

TAXI DRIVERS LICENSING BILL 2013

Committee

Resumed from 28 November 2013. The Deputy Chair of Committees (Hon Liz Behjat) in the chair; Hon Jim Chown (Parliamentary Secretary) in charge of the bill.

Clause 12: Grant of licence —

Progress was reported after clause 11 had been agreed to.

Hon JIM CHOWN: I wonder whether we can revert to clause 5, which had not been dealt with when we last debated the bill in November 2013, as I would like to respond to the question asked by Hon Alanna Clohesy.

The DEPUTY CHAIR: Clause 5 was formally postponed, so we will have to come back to the postponed clauses once we have dealt with the other clauses.

Hon KEN TRAVERS: It is so good to be back! One of the issues we touched on in the debate on the short title is whether the CEO, in deciding whether the applicant is a fit and proper person to hold a licence, will rely on clause 12 or on clause 33, which provides that the person's licence can be automatically disqualified and lists legislation under which someone can be precluded from driving a taxi. In light of the time that has elapsed since we had that debate, when the government's intention was still unclear, I wonder whether the parliamentary secretary can tell us whether it is the government's intention to use the provisions under clause 33 or will the primary test for granting a licence be clause 12(1)(d), which provides that the CEO must be satisfied that the applicant is a fit and proper person to hold a licence? Once I get that answer, it will help us decide how rigorously we need to pursue what constitutes a fit and proper person.

Hon JIM CHOWN: I would like the honourable member to clarify the question, because clause 33 deals with cancellations and disqualifications for convictions of certain offences and clause 12 deals with the granting of a licence. If the honourable member could clarify his question, I would appreciate that.

Hon KEN TRAVERS: Will any prescribed provisions preclude someone from being granted a licence? Are there statutory offences that preclude someone from being granted a licence in the first place?

Hon JIM CHOWN: The answer to the member's question is no.

Hon KEN TRAVERS: Will someone be able to apply for a licence and be granted a licence if they have committed an offence under clause (8)(1), (2) or (4)? To be clear for the parliamentary secretary, they are the same subclauses that would result in someone having their licence cancelled. Is the parliamentary secretary saying that someone can apply for a licence and be granted a licence, but then it could be cancelled under clause 33 if that person has a conviction under clause 8(1), (2) or (4)?

Hon JIM CHOWN: The member is touching on clause 33, which we have not yet reached. Under clause 8, if a person does not have a licence and has committed a disqualification offence, there is no licence to be cancelled and after the disqualification period they can reapply for a licence under clause 12.

Hon KEN TRAVERS: This is the problem that I have with the structure of the bill. The parliamentary secretary is saying to us that a person can be convicted under clause 8(1) for not having a licence—I will come to some examples of events that have occurred since the last time we debated this bill around Christmas time—but that does not preclude them from being granted a licence. People can apply and potentially be granted a licence even though they have been convicted under clause 8(1) for not having a licence.

Hon JIM CHOWN: Once they have gone through the disqualification period, the answer is yes. An assessment will be made on their ability to be granted a licence.

Hon KEN TRAVERS: Where is the provision that prevents them from being granted a licence during a disqualification period?

Hon JIM CHOWN: Clause 11(2) states —

An individual who is disqualified cannot apply for a taxi driver licence.

Hon KEN TRAVERS: Where is the provision that gives us the power to prescribe an offence under clause 8(1) as a disqualification offence?

