

ROAD TRAFFIC AMENDMENT (ALCOHOL INTERLOCKS AND OTHER MATTERS) BILL 2014

Second Reading

Resumed from 13 May.

MRS M.H. ROBERTS (Midland) [4.37 pm]: I rise to speak on the Road Traffic Amendment (Alcohol Interlocks and Other Matters) Bill 2014. In doing so, I note that it was introduced into the Legislative Assembly and second read in here by the Minister for Police on 2 April 2014. It is a further indication of the lack of priority that this legislation has had from government. Road safety experts were interested in the use of alcohol interlocks for the kinds of purposes outlined in this bill probably in the early 2000s. Around 2005–06, when I was Minister for Police and Emergency Services; Community Safety, I looked at this technology and said that this was the direction in which the government would be going. I did not continue in that portfolio in 2007 or 2008, but subsequent ministers further committed us to adopting alcohol interlock devices as part of a holistic approach to tackling the drink-driving issue in this state.

About 4 000 to 5 000 offences could potentially get caught up in this legislation, where people are either a repeat drink-driver, having been caught for a .05 offence and within a five-year period get caught for another .05 offence or, worse or alternatively, a high-level driving offence—something like dangerous driving causing death or grievous bodily harm committed in circumstances in which the driver was driving under the influence of alcohol and/or drugs or other serious offences in which the driver was under the influence of alcohol and/or drugs.

The gestation period for this has been very long. If we as a state had acted in 2008 or even 2009, we would have been one of the first jurisdictions in Australia to adopt this legislation and lead the way; as it stands now, we are lagging way behind. Just about every other state has adopted one scheme or another for the use of alcohol interlocks for repeat drink-drivers. We are now the tail-end Charlies. Some people might say so what that we are just a bit slower—just a few years behind the other states—but this government is introducing this legislation because it believes it will save lives. This legislation is about dealing with people who drink and then drive, and in so doing put their own lives, and those of other road users, in danger.

There have been many examples over the years of repeat drink-drivers or unlicensed drivers who, under the influence of alcohol, have crashed into other vehicles containing innocent parties who have been driving at the speed limit, on the right side of the road and fully alert, with no particular issues. Those people have become unwitting victims. I can reflect on several cases, some of them involving very young people whose lives, through no fault whatsoever of their own, were snuffed out or significantly affected by injury because of a repeat drink-driver. The rationale behind this legislation is to save people from themselves—that is, the repeat drink-drivers—and we also save other road users; people like us, mums and dads, and people’s children who are out there on the roads, obeying the laws and just going about our business. We are attempting to protect those innocent parties from repeat drink-drivers. Presumably, if this legislation to save lives and prevent serious injury—that is what I expect it will do into the future—had been in place three or four years ago, some number of lives may have been saved. If that were not true, we might as well not be doing this today. The government clearly believes it is true, and I believe it is true. I believe this legislation will save lives and prevent serious injury on our roads. It is just inexplicable that the government has been so tardy on this.

The previous Minister for Police, the member for Hillarys, announced about three years ago that the legislation was imminent. He said that the only real hold-up had been some issues to do with funding and so forth, and now that 100 per cent of speed and red-light camera revenue was going into the area of road safety, there could really be no excuse. I note that the use of alcohol interlock devices is just one of a suite of initiatives proposed by the Road Safety Council to deal with the issue of drink-driving on our roads. I ask the minister with carriage of this legislation to outline the other initiatives to deal with drink-drivers on our roads.

In making the comments that I have and committing to the belief that this legislation will save lives and prevent serious injury on our roads, I note, too, that it is not the panacea. It will not stop everybody from doing the wrong thing. But this kind of legislation acknowledges, and all the road safety experts and people from health agencies advise, that most repeat drink-drivers have a problem with alcohol. Their principal problem is alcoholism; it is not their driving. If they are not drinking, the chances are that they are perfectly safe drivers. To put it in a colloquial context, what happens is that when somebody who is an alcoholic or who has a significant problem with alcohol abuse has a couple of drinks, their defences are down and they do not think as rationally or as sensibly as they might in another circumstance. Potentially, if they have another couple of drinks, they are full of bravado or whatever, and they think they are perfectly safe to drive. Most of us do not do things like drinking and driving out of concern for our own safety, or, if not for our own, for the safety of other road users. When people abuse alcohol or drugs, they suddenly think they are 10-foot tall, invincible and can do no wrong. I do not think a single one of the persons who gets caught for repeat drink-driving or finds themselves involved in

a serious crash as a result of being over the limit actually sets out to maim or injure anyone. I expect most of them are full of remorse after the event. We need to break the nexus between drinking and driving and get people to understand that if they are having a drink, for their own good, the good of their own family, and the good of other road users, they cannot then get into a vehicle and drive. In the past, a drink-driver who may have had a terrible crash previously in which someone had been injured or killed or who may have caused some other mayhem on the road would have had their licence suspended for a year, two years, three years, five years or life, or been put in prison for six months, 12 months, two years, three years—whatever. The thinking here is that we want to engage the person in safe driving behaviour. The principle here is that rather than deny someone the opportunity of driving, they are clearly advised that they can drive providing they do not drink. I will not go into the whole regime of fitting a vehicle with an approved device, as I think it is termed, but it seems to me to be a good one. It has already been implemented in other states of Australia and elsewhere around the world, and we have probably benefited from that knowledge with the system we are employing here.

The checks and balances are in place. If there is not a suitable interlock-fitting place, for want of a better term, within 150 kilometres of someone's usual place of residence, an order for the use of an alcohol interlock device cannot be made. If someone is medically incapable of blowing into the device, again, an order will not be imposed on that person. This is not necessarily about not imposing some of those other penalties, such as the suspension of a driver's licence or jail for a period, if appropriate. At the end of that suspension time, we want to see somebody responsibly eased back into driving. Someone's licence might be suspended for six months. At the end of those six months, an order for an alcohol interlock device might be imposed on them, and they will need to drive with that device in place.

This is a good system. I questioned the minister, the member for Scarborough, last year about when this legislation would be introduced, and she advised me that it would be before the end of last year. I waited and waited and waited, and it did not happen. The member for Girrawheen asked questions of the previous minister, the member for Hillarys, about when this legislation would be introduced, and it was always imminent. When the minister told me in about the middle of last year that it would be introduced by the end of the year, I actually believed her—silly me; it did not eventuate. I was told that the bill would be a priority for the opening of Parliament this year, but that did not eventuate either. We eventually got to see it in April this year, but for whatever reason it was not brought on for debate until October. By my reckoning, from the fourth month to the tenth month of the year, the government has delayed bringing on this important piece of legislation for debate by six months. I do not know why that is. I do not know whether there is a cost to government or why it wants to go slow on this bill, but by going slow it is putting people's lives and safety in jeopardy because if the legislation were in place, we could be saving lives and preventing serious injury here and now.

Whilst I am on the topic of drink-driving, during the matter of public interest today I raised some matters in the report by Peter Browne titled "A Review of Road Safety Governance in Western Australia", which also highlighted drink-driving. The report uses the alcohol interlock device as an example of how the government has been going very slowly and how it could be doing things much better. At the time I referred to page 2 of the report, which states —

The expertise and enthusiasm within the Office of Road Safety was found to be of high order.

It also states —

There is clearly an urgent need for greatly improved Office of Road Safety processes in executing, monitoring, evaluating and acquitting Trust Account-funded projects.

It also states that the location within Main Roads is a major concern, that an overhaul of the road trauma trust fund submission process is needed and that there is a high level of submission rejection at a ministerial level. We have highlighted that ministerial intervention in estimates hearings for two years in a row now. Rather than the experts in the Office of Road Safety or, indeed, the Road Safety Council making choices, we are finding that choices are being made by cabinet, I believe, in a much more political way rather than in a way that would benefit road safety. Recommendation 31 on page 6 of the report specifically mentions alcohol interlock devices, and states —

That it be noted in comparison with some other states, certain proven effective road safety strategies such as alcohol interlocks and point to point speed cameras have not yet been implemented in WA.

As I said previously, Peter Browne is not an enemy of the government; he was the director general of Education when the current Premier was the Minister for Education. The Premier works very well with Peter Browne, who, I might add, is a very able and capable person and who, in this instance, has written a very good report. I also believe he is the brother of Noel Crichton-Browne, who is very clearly linked with the Liberal Party. I say that not because I am critical of him in any way; I say it because this is what the government's friends are saying about it. Peter Browne has not shied away from this matter, and if he did, he would not have earned the money

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that he earned for doing this report because he would not be honestly evaluating what has happened with road safety in this state.

