using a mobile device, for example, anywhere at any time, they will have been successful in applying the theory of general deterrence. That is what I have said: there has to be that critical mass of traffic officers on the road, and, if they are not there, the capacity for general deterrence is not there. We concluded that, other than through reference to

the road toll, there were very few means by which police could know whether they were making progress in that area. We were not sure how performance information was used to guide practice and we are not sure how the measures that police refer to in the annual report give Parliament and stakeholders such as the RAC and others adequate indications of whether traffic enforcement is effective. We concluded that, despite the fact that millions and millions of dollars have been spent in this area, there is very little objective accountability and very few robust effectiveness measures.

There was also the Browne review, which recommended the appointment of a Road Safety Commissioner. We have already heard the member for Hillarys make the point—I think it is a good one—that the Road Safety Commissioner is not independent, and I think that is a major shortcoming of the regime. It should, in my view, be a statutory office and independent of the Minister for Road Safety. I went to a public meeting that was convened by Hon Liz Behjat after a double fatality in my electorate in January. One of the speakers at the meeting was the then federal member for Cowan, and it was clearly a political meeting. The Road Safety Commissioner and a senior police officer had been dragged along; certainly I was not given the opportunity to speak and it was, I thought, very sad that the Road Safety Commissioner was being used in that fashion. An audit of the area was committed to at that meeting; I contacted the Road Safety Commission because I understood that the audit had been completed, and was told that I needed the permission of the minister to obtain that information. That has not been forthcoming, and even though it affects the future safety of people in my electorate, I have had to make a freedom of information request to get that information. I think that speaks volumes about the independence of the Road Safety Commissioner.

Again, we need to remember the specific issues in the regions. Whilst it is great that we are finally identifying the wheatbelt as an issue, all we have really had is a committee meeting and some community fora. Whether any tangible measures have been undertaken, other than the community discussing the issues, I am not sure. I must admit that some time ago I looked at the findings of those meetings in the wheatbelt and the facilitation of the meetings seemed to be lacking; all sorts of tangential issues seemed to be raised but the causes of the high levels of fatalities in the area did not seem to be squarely addressed.

We need to ask whether the reduction in recorded traffic offences is due to fewer people committing offences—those of us who drive on the road would think that that is not the case—or because the police are failing to catch offenders. That is something that needs to be teased out, and if there were more robust performance measures, I think we could do so. There also seems to be cherry-picking of recommendations from the evidence-based research of experts on the basis of which recommendations will be electorally popular and which ones will not. For example, we have heard from the member for Hillarys—I have talked about this in the past—about the delay in introducing point-to-point cameras. They have been very successful on the eastern seaboard and have been used there for some time but, as the former minister said, they are not something that the Premier approves of, so they have not been used.

Mr R.F. Johnson: He's an expert.

Ms M.M. QUIRK: He is an expert on everything; we know that, member for Hillarys.

In conclusion, there is a level of accountability, and frankly, the buck stops with the Minister for Road Safety. She needs to be able to front this Parliament and say how and why it is that tragedy on the roads continues to impact on all our communities, and why the goal of heading towards zero seems so illusory.

MR W.J. JOHNSTON (Cannington) [3.56 pm]: I am very pleased to speak now in the lead-up to four o'clock, when debate is adjourned and we go on to private members' time. It is always unhelpful when one has only three minutes to try to start an argument and has to come back at another time.

I will start by saying that I remember listening to the Minister for Road Safety on a radio news report one day when she was talking about the appointment of a Road Safety Commissioner. The minister made the point that it may have been possible to hold the commissioner to account for the outcomes of traffic accidents in Western Australia, and talked about whether there would be an increase or decrease in the number of road deaths, for example, and whether that might be one of the key performance indicators that could be applied to the Road Safety Commissioner. I thought that was a very interesting issue, because it would seem to me that, under the Westminster system, it is the minister who carries the ultimate responsibility on behalf of the administration of the executive functions of government. Rather than the Road Safety Commissioner being the person who should be held to account for the outcomes of KPIs such as, for example, road accident deaths, it seemed to me that that should also be one of the KPIs for the minister's performance. It seemed to me quite logical that that would be the case, given the desperate situation in Western Australia and the serious problem we have with road deaths. I am looking forward to the minister explaining her poor performance.

I make the point that there has been a general improvement in road safety over a long period of time, based on two sets of engineering issues. The first is road design and the second, which is even more interesting, is motor vehicle capacities. A modern motor vehicle is much, much safer than were vehicles in the past. I know when I was a teenager the talk was, "You want a lot of metal around you"—that was the thing; people wanted a lot of

metal. Actually, people are much safer in a vehicle with intelligent design—things like crumple zones, multiple airbags, side airbags, pre-tensioned inertial seat belts, ABS and traction control. All these things are improving outcomes for the survivability of accidents.

The question is not whether the overall road toll is falling but whether it is falling in Western Australia at the same pace as it is falling in other jurisdictions. Sadly, that is not happening. In fact, that is a serious problem in Western Australia. If the minister is saying, as she did on the radio, that one of the KPIs for the Road Safety Commissioner is road fatalities and other statistics, the minister needs to be held to account for that.

Debate adjourned, pursuant to standing orders.