Hon JIM CHOWN: Once more, I think the member is a bit ahead of himself, because clause 33 states —

- (1) For the purposes of this Act, a disqualification offence is —
 - (a) an offence under section 8(1), (2) or (4); or

- (b) an offence under —
- (i) this Act or another written law;

Hon KEN TRAVERS: That comes back to where I started; clause 33 is interrelated to clause 12. Someone cannot be granted a licence if they commit a disqualification offence under clause 33. I think that is what the parliamentary secretary has now confirmed for us, which is the point I was originally making. We have been talking about clause 33(1)(a) offences. I want to know whether the government's intention is to prescribe disqualification offences under clause 33 for other state or commonwealth acts to preclude someone from being granted a licence. Will someone who has been convicted of a sexual assault offence be precluded automatically? I hope that the disqualification period for sexual assault is permanent disqualification and that a convicted person could never apply for a taxi licence ever again. Under this bill, will someone who has committed that offence never be granted a taxi licence or will it simply come down to the CEO, the person to whom that power is delegated, relying on 12(1)(d) to refuse to grant the licence because they are not satisfied that the applicant is a fit and proper person. That is the key issue that I am trying to understand. Will prescribed offences prevent someone from getting a licence or will the fit and proper person test be used to determine whether someone can be granted a licence?

Hon JIM CHOWN: Clause 11(2) clearly states that an individual who is disqualified cannot apply for a taxidriver licence. This bill allows for serious crimes to be prescribed as disqualification offences. As already stated, the industry preference is for such matters to be dealt with by the CEO using the fit and proper person assessment. That is now the case.

Hon KEN TRAVERS: That says to me that, at this stage, it is not the government's intention to actually prescribe any offences as disqualification offences other than those that are statutory offences, and that it will be relying on the fit and proper person test to determine whether to grant a licence to someone.

Hon JIM CHOWN: Once these deliberations are over, the government will assess the views of industry. At this stage, industry is reasonably happy with the fit and proper person assessment for licences. After due consultation with industry on this particular matter, the government will make decisions on this and will probably prescribe such offences in the regulations.

Hon KEN TRAVERS: I think people generally are supportive of the passage of this legislation; however, there are some clauses throughout the legislation that we are not happy with. It worries me that the government is not able to give us a definitive answer at this stage on this matter, because one thing that has always been put in the past is that it is always a difficult test. One problem for officers in the department is that the fit and proper person test can be challenged at the State Administrative Tribunal. There have been some decisions in the past when people who the department did not think were fit and proper were successful on appeal and were found to be fit and proper. In some of those cases, I actually agreed with the department; I did not think they were fit and proper people. I always thought that one of the key elements of this legislation was that there would be clearly prescribed offences that would preclude people who had committed certain offences—serious sexual assault being a classic example—from ever being able to apply. I recently met a victim of a sexual assault by a taxidriver. I want to be very careful here, because I do not want to go into too much detail about it. It was a harrowing experience for me; I cannot vaguely imagine how it was for the victim. I am not even going to go into questions around whether that driver should even have been there in the first place, but I want to be absolutely sure that someone who has committed a sexual assault is never going to be a taxidriver again. I am happy to leave it at this stage for further debate under clause 33, but I want to clearly make the point that it is my view that the whole purpose of this bill is for it to be stronger than just a reliance on the test that a person is fit and proper to hold a licence. It was always my view that one of the strengths of this bill was that there would be some clearly defined areas in which people with those convictions would simply be unacceptable as taxidrivers. I am happy to leave that issue until clause 33.

I have two other questions on clause 12. The first concerns the psychological testing of drivers. Would that be considered under subclause (1)(e) or would it require us to prescribe, under paragraph (g), that an applicant needs to undertake psychological testing?

Hon JIM CHOWN: The question the member put forward can certainly be catered for under clause 12. It would depend on the test. Paragraphs (f) or (g) would fulfil the requirements.

Hon KEN TRAVERS: I thank the parliamentary secretary for that. The final area that I want to deal with on clause 12 is how the department will go about ascertaining whether a person is a fit and proper person. I accept that under clause 11 there is the ability to specify documents or information to be provided, but is it intended, for instance, that drivers will be required to put forward references of good character or a curriculum vitae outlining their previous employment history, and will the department rigorously check to see whether that driver has any previous issues that may cause the CEO or the CEO's delegate to believe that that person is not fit and proper to

hold a licence? If the department is not going to do that, how will it establish that a person is a fit and proper person?