Quite clearly Peter Browne has put his name to recommendation 31 of the report, which is that alcohol interlocks, as he refers to them, are a proven and effective road safety strategy. That gets back to my earlier point that they are proven and effective devices for saving lives and preventing injury on our roads. The government should be ashamed of its tardiness in acting in this area. People can try to score political points and say that we could have done this in 2006 or another minister could have done that in 2007 or 2008, but it was new and cutting-edge technology back then and no-one else in Australia had done it. I was keen to lead the way and for our government to lead the way when the former member for Balcatta was the Minister for Police and Emergency Services. We certainly have not been silent on this topic. Every year that we have sat on the opposition benches we have raised the matter of alcohol interlocks and encouraged the government to bring the legislation forward. It is too late now for a government that has been in office for over six years to say, when asked why it did not do it, that it has been in office for only six years. Six years is more than long enough. In those six long years, the government has had every opportunity to act by putting this legislation in place. If it had acted, it would have not only saved lives, but also prevented people from becoming seriously injured on our roads. Sadly, road safety is not a priority for this government. As I said earlier today, the government has really just put forward a couple of glib lines on road safety. One of them is, "We're committed to road safety because we now put 100 per cent of the revenue raised from speed and red-light cameras into the road trauma trust fund." It then gets stuck into the opposition by saying that our government put only one-third of that revenue into the road trauma trust fund. As I have explained in this house ad nauseam, that is not comparing apples with apples. The government has broadened the nature of the road trauma trust fund. It used to be called "an account" and this government has allowed 100 per cent of the money in that account to be spent on a much wider variety of things than were permitted under the previous legislation. Also, for the first time, there is political oversight of the process; cabinet decides who gets the money and who does not. On page 2 of his report, Peter Browne highlights—I was going to say a high degree of "ministerial interference", but I think he might have used a slightly more polite term—that there is a high level of submission rejection at the ministerial level.

What is spelt out, of course, is that there is submission rejection. Basically, Road Safety Council submissions for the expenditure of money on certain programs are put forward by people based on the solid advice and expertise of representatives of the Office of Road Safety. Recommendations to spend the money are made on the basis that it will save lives and prevent serious injury, but the proposals are rejected by the Premier and his ministers at cabinet level. They have intervened, despite the fact that the Road Safety Council has been studying certain matters for which its representatives have received expert advice from the Office of Road Safety and others. That intervention occurs despite the long evaluation process to work out what would be the most strategic spend of money to save the most number of lives and prevent the most amount of injury on our roads. Despite all that, the report states there is a high level of rejection. Many of the things on which the Road Safety Council proposes to spend the road safety money are rejected by cabinet. These are not my words and it is not me making it up; that is the conclusion of the independent report that the government commissioned.

Not many members of the opposition will speak on the alcohol interlock legislation brought forward today, but I will certainly take this opportunity to raise those matters connected to road safety that are of concern to me, and I certainly intend to use my full time to go through the state of road safety in this state. The fact of the matter is that, as part of that political interference in the process, cabinet not only decided that it knows better and that the recommendations of the independent Road Safety Council are not to its liking and has rejected them, but also found another range of projects that money from the road safety trust fund should be spent on. Despite the fact that the Road Safety Council may not even have evaluated a program or made a recommendation on something, the government has just come in over the top and said it will fund A, B or C out of the road trauma trust fund because it feels like it. Alternatively, it has funded projects or submissions when the Road Safety Council has evaluated and rejected them. The Road Safety Council, with all its expert advice, has said that it does not think these projects give the best bang for the buck or, in some circumstances, it is not proper or appropriate for money from the road trauma trust fund to be expended on those projects at all. There is a full variety there. The Road Safety Council does not think some of the projects rate as highly as other projects or submissions it has assessed or, in other circumstances, the council does not see that expenditure from the road trauma trust fund as appropriate or proper, but it does not get the final say; cabinet has the final say. There is therefore direct political interference from the Premier and ministers with a vested interest such as the minister with responsibility for Main Roads and the minister with responsibility for police. They are the submitting agencies.

Mr Browne provided quite a comprehensive report of nearly 80 pages, which follows a couple of Auditor General's reports. Mr Browne certainly questions the road trauma trust fund expenditure. He also criticises the lack of accountability and openness for how the fund is administered. He made reference in his report to the fact that in working out what the Road Safety Council proposed and what cabinet agreed to fund,

the best we have been able to get in the last couple of years is a single page, which I note was provided to us on an A3 page in the estimates process this year. Last year, from memory, it was on a little A4 page. We can see that it is way too light on detail. The cases are not made out. It is not on the Office of Road Safety's website. We do not know and the public do not know what the full proposals were, what their merits were or any of that. All we have is one A3 page that lists the expenditure. On that page we can see why Peter Browne has reached some of his conclusions. For example, under "Business Case 1: Metropolitan Intersection Crashes", there is reference to some page numbers of a document that the minister has not provided to anyone that I am aware of. It refers to page 7, project number 21108113 with the item "Metropolitan Intersection Crashes—State and Local Roads". The submitting agency is MRWA and the cabinet-approved budget is \$12 025 000 in 2013–14. The Road Safety Council recommended budget for that item for 2014–15 is \$8 million. The cabinet-approved budget for 2014–15 is \$20 million. The Road Safety Council thought that \$8 million should be allocated to Main Roads WA for that purpose, but cabinet came in over the top and gave MRWA \$20 million—150 per cent more than the Road Safety Council recommended. We have to ask: why is that? My answer is that it was probably to plug a hole in the Main Roads' budget because it was expenditure that would have been in its regular budget. It is money that in other circumstances would have been provided from consolidated revenue but has been pinched out of the road trauma trust fund. In that circumstance, cabinet came in over the top and rather than giving \$8 million as recommended, it decided to give \$20 million.

I refer now to business case 2, project 21108115, with reference to page 10 of a document we are apparently not entitled to see. The submitting agency, again, is MRWA. In 2013–14 it had a cabinet-approved budget of \$31 167 844. What did the Road Safety Council recommend for 2014–15? It recommended a massive increase of \$91 million be spent under the heading "Business Case 2: Run off Crashes on Regional Roads" for the item "Regional and Remote Road Improvements—State and Local Roads". The Road Safety Council obviously believed that the submission from Main Roads WA was compelling and that \$91 million would be well spent. What was the approved budget from cabinet? I will tell members; it was \$35 330 000. No doubt at some point the government has done a big media release and invited everyone along and said, "Aren't we great chaps? We've given \$35 million to state and local roads for regional and remote road improvements because we are really serious about run-off-road crashes on regional roads." The fact of the matter is that the government is not serious enough. If it were really serious, it would have taken the Road Safety Council's advice and allocated \$91 million for that purpose.

I have some figures here on some of the factors that contribute to fatalities on our roads. Sadly, I cannot find that document as I am speaking, but the document basically indicates that a disproportionate number of people are being killed on country roads, both regional and, more particularly, remote roads, because of run-off-road crashes. I do not have the document to hand, but only about 18 per cent of run-off-road crashes occur in the metropolitan area. A greater percentage occurs generally in regional areas—but there is a very large number of run-off-road crashes in remote areas. I have managed to find my document. The source for this document I am referring to is the 2013 Office of Road Safety crash statistics. I have printed the page and circled a couple of items. It is headed "Run off roads are the single greatest cause of crashes in country WA". Along from the item "Run-off-road" the figures for the metropolitan area, as I said, are 774 or 18 per cent. In rural areas they are 1 349 or 39 per cent and in remote areas, 860 or 62 per cent. Run-off-road crashes constitute 18 per cent of metropolitan crashes, 39 per cent of rural crashes and 62 per cent of remote crashes. They are the stand-out figures. Eight per cent of rural crashes and five per cent of remote crashes are head-on accidents. Twenty-six per cent of crashes in remote areas and 23 per cent of crashes in rural areas are other crash types. When we look through all these categories, we see that the two stand-out figures are the percentage of run-off-road crashes in rural and remote areas. They cannot work out the percentages for things such as fatigue or distraction and there are no figures for drug-driving.

Let us look at drink-driving. Drink-driving is a factor in 10 per cent of crashes in the metropolitan area, 10 per cent in rural areas, and 16 per cent in remote areas. Non-restraint use—not wearing a seatbelt—is a factor in five per cent of crashes in the metropolitan area; eight per cent in rural; and 26 per cent in remote. That is a big figure for remote areas, and we know the non-wearing of restraints in remote areas is a major problem. However, the two figures that leap off this page concern run-off-road crashes in country WA. Thirty-nine per cent of crashes in rural areas and 62 per cent in remote areas are run-off-road crashes.

If we want to deal with our huge and increasing rate of deaths on our roads, we need to deal with deaths on country roads in particular. This year we are 12 deaths up on the same time last year as of Monday night. I understand that there has been another death since then, but I do not know how that fits in with the comparison. These figures are correct as of midnight on either Sunday or Monday when I looked them up. They have a cut-off point on the computer with the police page at that time. Of the 12 deaths that are over and above the rate of fatalities on our roads this time last year, 10 are in country areas. We know that in country areas a major factor in deaths on our roads is run-off-road crashes. It does not surprise me, even though I have not seen the whole

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business case. Main Roads obviously made an excellent submission to the Road Safety Council—so much so that Main Roads said this is a big factor. Obviously, it is aware of the statistics for run-off-road crashes in not only remote but also rural areas. It recommends spending \$91 million on that. If we want to save lives on our roads, that is what we should do. According to this document, state cabinet says no, it can have only \$35 million. This is the whole story as one goes through this document. There are different categories and six business case headings, and as we look through them, we can see more significant disparities.

This bill deals with alcohol interlocks and drink-driving and drug-driving. Obviously, as testing becomes more appropriate for drug-driving, some adaptation will be able to be made. I will deal with a Western Australia Police submitting agency item under business case 3, “Impaired Driving Crashes”. Impaired driving is generally a reference to alcohol or drugs. At page 18, project number 21108133, there is a line item “Increase Breath and Drug Testing” submitted by Western Australia Police. It managed to get \$3 821 000 in 2013–14. For the 2014–15 budget, the Road Safety Council recommended nearly \$12 million; it recommended \$11 994 416. That is a significant amount of money—nearly \$12 million to increase breath and drug testing. It stands to reason that if we want this legislation for alcohol interlocks to work, we need an increased regime of, at the very least, drink-driver testing. Now that we know the issues with which we are dealing, it also makes sense to breath test and also drug test when appropriate at the same time. If a police officer believes someone to be under the influence of a substance and it turns out that their blood alcohol reading is non-existent or low, it makes sense to drug test that person and deal with that issue. Again, I can only guess because we are not allowed to see the cabinet submissions; the government keeps them secret. WA Police obviously made an excellent submission on that topic. That would not surprise me because we know that drink-driving and drug-driving are significant drivers in deaths and serious injuries on our roads. WA Police made a case that was clearly strong enough for the Road Safety Council, advised by the experts again, to spend nearly \$12 million of the money from speed and red-light cameras on breath and drug testing. How much did cabinet decide to approve? It is entirely arbitrary. We look at these figures and wonder how cabinet got this figure.

Cabinet said that WA Police could not have \$11 994 416; it can have only \$4 621 211—well under half, just over a third, of the funding requested. There is no shortage of money in the road trauma trust fund. Let us not think the government is trying to balance the books because maybe it will not get enough speed and red-light camera revenue to spend it all. At the end of the last financial year the government was sitting on a nest egg of around \$70 million. What is it planning on doing this year? It intends to increase the size of that nest egg, which is listed in the budget papers on page 822 under “Commissioner of Main Roads: Restricted cash”. The government intends to increase that gradually over the next two or three or four years to have \$250 million sitting there unspent. That can be changed as new budgets come down, but judging by the government’s behaviour over the past couple of years, it is hard to see that happening.

I have highlighted two issues that anyone with any expertise or anyone who has done any reading about the factors driving our awful road toll in Western Australia would see the logic of—the run-off-road crashes in the country and an increase in breath and drug testing. I would have thought an increase in breath and drug testing would be a no-brainer. The Road Safety Council recommended \$12 million, but \$4.6 million was all that was approved by the government.

I have raised this issue previously, but it is again topical because of the comments that Hon Peter Collier made on ABC news last night. Let us jump down to business case 4 because I really do not have time to go through all these anomalies in the way the money has been allocated. Under business case 4 is a reference to page 23, item 21108117, “Electronic School Zone Sign Project”. That is a Main Roads WA submission. The previous year it had \$2.5 million. The Road Safety Council recommended another \$2.5 million for that purpose. What did the cabinet process give Main Roads WA? It gave Main Roads \$12 million, which is about five times as much money as was recommended by the Road Safety Council. Maybe there is a good case or reason for it, but I do not want to hear any minister opposite saying, “Well, we think they are really good. They have done them in other places. People like them. Are you saying you do not want them in your electorate?” No, I am not, but let us have a bit of science and accountability here.

I want to know how these decisions are being made. Guess what? Peter Browne wants to know too how the decisions are being made. There needs to be some transparency and accountability as to why these changes have been made and why that figure was hit upon. Until there is, I will stand in this place thinking that this is just politics. The minister did not like it when I said that the government clearly sees this road safety issue as an opportunity to run around to lots of schools in the metropolitan area and in country regions getting photos with the local members in local papers and saying, “What good chaps are we? Here is a lovely little smiling photo of us with some kiddies and some new school-light zones.” The government has been getting plaudits for rolling them out. Yet here is what we get from Hon Peter Collier: he went on television last night and said that there has been a massive increase in the number of kids injured in school zones and that apparently naughty people are

continuing to speed through school zones. If that is the case, perhaps some evaluation needs to be made of this issue. That is the conclusion Peter Browne came to. It is the conclusion that any reasonable person would come to if they could see what was going on with the road trauma trust fund: there is no integrity in how it is administered, no openness and no accountability; and there is a failure to evaluate the programs properly. Yet we are told that the Office of Road Safety has significant expertise and enthusiasm and so forth, so I can only assume that in the early part of the process it was doing a good job. There may be some argument about the use of the word “independently”, so I will say that it is perhaps looking objectively at the submissions before it. In fact I do not think I can even say that, because Peter Browne also referred to all the vested interests around the table and recommended a total restructure. So there are even vested interests there.

However, for whatever those reasons are, I am going to say that the people sitting around the table are motivated to get the best outcome, are committed towards a zero road toll objective and have recommended in good faith projects that they believe will give us the most bang for our buck and reduce our fatality and serious injury rate. That is what happens in some other states of Australia, and the road toll has been driven down remarkably in those states. States such as New South Wales and Victoria, which were the worst in the nation 20 years ago, are now the best. New South Wales and Victoria have now become the model states when it comes to road safety. There are always people ready to make excuses. I have heard excuses such as, “We’ve got more roads than anywhere. We’ve got more remote areas. We’ve got more Indigenous people who have problems with alcohol” or whatever. The fact is that back in the 1990s we had the second-best rate in the nation. Yes, 2007 and 2008 were not good years, but for the previous five or six years we were at least at or below the national average for fatalities and serious injuries.

However we have this debacle of a system and a shambolic way of running road safety. I do not blame the acting minister because he is doing just that—acting. He has other portfolios for which he has been responsible for a long period now. I therefore do not blame him. But I do blame the Premier, because the Premier has made a complete botch of this. He has not shown any interest in road safety. He does not understand it. He just blithely goes out to the community and says, “We put all the money from speed and red-light cameras into the road trauma trust fund. Everything is spent on road safety now.” That is just rubbish! It is not happening. Some sits in the account and the rest of it is divvied out in some arbitrary way and in many cases props up the regular budgets of mainstream agencies. Again, that is not just an assertion from me; a lot of people know that is the case and Peter Browne also alludes to it in his report.

People wonder why we are getting such a poor result on road safety. Members will see a lot of merit in the recommendations in the report. I do not expect that they will be implemented holus-bolus, but I do note that recommendation 31 has a very clear example of two areas on which the government has sat on its hands. One is alcohol interlocks, the legislation before us right now, and the other is the point-to-point speed cameras that have not been implemented in WA. Just on that point, many people believe that the system of point-to-point speed cameras is a fairer system. People are often concerned about getting booked for speeding. If they have overtaken a vehicle, or a circumstance has caused them to go a fraction over the limit for a short period, or they have had an upsetting event or a distraction for a minute or two that meant they were 10 or 15 kilometres over the speed limit, but for the rest of the drive they were at or under the speed limit, they do not get caught out by point-to-point cameras. The point-to-point cameras in other states have collected some interesting data. When a vehicle starts at one point and gets to another more distant point in an incredibly short period, they know that someone has driven well above the speed limit for a sustained period.

While I am on the topic of crashes and on looking through the data that Peter Browne has provided in his report, I can see that, although we are aspiring to at least reach a level at or below the Australian average, the Australian record on road safety compares less than favourably with that of other developed countries in the world. It is not as though the Australian average is where we should be aiming for. Without going through the rest of the examples in the report, I have noted some references to country roads as the biggest problem area of the state and an area on which the government has not focused enough attention. One of the many issues is the lack of a proper police presence on the roads and the inability to breath-test a lot of people in rural and remote areas. This means that the road fatality rate in regional WA is incredibly higher than elsewhere. The rate of fatalities in regional WA is 21 per 100 000 people—that is, about four times the national average. Compare that with Thailand at 19.6 and Uganda at 24.7. That is the record.

The National Party should have a look at this report. Regional WA is where the National Party sits in terms of road safety. It is a scandalous record. The Premier is really concerned about people being taken by sharks. He should be a little more concerned about people dying on country roads in this state. I am holding up to show members a picture of people in Thailand—all on motor bikes and not wearing helmets. Members may think it is a shambles in terms of road safety. Uganda does not even have sealed roads, has no markings on the roads—nothing—and it stands at 24.7. Regional WA stands at 21 per 100 000. That is where we are at; that is the reality.