Hon JIM CHOWN: There will be a national police clearance check; a traffic conviction check; two character references required; and further checks, depending on the outcome of the police clearance carried out.

Hon KEN TRAVERS: I place on the record that I actually do not think it is sufficient. A person applying for a taxidriver's licence should provide their recent employment history. As well as obtaining a couple of references, we should be going back through their past employment history. Again, I say that because it is interesting to note, when hearing stories about bad behaviour by taxidrivers, that it is often the case when tracking the history of that driver that we see the problems they had in their previous employment. If contact with the former employer had been made, those matters would have been brought to the attention of the department, which may never have granted the licence.

I put on the record that there needs to be a more rigorous assessment process for people applying for a taxidriver's licence. I will not use an example of a taxidriver. I will use an example of when I was actually a bus driver. There was a particular driver who eventually got sacked by the department. It was only after the department had sacked him that its spokesperson actually rang the New South Wales Department of Motor Transport because it had realised he had previously worked over on the east coast. When someone asked whether they could talk to someone about the record of Mr X, apparently there were howls of laughter at the other end, asking, "You haven't employed him, have you?" If only they had made the phone call. That sounds almost lighthearted, but I am aware of circumstances in recent times when drivers have been granted a licence, then offended, and it is clear that if some basic inquiries had been made to their previous employer, it may have then come to the attention of the department that the person was not suitable to be a driver.

As good as this legislation is, clause 12 is really the key. It is actually about keeping the bad people out of the industry. We can have all the measures to address problems once they arise, but I note that the rest of the bill is all about a person who is in the industry not performing to the standards we expect. It then provides for how we can get them out. In my view, the best thing is to avoid those bad eggs ever getting into the industry. That is where I think clause 12 will be absolutely crucial. Any clauses—like clause 33, which interacts with clause 12 in terms of prescribing offences precluding someone from getting into the industry—should not just be about criminal records. It is about behaviour and the way in which someone has performed that should be brought into consideration before granting people a licence. I wanted to make those points and I am happy to move on.

Clause put and passed.

Clause 13 put and passed.

Clause 14: Renewal of licence —

Hon KEN TRAVERS: It may be that I cannot find it, and it has been a while since we dealt with this bill, but I have a note here. The issue I am interested in is under clause 12 in the granting of a licence. One of the things people have to undertake is a training course or a test. Under clause 14, people still need to have their driver's licence renewed. They are required to have been driving for three years, which, if they had it, I assume they would still have it. There is the requirement that they be over 20 years of age, which, again, if the person had already been granted the licence in the first instance, I would think they would still have it.

The applicant still needs to be a fit and proper person. However, before granting them a licence, where would we also require them to undertake any professional development? Or is that intention somewhere else in the bill? Will we use those powers? Is it like clause 22, where an applicant can give written notice? Will it ever be at the time of renewal when we will require people to have completed his or her professional development? Will it be a separate process under clause 22? Why would we also not have the provision that says we might require someone, every time their licence comes up for renewal, to have completed professional development? It just seems a cumbersome way to not allow us to be making it part of the renewal process, but separately having to deal with it under clause 22. I think it is —

Hon Jim Chown: It is clause 22.

Hon KEN TRAVERS: Where a person can provide written notice. It seems to me it might be useful to occasionally prescribe it in a similar way to the provision in clause 12(f), whereby every time a person's licence comes up for renewal, he or she will have to complete a refresher course. One day it might be first aid. However, it should be part of that process rather than having to deal with it as a separate process.

Hon JIM CHOWN: It is done—the professional development aspect is done under clause 22. That actually allows more flexibility in how this particular training is carried out.

Hon KEN TRAVERS: The only point I wanted to make is that I get it that the provision allows flexibility to bring things in. Also included in this clause should have been a provision to have the capacity, as part of the renewal process, to prescribe something that allows the CEO to require the professional development. One day, either the parliamentary secretary or I may be the Minister for Transport and it would just make it a bit easier, although it might be sooner for the parliamentary secretary than me in that regard! However, it struck me that was an area that required that capacity, rather than having to separately give written notice to just prescribe that certain training courses or the like be completed beforehand. The bill talks about a two-year renewal period, from memory. I make those points and I am again happy to move on.