Mrs Michelle Roberts; Ms Margaret Quirk; Mr David Templeman; Mr Bill Johnston; Mr Ben Wyatt; Mr Paul Papalia; Mr Roger Cook; Mr Chris Tallentire; Mr John Day

If the Premier wants a real problem to go after, he should go after that one—21 people per 100 000 dying on our roads. It is just scandalous and we need to do something about it. We know that a disproportionate number of people are killed on our country roads, and we know that it is getting worse. Ten more people have been killed on our country roads this year than was the case at the same time last year. It is getting worse, so despite the government claiming to be doing things and that things are getting better, guess what? They are not. The government has done precious little in the road safety space over the last couple of years. To the extent that it has done anything, I commend it for at long last commissioning Peter Browne to do his report, and hopefully it will act on that report. But again, it is a bit like the alcohol interlock legislation that was second read in this place in April and was not brought on for debate until June; this report was commenced in July last year and has the date March 2014 on the cover, so I assume that that is when Peter Browne actually submitted it to the government. The government sat on it for three or four months before releasing it publicly. It obviously got the report, looked at it, and thought, “This is bad news; this is a real problem, because we’re siphoning off all this money from speed and red-light cameras and we’re propping up the police and Main Roads budgets and squirrelling some away as restricted cash into the Commissioner of Main Roads’ account, as a counterbalance to growing state debt.” If the government is going to implement this report or do anything appropriate with it, it has to stop those practices. It has to stop political interference and secrecy about what is happening. Why is it that one project gets funding and another does not? Why is it that projects that the Road Safety Council says should be funded are not, and projects that it says should not be funded are funded? Why is it that projects that it says should be funded for a lot of money are funded for very little money, and projects that it says should be funded for very little money are being funded for a whole lot of money? I see the Acting Minister for Road Safety shaking his head; I think it is a scandal and I think it is wrong.

I have had an interest in road safety since day one in this place, and in both government and opposition I have probably spent more time than just about anyone covering the portfolio of road safety. I listened very intently during my early years in Parliament—20 years ago, the same as the acting minister—and at that time different people in this place raised issues to do with road safety. There was, in fact, a Select Committee on Road Safety —

Mr J.H.D. Day: Of which I was a member.

Mrs M.H. ROBERTS: Yes, of which the Acting Minister for Road Safety was a member, Diana Warnock was a member and, I think, Kevin Leahy might have been a member—no? Ross Ainsworth? Yes? There were a number of people, and I listened very intently to the reports of that committee. One of the reasons we had this select committee or standing committee —

Mr J.H.D. Day: It was a select committee, but it went for most of that term of Parliament.

Mrs M.H. ROBERTS: That is right; it went on for years. It just kept getting rolled over, and it would look at different issues from time to time, such as trucks and heavy traffic on roads. Obviously the minister would know better than I do what it looked at, but there would be a report from time to time on some aspect of road safety, and the one consistent thing that all members of the committee reflected on, no matter what party they came from, was the importance of having a bipartisan approach that was beyond politics. That does not mean that we cannot criticise the government of the day if it is doing the wrong thing; I am not going to have my opinion silenced about what a scandalous situation I think we are in. Yes, more money than ever before is going into a fund from speed and red-light cameras, but it is not being spent in an open, transparent and accountable way. When I say it should be beyond politics, I think everyone in this place would want that money to be spent in an accountable way. When I was Minister for Police I thought we had agreed that that would happen well into the future, but apparently when I ceased to be Minister for Police, the reports ceased to be tabled. Because of criticism about the then government spending only one-third of the allotted money on road safety, for the last couple of years I was Minister for Police I tabled, on a couple of occasions, an account of all moneys spent on road safety. I listed the \$15 million or so—I think it grew to be \$18 million at one point—that was spent out of the road trauma trust account as it was then. I also listed the \$15 million or \$20 million accident blackspot money and a whole range of Main Roads projects, such as rumble strips on country roads. To the best of my knowledge, that program was initiated when a former member for Armadale was the Minister for Planning and Infrastructure. Putting rumble strips down the sides of country roads is a clear road safety initiative, and well and truly fits within the criteria. There was a whole range of things.

My recollection is that we came up with a figure of well over \$80 million, but I did not list any police wages. I did not say, “Well, let’s take a percentage of how many police officers might be out there breathalysing and doing things”, and at that stage the purchase of cameras and a whole range of other things were paid for out of the police budget. I think that many of those things are appropriately purchased out of the road trauma trust fund; I am not saying they are not, but there needs to be some openness and transparency here. We need a commitment and we need someone in government driving the issue of road safety so that bills such as the Road Traffic

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Amendment (Alcohol Interlocks and Other Matters) Bill 2014 do not take years to be introduced and do not sit on the notice paper for months. I only hope that the government will speed up its progress; the opposition certainly will not delay progress in this house, and I hope it has a speedy passage through the upper house.

MS M.M. QUIRK (Girrawheen) [5.37 pm]: We all know that drinking kills driving skills. We also know that alcohol is responsible for more than 30 per cent of motor vehicle road deaths in Western Australia. With a blood alcohol concentration of .05, the risk of being involved in a crash doubles; with a BAC of .08, the risk increases sevenfold; and a BAC of .15 results in a twenty-five fold increase in the risk of a crash.

In WA each year approximately 7 500 drink-drivers are repeat drink-drivers, representing around 30 per cent of all drink-drivers in the state. The majority are male and under 25 years of age. The relative risk of crash involvement for repeat drink-drivers is 2.3 times greater than that of drivers without a recorded drink-driving offence. The opposition therefore welcomes this legislation; however, as the lead speaker, the member for Midland said, it is inexplicable as to why there has been such a delay in introducing it.

Qualitative research conducted at Curtin University by Lenton, Featherston and Cercarelli looked at 40 repeat drink-drivers. The findings were published in an article in the journal *Accident Analysis & Prevention* in 2010. The researchers looked at recidivist drink-drivers' self-reported reasons for driving whilst unlicensed and found that whilst licence sanctions were an effective countermeasure for most drink-drivers, there was a small group of repeat drink-drivers who were less responsive to licence sanctions. Having interviewed this cohort, they found that many drink-drivers chose to drive while unlicensed as the probability of detection is low and the social and economic costs of not driving can be high. The study concluded that this undermines other drink-driving measures. Likewise, in 2011 the parliamentary Education and Health Standing Committee's report "Alcohol: Reducing the Harm and Curbing the Culture of Excess" made the following recommendation 22 —

The Minister for Police make a matter of extreme urgency the introduction of car alcohol ignition interlock devices to stop people with a high blood alcohol concentration from driving, especially drink-driving offenders.

In 2011, the National Road Safety Strategy 2011–20 stated —

Alcohol interlock programs have had some success in changing the behaviour of serious offenders.

It did, however, recommend the following modifications, improvements or refinements of alcohol interlock systems —

- a. Extend the application of alcohol interlocks to cover a wider segment of drink driving offenders.
- b. Undertake research on options to extend alcohol interlock applications to other high-risk road user groups and potentially to the broader driver population.
- c. Encourage voluntary use of alcohol interlocks by corporate fleets and other drivers.
- d. Investigate the option of requiring demonstrated rehabilitation from alcohol-dependence before removal of interlock conditions.

These recommendations or refinements in the National Road Safety Strategy are informed by the experience in other jurisdictions in which alcohol interlock provisions have been in use for some time. As I said in the context of the parliamentary committee recommendation, finding 18 of that committee stated —

It is nearly a decade since the Road Safety Council repeat drink driver strategy recommended the introduction of car alcohol ignition interlock devices to stop people with a high blood alcohol concentration, especially repeat drink-driving offenders, from driving. This proposal has been supported by all State Governments since, but remains to be introduced.

Certainly, that is the first observation I make—that the merits of alcohol interlocks are well known and they have been tested in a number of jurisdictions but introduction here has moved with glacial speed.

Alcohol interlocks have also been successful in the United States. The report of the National Transportation Safety Board, "Reaching Zero: Actions to Eliminate Alcohol-Impaired Driving", reported on the success of interlocks in a number of states. Again, like our National Road Safety Strategy, it recommended a number of improvements. These are things that we should be mindful of when there is any evaluation legislation and we might like to refine and improve what the bill seeks to introduce. To improve offender compliance and program success, the report advocated the following practices —

- Present the interlock as an alternative to a more restrictive penalty, such as house arrest or transdermal monitoring;

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I will talk a bit about that later.

- Provide financial assistance to individuals who cannot afford interlocks using fees from other offenders, arrangements with interlock providers, or alcohol tax revenues;
- Document interlock status on driver's licenses so the information will be available to law enforcement officers during traffic stops;
- Establish a protocol for interlock-equipped vehicle usage; for example, track odometer readings or the number of BAC tests per month to ensure that the equipped vehicle is being used;
- Penalize drivers who are caught using non-interlocked vehicles with sanctions that are equal to or greater than those associated with driving-after-suspension/revocation charges;
- Establish an offender-monitoring program, with preestablished consequences for skipped or failed tests; and
- Set criteria for interlock removal based on a period of alcohol-free driving.

I think we all acknowledge that interlocks will not suit all situations and the most determined of individuals may borrow another car and continue to drive when under the influence. It is certainly my view and I think that of the opposition that the interlock option should not be the be-all and end-all of the repeat drink-driving strategy; there should be a suite of options and alternatives. Although we acknowledge the efficacy of interlocks, they need to be applied to suit particular circumstances.

I want to talk about some of the other measures that have been used elsewhere to emphasise the point that alcohol interlocks should be one of a range of measures that can be deployed. One of the most radical ones that I have been lucky to observe was the 24/7 sobriety program in South Dakota. I visited South Dakota a few years ago specifically to look at this program. It requires offenders to submit to breathalyser tests twice daily or wear a transdermal alcohol bracelet if they are not near a testing facility. They usually submit themselves to the test first thing in the morning on their way to work and then on their way home. Those who test positive are immediately brought back to court. While they are waiting to go to court, they are placed in jail for a day or two. Since 2005, more than 18 000 individuals participated in 24/7. Others have to submit to urine analysis to ensure sobriety from illegal drugs. As I said, those who are remote from the testing facility will use a transdermal device, which I will talk about in a minute. The information from that device is downloaded once a week when those persons are called in for the very purpose of downloading information on their alcohol consumption over the previous week.

The sobriety project is managed effectively by the courts for repeat drink-driving offenders. It has been adopted in a number of other states in the United States. The standard under this program is that an offender must not use alcohol or illegal drugs as a condition of continuing to drive and remaining in the community—the alternative being incarceration. As I said, it is enforced by intensive monitoring twice daily by law enforcement agencies. Violation of this program's rules means immediate and very swift consequences. This combination of strict monitoring and no use of alcohol, with swift, certain and meaningful consequences, has been extremely successful. The program has reduced recidivism, improved public safety, served as an alternative to imprisonment, which reduces the number of people in jails, allows offenders to remain in the community with their family and friends, allows them to remain in employment and saves tax dollars because most of the monitoring costs are met by the offenders themselves, so the government does not pay a substantial amount to keep people in prisons for the day. More than 1.5 million tests have been administered to almost 11 000 defendants. A clean test is eventuated 99.6 per cent of the time. For the transdermal bracelet wearers, over 93 per cent of those monitored comply. Another 13 per cent of the participants attempted to tamper with the device, and that was treated with as much importance as the drinking and handled with a swift and certain response.

As I said, South Dakota is saving millions of dollars every year in incarceration costs, and the program has helped reduce the daily prison population by 100 people in each of the state's two largest prisons. The roadways in South Dakota are also much safer; at the time the program was introduced, South Dakota had one of the highest driving-under-the-influence rates in the nation, and nearly three-quarters of those involved in fatal crashes had a blood alcohol content of .15 or higher. Since the program's introduction, South Dakota's driving-under-the-influence offences have declined by a staggering 33 per cent, compared with a countrywide decline in the United States in that same period of four per cent. Interestingly enough, the South Dakota Attorney General's office found that offenders placed for at least 30 consecutive days on the 24/7 program are 50 per cent less likely to commit another driving-under-the-influence offence.

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As I said, what I noticed about the test, having sat in on people coming in and getting their blood alcohol measured, is that it was quite respectful of offenders. Each morning at the breath-test station dozens of people convicted of DUI came in, blew their breath-test and then moved along, each taking no more than a minute or so. The staff members were friendly, calling the people getting tested by name and wishing each of them a pleasant day. The building they had to go to for the test was low-key. There were no uniformed officers, cell bars or guns visible, and those offenders who might have had an aversion to law enforcement would not have been deterred by the setting. I think there was also a degree of camaraderie amongst the offenders. There were no antagonistic interactions that I observed or degradation of people, which is common, I think, in other correctional contexts.

The program has been evaluated by the RAND Corporation, which is a highly respected policy think tank. Its justice division in Santa Monica, California, specifically studied this program, and produced a fact sheet entitled “An Innovative Way to Curb Problem Drinking: South Dakota’s 24/7 Sobriety Project”. The RAND Corporation found that —

- 24/7 reduced repeat DUI arrests at the county level by 12 per cent.
- 24/7 reduced arrests for domestic violence at the county level by 9 per cent.

The evidence in relation to traffic crashes was a little less clear, but I think they are impressive figures, and it is obviously a radical program that may be appropriate for some offenders in the context of a suite of other measures. In the report of the Education and Health Standing Committee inquiry I referred to earlier, an observation made was that Magistrate Hamilton in regional Western Australia had undertaken an informal version of this program by requiring offenders to report daily at the local police station to be breathalysed.

I mentioned transdermal bracelets, one brand of which is called SCRAM—that is, secure continuous remote alcohol monitoring. They are placed on the wrist of an offender convicted of domestic violence or driving under the influence, and it is a typical condition of sentencing or probation that the offender must stop drinking for a particular period of time.

[Member’s time extended.]

Ms M.M. QUIRK: To enforce that condition, courts have previously relied on random breath testing, which tends to be a bit specific to a point of time. The bracelets measure alcohol content through the skin through the concentration of perspiration. About half an hour after alcohol is consumed, it shows up on the transdermal bracelet. It cannot give an exact blood alcohol reading, but it can certainly evidence that someone has drunk alcohol, whether a little, large or moderate amount. That means within a short amount of time it can be proved whether an offender has broken a condition or not. Some members would be aware that minor celebrity–starlet Lindsay Lohan had a SCRAM device put on her as part of, I think, bail conditions. As I said, as part of the court-mandated program, this might be another assurance, especially in the case of drink-drivers who are minded to get into another vehicle. I have mentioned these alternatives, because I think despite the anti-avoidance provisions in the Road Traffic Amendment (Alcohol Interlocks and Other Matters) Bill 2014, we cannot put all our eggs in one basket. The other options may well, down the track, provide a better option in cases when there is a risk that the offender will try to use another vehicle.

Finally, I want to talk about some other technologies that are certainly in the wind. We have been talking about these interlocks having been on the agenda for such a long period, and we are now at the stage that other technology has almost caught up and the interlocks will almost be anachronistic. During the same trip as my visit to South Dakota, I was fortunate enough to be given a briefing by the National Highway Traffic Safety Administration, based in Washington DC. It advised that as a result of lobbying by a group called Mothers Against Drunk Driving, the US federal government entered into a partnership with the motor vehicle industry to fund research into a car that will automatically detect the presence of alcohol on a driver without having to fit an interlock; a similar project is being undertaken in Sweden. It is anticipated that the vehicle will be on the road and rolled out within a decade. The National Transport Safety board noted these developments in its report at pages 30 to 31, which read —

Although interlocks traditionally have been used as a means of sanction for DWI offenders, they are increasingly being employed by others who recognize their benefits. For example, in Finland, Sweden, and France, interlocks are required on school buses, and in some European countries, commercial transport operators have installed them voluntarily ... Several highway vehicle manufacturers have developed interlock systems ... and one manufacturer currently offers a wireless interlock system as an optional accessory for its passenger vehicles (Volvo 2013). Additionally, NHTSA is sponsoring research —

The research I have referred to —

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to examine the feasibility of an interlock program for teenage drivers. The NTSB supports this research and similar efforts to encourage voluntary use of interlocks, especially by high-risk drivers, such as teenage drivers and drivers with alcohol use problems, and by drivers whose impairment could result in particularly high numbers of deaths and injuries, such as commercial drivers.

Researchers and automobile manufacturers recognize that, to be acceptable to the broader driving public and encourage voluntary use, in-vehicle alcohol detection technologies must be unobtrusive, valid, reliable, and durable; must require only minimal maintenance; and must not interfere with the driving task ... In February 2008, a group of motor vehicle manufacturers affiliated with ACTS entered into a 5-year cooperative agreement with NHTSA to explore the feasibility, potential benefits, and public policy challenges associated with widespread use of in-vehicle technology for preventing alcohol-impaired driving. A promising technology, DADSS —

That is, Driver Alcohol Detection System for Safety —

is being developed under this agreement.

The DADSS program has resulted in two working prototypes that allow for the passive measurement of driver BAC. One system is touch-based and uses tissue spectroscopy to estimate driver BAC from the skin's infrared light absorption; the other system uses multiple sensors inside the vehicle to estimate BAC through the driver's exhaled breath. By mid-2013, the technologies are expected to be installed in demonstration vehicles for use in continued research and evaluation.