Clause put and passed.

Clauses 15 to 19 put and passed.

Clause 20: Licence document to be issued to licensee —

Hon KEN TRAVERS: I just wanted a quick conversation on clause 20. We had previously touched upon it. I wondered whether the minister is in a position—sorry, I am getting ahead of myself! I wonder whether the parliamentary secretary is in a position to give us any update about whether or not further work has been done on what form the licence will be.

Hon Jim Chown: You mean, the physical form of the licence?

Hon KEN TRAVERS: Yes. He may recall that we have had this discussion. I am still of the view that the current process is appalling. I am not being critical of anybody. Given the way the current structure is in place, I am pleased, but I think there is a general acceptance that we needed to improve the way licences are displayed in taxis so they are able to be seen by passengers. Obviously, there are other clauses that will come later about the requirement for display. However, I thought this was probably the first time this provision had come up and, therefore, was the appropriate point to have a discussion or debate about how big the actual licence document to be issued will be.

I accept that there are other areas of the bill in which we will be able to prescribe the size of the licence. Drivers may also be given what is effectively an extract of a licence that they will be able to display in the taxi. Is it still intended that the licence will be simply the size of a current driver's licence, or have we been able to shift the government into requiring that a bigger item be displayed in the taxi?

Hon JIM CHOWN: The department is talking to its current suppliers, and it is looking at various size licences, and in particular at the durability and security features that can be embedded in the licence. I do not have a definitive answer at this stage, other than to say that the matter is being looked into.

Hon KEN TRAVERS: I appreciate the parliamentary secretary's comment that the government is looking at the size of the licence, and I look forward to getting good news on that matter. That also covers my questions at clause 24 about the requirement to display the licence and produce documents. I hope the licence will be of such a size that people will be able to clearly see it when they are in a taxi. I do not know about anyone else, but it annoys me every time I get in a taxi that I cannot see the licence because it is often on the window visor, and at night it is particularly difficult to see. I appreciate that the government accepts that that is a concern, and I hope we will get some progress on the size of the licence.

Clause put and passed.

Clauses 21 to 27 put and passed.

Clauses 28 and 29 —

Hon KEN TRAVERS: I appreciate the documentation that the parliamentary secretary has given us about the code of conduct. However, it is still incredibly unclear. The code of conduct is a crucial part of this bill. I seek your indulgence, Madam Deputy Chair, because I want to talk collectively about clauses 28 and 29, which deal with the behaviour of taxidriver's, and, hopefully, we can have a discussion about how the code of conduct will operate. I note that a draft has been put out for industry consultation. However, is the penalty points system that was outlined in the briefing notes that were provided on 1 February 2012 still part of the proposed code of conduct, or has further progress been made on reaching agreement with the industry about what the code of conduct will look like?

The DEPUTY CHAIR (Hon Liz Behjat): I note, member, that there are only two clauses in division 3 that deal with regulations and the code of conduct, and in the spirit of how this debate is progressing, I am certain that the parliamentary secretary will be very generous in allowing the member to move between clauses 28 and 29.

Hon JIM CHOWN: I think I left a box of documentation in the member's office —

Hon Ken Travers: Yes, and I acknowledge the briefing notes that the parliamentary secretary gave me.

Hon JIM CHOWN: I am not taking a shot at the member. I am just stating the facts as they are. That would have contained an updated document with regard to the code of conduct and the penalty point offences. There has been ongoing and good consultation with industry, especially with regard to penalty points. But I cannot give the member a definitive answer with regard to whether it will be wound down or whether any decision has been made at this stage.

Hon KEN TRAVERS: In terms of the way in which penalty points will operate, interestingly, between now and when we last met on this bill, there was an article in *The Weekend West* of 8 February about a taxidriver who had been fined \$1 800 for refusing to take passengers to certain destinations. I note that the driver was convicted and fined \$200 for each of nine counts of refusing a fare and was ordered to pay \$260 in court costs. I am interested to know whether a conviction for that offence would be treated as one offence in terms of penalty points, or whether it would constitute nine demerit points and the taxidriver would lose their licence for refusing those fares.

Hon JIM CHOWN: The member has brought up an interesting point. The intent of this bill is to improve driver behaviour. That is why we have implemented penalty points for different offences. It would depend upon whether an infringement notice was received for each offence or whether they were treated collectively. I have not read the article, I might add, but that is the answer at this stage.

Hon KEN TRAVERS: It was only a brief article, and although there was a bit of other media around it at the time, I am referring just to this article. The other side of this debate is that, from the driver's point of view, they would argue that there are occasions on which they would refuse fares on what they believe are reasonable grounds.

Hon Jim Chown: That is an important point; it is why consultation with industry is very important and why I could not answer the member's previous question.

Hon KEN TRAVERS: I absolutely accept that consultation is important because there are two sides to this debate. On one side there are those of us who are customers. There is the recent example of the high-profile Perth former journalist who was refused a fare from the city to Bayswater—I still have not worked out how that can be considered a short fare in anyone's imagination—about which there was a fair degree of public outcry that the driver should have taken that fare. Then there are the drivers, and there a couple of areas from the drivers' perspective. Firstly, obviously, is when the driver believes the person is a threat to them physically and they refuse the fare for that reason. That is often a very difficult issue and it will always be a testing point because it is the driver's word against theirs, and sometimes it is just a feeling that the person is not quite right and the driver does not want to take them. I understand that from a taxidriver's perspective there will be times when they are worried. There will be times when a taxidriver is concerned about their safety or the location of the pick-up might be known as a problem area. I know most of the taxi dispatch services have a system in place. I think the department accepts that there are certain houses that are known trouble spots where fares have not been paid or drivers have been put at risk and there is an acceptance that drivers can refuse to pick up from that address. Again, from personal experience, all that often happens is that the people who live at that house knock on their neighbours' doors and put their neighbours in a difficult and invidious position of having to work out whether they ring the cab for them or politely decline and incur the wrath of the person. I lived in a house where I was in a situation not dissimilar to that —

Hon Jim Chown: Is the member 'fessing up?

Hon KEN TRAVERS: No, it was not me. It was people visiting a house two doors up who caused that house to be banned, and we then had people turning up to our house, knocking on the front door and asking if we could call them a cab because—this was before mobile phones—they would not come to their house. Sometimes it was the people who lived at that house who were always very reasonable and I had no qualms about calling them a taxi because I knew from experience that they were not bad people. Other times they were under pressure to get me to call a taxi for the people I knew caused problems for taxidriver, and I would have to tell them that I would not. The point is that the problem is often passed to someone else to deal with. I was probably big enough and ugly enough to handle that issue, but I can assure members it was not always the most pleasant experience.

Another issue that drivers talk about—I am not sure how we deal with this effectively because it is a complex issue—is that at shift changeovers, as most cabs operate 24/7, there is a requirement for drivers to get their cab back by a certain time as there is a driver waiting to take the cab back out. The drivers often say that because Perth has become so spread out, there is a real problem if they are in Perth and someone gets in and wants to go to Rockingham 15 minutes before their shift ends and they are supposed to be at the depot in East Perth, Bassendean, Bayswater or a big one that used to be in Mount Hawthorn; how do they manage to do that? I think that is about working with the industry to find another cab to take that person. I think there is work to be done, if I can offer some constructive comments, working with the industry to say that if a driver is in that situation, rather than just saying they will not take the fare, they should explain the situation and try to find another cab to

take the person. If another cab cannot be found in a reasonable time the driver takes the fare, and the driver waiting for the changeover needs to understand that all attempts were made to be in on time. This comes back to there being a bit more flexibility in the way the industry operates.