Sitting suspended from 6.00 to 7.00 pm

Ms M.M. QUIRK: Before I recommence, I note the state of the house.

[Quorum formed.]

Ms M.M. QUIRK: I am glad to see that the government cares so much about drink-driving that it is leaving four members in here to participate in this debate. It is disgusting.

Before the break, I was talking about the fact that the technology we are debating tonight will almost be obsolete by the time it is implemented and that is because of major developments in motor vehicle technology. There is a project currently going on, which, as I said, is called the Driver Alcohol Detection System for Safety. It will solve a lot of the issues with detecting whether people are driving under the influence of alcohol. Earlier, I was quoting from the United States National Transportation Safety Board safety report discussing this new DADSS program. It states —

For this program to be successful, it must not only address the myriad technical and engineering challenges posed by system development but also issues of usability, driver education, and public acceptance. In its 2012 report on wrong-way driving, the NTSB concluded that the DADSS program is working to solve both technical and practical challenges to make it an acceptable detection system for widespread implementation in the US vehicle fleet.

I certainly hope that will be the case here before much longer.

To conclude, no discussion of drink-driving, of course, is complete without acknowledging the awful and heartbreaking toll it takes on the families of those killed by a drink-driver. I want to recognise advocacy groups such as Mothers Against Drunk Driving in the United States. I recommend that members look at its website and the various activities the organisation is involved in. It has been instrumental in lobbying a number of American states to introduce interlock legislation. Also here in Western Australia there is Enough is Enough WA, which is a very vocal group that advocates for measures to curtail drink-driving and also sends out the message to the broader community that drink-driving is unacceptable and the cause of cruel and wanton loss of innocent lives.

MR D.A. TEMPLEMAN (Mandurah) [7.05 pm]: I would like to acknowledge the Royal Agricultural Society of Western Australia and the function being held tonight at Parliament celebrating Western Australian produce. It is a great opportunity for members of Parliament to join with the producers and distributors to celebrate the food this state is able to produce through our agricultural enterprises.

It is also important to acknowledge the Road Traffic Amendment (Alcohol Interlocks and Other Matters) Bill 2014 before us at a time when I think Australia, and Western Australia in particular, is experiencing a major problem with alcohol abuse and the impacts of alcohol and drug abuse in our communities. There seems to be no community in this state that remains untouched by the tragedies of road trauma, road deaths and the impacts of drug and alcohol abuse. I think there is no more significant time than now when we are seeing a major problem in our communities. It is interesting to note that this is basically a reactionary bill; it reacts to a growing problem. I noted from the second reading speech that some 4 000 drivers in Western Australia each year commit high-end drink-driving offences and I understand that that is specific to repeat drink-driving offences. These people have

a major problem, but when they get behind the wheel in our communities, be they in country Western Australia or the metropolitan area, they are lethal. They are lethal weapons against our community and that is the reality. We need only look at very recent times to see the results of people who get behind the wheel intoxicated or affected by drugs and the lasting impact that they can have through their behaviour on families throughout the state.

One thing that seems out of control currently in Western Australia is the number of times we hear of vehicles veering off the road in communities and slamming into houses. We have had some very significant tragedies in only recent times with a young toddler being killed in the northern suburbs, I think it was, when a drunk driver drove onto a property and into the house, killing the child in their cot in the home. We have had examples of near misses in which intoxicated people have lost control of their vehicles, headed into houses and narrowly missed individuals within those dwellings. This has happened not only in my electorate. In my electorate we have seen a number of examples of people who have had narrow escapes from this sort of behaviour. Indeed, in Mandurah, in only the last two years, we have had a spate of these incidents. It was very interesting, because although it is very much about the person who is supposed to be in control of the vehicle and who, of course, has the primary responsibility, it does call into question responses by other stakeholders and authorities, even when we are planning communities. We see their response to concerns raised by people about hoon or associated activity that can lead to dangerous circumstances in neighbourhoods. I think local government has a primary role to play in responding to concerns. Certainly, we tend to highlight much of the policing of road-based activity to the police authority itself. There have been a couple of incidents in Mandurah on a couple of roads. In particular, one was in the locality of Greenfields. A family was living on a corner, on a bend in a particular road, and on two occasions in the short space of three or four months, two vehicles mounted the kerb and entered the front room of their house, which was a young child's bedroom. After that first experience, the family changed that bedroom into more of a sitting room. On the second occasion, a car again came into that front room, causing significant damage to the house. The car even sideswiped the side of the house, causing some damage to the fencing and the side of the house.

On that occasion, the family, in their ultimate frustration and indeed total bewilderment, pleaded with the local council to do something. They wanted to put up a wall on the boundary, however they were told by the council that it was not permissible, which they found quite bewildering. But it is true in probably nearly every suburb of every community in Western Australia that there are dangerous circumstances experienced every day because of irresponsible and reckless driving behaviour, particularly if those drivers are under the influence of alcohol. There is no excuse. There is absolutely no excuse.

This bill is a reactionary bill because it seeks to give the opportunity to people who, it is acknowledged, already have a problem with mixing alcohol and driving, a way out. Be it a way out that is regulated, it still gives them a way out. I am very fortunate that no member of my family—immediate or extended—has experienced, touch wood, what I can only imagine is an unbearable trauma of either losing a loved one or indeed having someone severely maimed in a traffic accident. I would expect and envisage that to be unbearably traumatic. For those people and families who have experienced that trauma, and they now number in their thousands in Western Australia, I can only extend to them my sincere empathy and sympathy.

In the debate today on the matter of public importance, we heard the member for Victoria Park do a very good job in trying to bring the Treasurer back on task with the intent of the matter of public importance, which was focused on highlighting the terrible recent experiences or spate of road traffic trauma that has occurred in the state in the last few months, be it people on motorcycles or in cars and other vehicles. The member for Victoria Park made a very important point, which I think a lot of people have forgotten. The Treasurer, in his, quite frankly, appalling and pathetic response, in my view, made the point that deaths resulting from traffic accidents are an absolute tragedy, but so too are the lasting impacts for those people who are maimed, critically injured or indeed suffer from injuries for life from that experience. We could be very clinical and just simply talk about the cost to the community overall of the ongoing care for many people who may be significantly and severely injured and have life-long injuries that impact on their families, their way of life, their capacity to earn and their capacity to participate in the community. We could just look at it as a clinical cost factor, but it is also about the emotional trauma that it causes families and loved ones when they see a vital person, be they young or old, affected by and impacted upon, sometimes for the rest of their life, the trauma of a road accident. I think this is—I do not intend this to be a pun—a very sobering bill because it is effectively providing an excuse for those people who, for whatever reason, cannot control their need for alcohol. To me, this is a way out.

The opposition supports the bill. It is not proposing to oppose it, but I think we need to remember that this is a reactionary piece of legislation that focuses on people who, quite frankly, very few of us have a lot time for in our community: people who choose to take in alcohol and then get behind the wheel. I will be interested to hear the minister's response, particularly given the figure of 4 000 high-end, repeat-offender drivers that was

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mentioned in the second reading speech. I know this regulatory regime exists in other states and other jurisdictions around the world, and I would therefore like the minister to give some statistical information about the effectiveness of this regulatory process. It is still about behaviour and choice; there is no excuse. The bill provides for this scheme to apply to persons convicted of a range of offences, and I will go through some of those. The first listed in the second reading speech is the offence of driving under the influence of alcohol, or alcohol and drugs. I refer to the comment of the member for Girrawheen about whether, by the time this bill is enacted and a court can direct a person to comply with an interlock facility on their vehicle, there is potential for that technology to be superseded and made obsolete. I am interested in whether this bill is flexible enough to ensure that changes in technology will continue to allow its intent to be delivered. I note that major evaluations and studies of offender programs have highlighted a reduction of 64 per cent in drink-driving reoffending when an alcohol interlock device is fitted, but I want to know what the numbers are and how many people those figures relate to. If this program has been operating in Victoria for a number of years, what is the raw data for the number of people who make up that 64 per cent? Is it hundreds, thousands or tens of thousands? I do not know, but I am really interested in that. The 64 per cent figure is published in the second reading speech, but what does that mean in raw figures? The minister highlighted in the second reading speech that 4 000 drivers in Western Australia will be targeted by this mechanism, so can we assume that 64 per cent of those, based on the studies in other states and jurisdictions, will now not reoffend?

[Member's time extended.]

Mr D.A. TEMPLEMAN: The second offence that this scheme will apply to is dangerous driving causing death or injury committed in circumstances in which the driver is under the influence of alcohol, or alcohol and drugs. That offence relates specifically to the injury or death of a person or a citizen. The third offence is one of dangerous driving causing bodily harm committed in circumstances in which the driver was driving under the influence of alcohol, or alcohol and drugs. Fourth is the offence of failing to comply with a request to provide a sample of breath, blood or urine to a member of WA Police. Fifth is a second offence of driving with a blood alcohol concentration higher than .05 per cent, and for some groups of drivers, the second defence of driving with a blood alcohol concentration above .02 per cent. The level of alcohol allowed under this scheme reduces if a person is identified as being a second or later offender.