I want to put all those issues on the record, but I accept that it is a complex and difficult area. In terms of the code of conduct, I want to put on the record, that in the draft—I do not doubt the parliamentary secretary but I am looking through the documents for the updated potential code of conduct. Does the parliamentary secretary have a copy? Sorry—penalty points; I have found it now. I just want to clarify what is going to happen. The original list had inappropriate touching or physical contact with a passenger, of which examples were given of stroking a passenger's arm or leg, kissing any part of the body even if done in jest, incurs six demerit points. On the new list, I cannot see those offences listed. I wonder if the parliamentary secretary could give an update on how offences like inappropriate touching will be dealt with.

Hon JIM CHOWN: The member has raised a number of points. Regarding shift changes, the Department of Transport has had a number discussions on the matter and as the member has already stated, the logical outcome of these things, as I have experienced myself on at least one occasion when a driver called another cab or pointed out the next cab stand around the corner or down the street where cabs were lined up, is fairly logical but discussions are underway to ensure that this actually happens as a part of industry practice.

The member read out a number of offensive behaviours for the early list for the code of conduct that could take place inside a taxicab. These have been removed from the penalty points system—this is after discussion with industry—and will be part of a code of conduct and, if proved, these sorts of behaviours will bring about cancellation of a driver's licence.

I am saying that the initial list the member is looking at is now redundant and there have been a number of updates since then.

Hon KEN TRAVERS: I accept that, and I appreciate the parliamentary secretary's comments, but I want to be clear about things such as inappropriate touching, conversations of an inappropriate nature or failing to behave in an orderly manner—forget that points used to be attached to them—including asking a passenger for a kiss, a date or contact details. I note that in one of the drafts of the code of conduct—I think even in the current code of conduct—it says that those behaviours are completely inappropriate, but I want to be clear that if it is found that a driver propositioned a passenger, that driver will have their licence terminated.

Hon JIM CHOWN: What the member is saying is highly likely under the code of conduct; in fact, the Department of Transport has already cancelled T extensions for inappropriate touching of a passenger and propositioning and making suggestive comments to a passenger.

Hon KEN TRAVERS: There may be a newer version, but in one of the drafts the parliamentary secretary provided us of the code of conduct it says at the bottom of the page that if the complaint is upheld and the driver is found to have behaved inappropriately—it lists all those earlier offences—the department will caution behaviour if it is found to be at the lowest end and unintentional. I am not sure how some of the behaviours listed could ever be unintentional. In the main, I do not necessarily disagree with the argument that drivers who behave that way should be taken out of the industry, but I want to understand that if a person is given the benefit of the doubt and not taken out of the industry, so it is found to be at the lowest end of the scale, which is a hard-to-describe area, they would not even incur any demerit points. They could be committing other offences that would incur demerit points but the cumulative impact of their behaviour will not take them out of the industry. I would have thought the government would want to take them out of the industry but if they are not taken out of the industry, even a low-level offence should invoke demerit points so that cumulative bad behaviours lead to them being taken out of the industry.

Hon JIM CHOWN: I am a little confused about what the member is alluding to here. As I said previously, the whole idea of a penalty points system is to try to improve the conduct of taxidriviers. I am not saying that all taxidriviers' conduct needs improving, but, obviously, some in the industry need a little incentive to avoid infringements with regard to certain matters, as stated in the code of conduct. There is no doubt at all about serious criminal offences proved in a court of law. As already stated, DOT has cancelled two extensions for inappropriate comments to female passengers, and they did not go to a court of law, but had been proved.