The second reading speech also discusses what these modern devices are; there is a description of them. They are viable, practical and reliable, and they are capable of detecting very small amounts of alcohol. They can be fitted to motorcycles as well as cars and other four-wheeled vehicles. In her contribution, the member for Girrawheen highlighted experiences in other countries, including some of the Scandinavian countries and the United States. In parts of the United States, school buses and coaches are fitted with these devices as a routine procedure.

The next point in the second reading speech is crucial. It states that the monitoring of and support given to offenders is critical to the success of the legislation. My understanding from reading the second reading speech is that the scheme will be performance based, and that data recorded from an offender's device will be downloaded and monitored monthly. Failure to present will result in a permanent lockout, which will require intervention by the service provider. I am not sure, although the minister may be able to provide this information, exactly who does the monitoring. If I have missed something, I need to know.

Ms M.M. Quirk: Where is the minister?

Mr D.A. TEMPLEMAN: He is over there, and I am highlighting my concern to him now.

Who does the monitoring, and what is it based upon? If I missed something, I apologise, but I want to be confident that this aspect that is critical to the success of the program—the monitoring and support of offenders—is explained. I would like the minister to do that in detail in his response to the second reading debate.

The other aspect that is of interest here is those drink-driving offenders who will be exempt from the alcohol interlock scheme. In the second reading speech the minister stated that the only drink-driving offenders who will be exempt from the scheme will be those who reside more than 150 kilometres from an accredited interlock service provider, or those who have a medical condition. That needs an explanation, because it has the potential to affect a lot of people living in regional areas. It will not affect people in Mandurah, because they are within that 150-kilometre radius. I assume that if we do not have an accredited service provider in the City of Mandurah, the nearest would be somewhere in the metropolitan area. I would like the minister to give some indication of where we would expect to see service providers. I assume that part of the fees and costs would go to remunerate the service providers for accreditation and monitoring. I am very interested in what this might mean for people living in rural and regional Western Australia.

I remind members that many communities in rural and regional Western Australia, particularly in the north in the Kimberley region and the Pilbara, are hundreds of kilometres away from major regional centres. People in the

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Kimberley are 800 or 900 kilometres from major centres such as Broome, Kununurra and Derby; and even people in the great southern region could find themselves outside the 150-kilometre exclusion zone—let us call it that. I am interested in the minister's response to that. Another point made in the second reading speech is that the length of the restricted driving period will vary according to the means by which offenders enter the scheme. A paragraph in the second reading speech reads, in part —

For those serving a period of disqualification before being subject to the alcohol interlock restriction, the minimum required period will be six months. For offenders granted an extraordinary driver's licence, the minimum required period will be the greater of six months ...

I expect that a number of people currently possess extraordinary licences. If the minister can provide statistics, I would like to know the current number of extraordinary drivers' licences for Western Australian drivers. The minister may not be able to do this, but I hope he can give me some idea of the number of those drivers he expects might be captured by this scheme. I can understand if the minister cannot answer that, but I am interested to hear his response. It is interesting that in this whole proposal this is not a problem for government but for community and society. The number of people who effectively disregard fines, who drive without a valid licence and who drive unlicensed cars all plays into the problem the community has at the moment with inappropriate driving behaviour. As I said at the beginning of this debate, we have seen in the last five years increases in drink-driving penalties, immediate disqualification notices for people caught driving with blood alcohol concentrations of, or above, .08 and now we will see an alcohol interlock system in Western Australia. The minister says this is crucial and long overdue; but I want to be reassured exactly how many drivers the minister expects this legislation to capture. Could the minister tell us how this system works in other jurisdictions and how many people it captures? I am interested in the numbers, because at the end of the day, like all members I am sure, I do not want to find out that tragedy has struck a loved one, family member or friend.

Only the other day, just out near Madora Bay, a car overturned and a five-year-old boy was injured; he is still in hospital, but I think he is going to be okay. I am not saying alcohol was related to that accident, but all too often now on our roads we see near tragedies and tragedies and we do not want that in our community. It is an immeasurably traumatic experience for families, communities and neighbourhoods. Members need only talk to the member for Collie–Preston about what the death of a young person does to a community such as Collie, which had a spate of tragic deaths over the last few years. The impact that has on any community—in the case of Collie, a smaller community—is immeasurable. I will be interested in the minister's response when he gets to his feet after we have had contributions from this side on the second reading debate.

MR W.J. JOHNSTON (Cannington) [7.35 pm]: I rise to contribute to the debate on the Road Traffic Amendment (Alcohol Interlocks and Other Matters) Bill 2014. One of the interesting points in this debate is that we want to apply technology to road safety. If we go back 20 years, we could not have legislated for ignition interlocks because the technology was not available in a general way. There was obviously specialist equipment, but the mass market equipment that the minister requires to implement this procedure did not exist; in fact, technology in road safety is probably the unsung hero. Before I spoke in this debate I was going through some of the Australasian New Car Assessment Program ratings for different cars and looking at videos of crash tests, comparing the different effects of an accident on a three-star car and a five-star car. I note that a Geely has a three-star rating because it does not have a curtain airbag. I would not want to be in a major frontal impact in a Geely because the crash test dummy's head hits the doorframe and exits the window, whereas the videos of crash tests with a Nissan hatchback and a Commodore show the airbags protecting the heads of the occupants. Members will see that one of the important issues about road safety in Australia and around the world is improved technology in motor vehicles, which is what the minister is doing with the Road Traffic Amendment (Alcohol Interlocks and Other Matters) Bill 2014; it is applying additional technology to cars and, in this case, to drivers who have a history of problems with alcohol and exceeding blood alcohol limits when driving.

We know about the many risk factors in driving. If we go back to the 1970s, Australia became the first country in the world to mandate the wearing of seatbelts. That one decision had a significant impact on saving the lives of Australians. It is a bizarre situation now that people are driving vehicles without wearing a seatbelt, particularly now that all modern cars have laminated windcreens and no-one would want to be thrown from a car through a laminated windscreen. Back in the 1960s, the big old tanks that people drove had glass that would break into small fragments. The glass was harmless to people if they went through it because of the nature of the safety glass that was used—of course, they would be killed when they hit the road. Now cars have laminated windcreens that are designed not to break in an impact. The windcreens will break, but the intention is for them to stay intact as much as possible. If a person goes through a laminated windscreen, they will be cut to pieces. The easiest way to die in an accident is not to wear a seatbelt. In Australia, to get a five-star ANCAP rating, a car needs front driver and passenger side airbags and curtain airbags as well. However, the airbags in Australian cars are secondary restraint–system airbags. They are different from the airbags that are used in the

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United States. Most parts of the United States still do not have compulsory seatbelt laws, so the airbags that are used in the United States are primary airbags and they are the primary restraint. However, the airbags that are used in Australia are secondary restraints and are designed to be used by a passenger or driver wearing a seatbelt. Again, if a person does not wear a seatbelt and they have airbags in their car, they are just asking to be injured by the airbag. Those videos show how instantaneously the airbags inflate. It is amazing how quickly they inflate. In fact, in the video of the side-impact collision in the Commodore, the curtain airbag had already inflated before the door glass broke. In the full speed video, the side impact and the shattering of the side window were almost instantaneous, yet by the time the window shattered, the airbag had already inflated. It took milliseconds to operate. Of course, the same applies to the front airbags protecting the passenger and the driver; the passenger and driver certainly do not want to be hit by those if they are not wearing a seatbelt. Airbags are designed to work in conjunction with seatbelts. Again, it is all about applying technology. Airbags have been around in the United States since the 1970s, but the new technologies that allow instantaneous inflation are amazing. Curtain airbags can activate from side impacts. There is no crumple zone on the side of a vehicle, unlike at the front of a vehicle, which is obviously designed to progressively crumple towards the passenger or driver cell to absorb the energy of the impact. Obviously, that does not happen from a side impact because there are only five or 10 centimetres between the driver and the impact. Technology is making vehicles much safer.

Of course, no piece of mechanical equipment is safe in the hands of a person who is not fit to operate the vehicle. Drink-driving is obviously one of the very significant contributors to the loss of control of a motor vehicle. If a person is inebriated, their response time is slow, their judgement is impaired and their capacity to judge distances is reduced, and that is why they are more likely to have an accident.