Hon KEN TRAVERS: I appreciate that. I am making the point that I appreciate that proven wilful inappropriate touching, for example, has been effectively upgraded from a demerit point to effectively a cancellation. I think that is a better approach. I must say that when this issue was leaked to the media, government went into a bit of damage control, even though a clear written document outlined what was being considered. I think there was a bit of public outcry about allowing someone to inappropriately touch. Even under the demerit point system a driver could commit two offences, lose their licence for three months; commit another two offences and lose their licence for six months; and then do another two, before losing their licence for good. Under the demerit

point system I think it is good that someone will go out earlier. It is also worth noting that if the driver is found to have behaved inappropriately at the lowest end of the scale, that still should be able to be recorded so it can be considered as part of the driver's broader behaviour and how we deal with it. The point I was trying to make was that the full gamut of penalties should be available. Ultimately, this is about getting out the bad eggs.

I will talk a little later about drivers being concerned that there seems to be a lot of emphasis on compliance and making sure people are ticking the right boxes rather than seriously trying to weed out the really bad eggs. Although it is important these other matters are dealt with appropriately, we need to get the right balance between what is unacceptable behaviour in the community and encouraging drivers. I do not think we are hugely far apart.

Unless the parliamentary secretary wants to say anything else, I will move on to another point around the code of conduct.

Hon Jim Chown: You go ahead.

Hon KEN TRAVERS: Because we will not formally deal with clause 29, I formally note that I appreciate the changes the government made in the other place to make the code of conduct a disallowable instrument.

I certainly hope there will be a lot of constructive work with industry and taxidriver on the way the code of conduct and demerit point system will work so that it can lead to a better customer experience, and, hopefully, to more people using taxis, which will, in turn, create more work for taxidriver. I think I acknowledged that in the second reading debate. In case I did not, I just want to say that as a result of issues raised by the opposition, we appreciate the government having made the change to the bill to make the code of conduct disallowable. I think my next questions are on clause 33.

Clauses put and passed.

Clauses 30 to 32 put and passed.

Clause 33: Cancellation and disqualification when convicted of offence —

Hon KEN TRAVERS: We have covered this clause a fair bit already, but it is my view that the government should be using the provision that will be outlined. I know that the parliamentary secretary will say that it is subject to further consultation with the industry. However, while we are dealing with clause 33, it is my view that there should be a clearly prescribed set of offences. It is an important part of the bill so that there will be absolutely no doubt in anyone's mind that someone convicted of those offences will not only lose their licence, but also never again be able to have a taxi licence. I believe that is important for certain offences—sexual assault is the obvious one. For anyone convicted of a sexual assault, that is it! It will remove their right to ever be able to drive a taxi again. Some might say that is harsh, but my view is that we cannot take the risk. I have talked to many more people since we last debated the bill. Even though we had a debate about the working with children checks when we were last in the chamber, I have learned that many taxis are used to pick up kids from school on a daily basis. I do not think that we ever found out from the parliamentary secretary about the way the system works. Perhaps the parliamentary secretary can tell us.

Hon Jim Chown: We're not going back to clause 1, are we?

Hon KEN TRAVERS: No, no.

The DEPUTY CHAIR (Hon Liz Behjat): No, we are not!

Hon KEN TRAVERS: No. we are not. I do not know whether the parliamentary secretary is able to tell us whether he found out how many drivers have had the working with children checks, but I suspect it is not many relative to the number of drivers who pick up kids at schools. I have talked to people who work in schools and they tell me that it is not uncommon for taxis to turn up with kids, either dropping them off at school or picking them up and taking them away.

The DEPUTY CHAIR: I am getting déjà vu here!

Hon KEN TRAVERS: No, no.

The idea that we should be prescribing certain offences very clearly—working with children checks went further—is absolutely crucial. I do not know whether the parliamentary secretary wants to make some comments on that.

Hon JIM CHOWN: I thank the member for his input; it is noted. The practical workability of this bill depends on consultation with industry. It is my experience with taxidriver, as I am sure it is with every other member of the chamber, that there are very many good, responsible taxidriver out there in the community, and it is the intention of this bill to improve the industry overall with the help of those drivers.

Progress reported and leave granted to sit again, on motion by Hon Jim Chown (Parliamentary Secretary).