Again, in the Australasian New Car Assessment Program crash tests, I think the front-impact test is done at 62 kilometres an hour and the side-impact test is done at 29 kilometres an hour. They are relatively low speeds when we think about driving on a freeway. As they say in motorsport, "It is not how fast you crash; it is how quickly you stop." It is the same with a car on the road. The first thing most people will do when they are about to crash is put their foot on the brake. Sometimes it does not help because they lock the wheels, but that is why modern cars have an anti-lock braking system. Even though the person might have their foot flat to the floor, technology will take over. If a person put their foot flat to the floor in an old car, they would have locked the brakes and the car probably would have continued to increase speed until they hit something, whereas in a modern car, the technology takes over and it pumps the brakes so that they do not lock; they get maximum grip but they do not lock. One way or another, there is likely to be some reduction in speed before they hit the obstruction on the side of the road. Of course, the crash barriers on roads are either placed right on the carriageway, such as on a bridge, so even though the car might be travelling at high speed, the driver only glances the barrier and does not put all the energy directly into the barrier, or set well back from the road so that there is space for the vehicle to decelerate. Again, the racetracks for grand prix or V8 Supercars races are designed in exactly the same fashion; the barrier is either right next to the track or a long way from the track. It is never at a middle distance, because if it is not exactly beside the track or not distant from the track, there is more likely to be a frontal impact and that will increase the g-forces and the deceleration.

All these technologies are coming to bear to improve road safety, and that is what this bill will do. It will apply a new technology to try to deal with people who repeatedly drink and drive. I am pleased that after six years of government, the government has brought forward the legislation. It has rushed the legislation in after six years and is taking action as quickly as it has been able to!

I want to focus on one part of the minister's second reading speech when she said —

I have no doubt that in the years to come in WA we will see fewer alcohol-related crashes and fewer alcohol-related deaths and serious injuries because of the action we have taken today.

I think the community will continue to monitor that, because we need to keep looking at the actual results. I wonder what opportunities there are for people to try to defeat the technology. I am not asking the acting minister to reply to this issue during the second reading debate, but we will have to monitor people who try to get around the technology by having their mate start the car for them, driving their mate's car or driving a hire car. These are all ways to get around the technology.

Mrs M.H. Roberts: No. They are not allowed to do that; they are all offences.

Mr W.J. JOHNSTON: Yes, I know, but just because it is an offence, it does not mean that the person will get caught. Driving drunk is an offence. Crashing and injuring a person can potentially be an offence. I am sure that the acting minister agrees with what I am saying; it is not very controversial. That is why I say that we will have to keep the success of this technology in mind. Applying technology to cars is the way to improve safety; there is no question about that. That is why I welcome the Road Traffic Amendment (Alcohol Interlocks and Other Matters) Bill 2014. In the same way, road scapes have been improved. One of the interesting improvements is

that many highways now have audible edges. For example, if a person is driving tired and they drift to one side of the carriageway and the car's left-hand wheel touches the edge of the road, the edge of the road is designed to make a noise and vibrate through the steering wheel so that they recover from that lapse. That is another example of what is being done with road surfaces. Of course, there will be exciting opportunities in the future for on-board technologies. Mercedes-Benz already produces a car that is not commercially available—it is in test phase—that has in-built technology for travelling on a road that has technology built into the road. Let us say that someone is doing 150 kilometres an hour on one of those German autobahns that we all see on television; the road will actually help steer the car to keep it in the lane. The technology then allows another car with identical technology to effectively tailgate. The technology in the vehicles plus the technology in the road ensures that they maintain their distance, and if one car needs to slow down, all the cars in the chain slow down. It is interesting also to note that similar technology is being trialled in different places with the idea of reducing the gap needed in peak-hour traffic. One of the problems with peak-hour traffic is that there needs to be six, 12 or 18 metres between cars. If technology allows the cars to talk to each other and talk to the road, those gaps can be closed up. That means that the same space physical infrastructure for the road can carry more cars, which increases the volume of traffic and reduces the congestion problems. Again, that is all done with technology. Then there is the Google car that drives itself. I do not remember the exact year but I think 2006 was the first time a driverless car was able to complete a circuit for a competition in America. It had an average speed of less than 20 kilometres an hour. Now these driverless cars are doing 60 kilometres an hour on the same route of the test track for that competition in California. I can imagine a future in which people will call up a car. I was fortunate to go to Paris with my wife for her fiftieth birthday. I am sure that other people who have been to Paris have seen the electric cars in the middle of the city that are available for rent. I can imagine in the future that people will be able to press some buttons on their phone and a driverless car will turn up. They will get in the driverless car, tell it where they want to go, continue reading *The New York Times*, *The Age* or *The West Australian* on their mobile phone, and the car will take them to where they want to go. Technology is revolutionising motor vehicles in the same way as the safety aspects of motor vehicles, along with road design, have improved out of sight. Those two latter measures, which go together, are the principal reasons for the reduction in road deaths. Technology will therefore have a big future. As I said, the Road Traffic Amendment (Alcohol Interlocks and Other Matters) Bill 2014 is about applying another technology to vehicles.

I will take an extension, although I probably will not use it.

[Member's time extended.]

Mr W.J. JOHNSTON: Thank you very much, Madam Acting Speaker.

That other technology is the extension of wire rope barriers on freeways. Several years ago I got a briefing from the Office of Road Safety on its views about these rope barriers. They are obviously much cheaper to build than old-fashioned steel Armco fencing. So that you might know what I am talking about, Madam Acting Speaker (Lisa Baker), along the freeway going south, where there is a lot of open space, are barriers with uprights every 10 or 20 metres. Between them is a wire rope going across the top, which might be several hundred metres long, and heavy-gauge wire ropes criss-cross to form a lattice along the side of the road. Every several hundred metres those wire ropes are hooked to the ground and tensioned. They are designed so that if a vehicle hits them, the posts get taken out, the energy gets pushed into the wires, the car knocks down the posts and the energy is slowly taken off. They do a great job. Unlike Armco barriers, they are easier and cheaper to build, and if a vehicle hits them head-on, it is not likely to have a crash stop as it would with an Armco barrier. For a car they are probably better than an Armco barrier. However, the problem is that many motorcyclists are very concerned about wire rope barriers. Some motorcyclists have said to me that if a motorcycle went off the freeway, the wire ropes would do major damage. I do not know the statistics.

As I said, the Office of Road Safety provided me with a briefing about three or four years ago and ran through its views. It was strongly supportive of wire rope barriers. Its view was that no research showed they were dangerous to motorcyclists. I therefore believe that is an issue that needs to be looked at. I am not necessarily saying that wire rope barriers are dangerous to motorcycle riders, but I think it is an important issue for us to examine. We need an evidence base for making decisions in road safety. The member for Midland discussed that strongly in her contribution to the second reading debate. In the same way as I am supportive of what we are doing here with applying additional technology in an attempt to make our roads safer through the Road Traffic Amendment (Alcohol Interlocks and Other Matters) Bill 2014, I say that this question about safety for motorcyclists on freeways with wire rope barriers also needs to be looked at. I was interested to note on Channel 10 tonight a reference to motorcyclists being way overrepresented in fatalities on the roads in Western Australia. I therefore think that it is very important to look at what we can do to make roads safer for motorcyclists.

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I remember when I was a teenager. Madam Acting Speaker, we are about the same age and we were probably teenagers about the same time.

The ACTING SPEAKER (Ms L.L. Baker): Probably.

Mr W.J. JOHNSTON: When a mate got a motorbike, we called them a temporary Australian.

Mr B.S. Wyatt: Is that how you rode it?

Mr W.J. JOHNSTON: It was not me; it was my mates. I make that comment in jest. I am sure that if motorcyclists read this, it will not be the first time they have read that comment.

Mr R.H. Cook: In my house when I was a kid we had a rule that when we got our licence, if we had saved up enough to buy a motorbike, our parents would pay enough to buy us a car.

Mr W.J. JOHNSTON: Yes. One of my brother's classmates—he was my sister's boyfriend for a while and ended up being my teacher—used to ride around in a large Honda motorbike in his shorts and T-shirt like everybody else. He came off the bike and grazed his skin, which came off completely. He then always rode with leathers.

When we look at the technology for racing motorbikes now, we see that the survivability of motorcyclists in accidents on racetracks has improved because of the head restraints that they now use. They are just amazing; they are actually built into the motorcyclist's leathers. Racing motorcyclists also have carbon fibre knee joints. It is amazing how a motorcyclist on a racing motorbike is able to survive an accident; whereas 10 years ago they would have been killed. We therefore need to look at the technologies that we can apply to help motorcyclists. Of course, most motorcyclists tell me that the most dangerous thing is the car that does not see them, or the car that does not look for them. I must say that even though I try to be motorcycle aware, I never put a motorcycle-aware sticker on my car because I know that the moment I do that, I will miss a motorcyclist in my blind spot. I reckon it is better not to put the sticker on and do my best to try to be motorcycle-aware, rather than put it on, because I know that will be the first time I miss somebody. Again, blind-spot monitoring technology can tell a driver whether there is something in the blind spot. When the driver puts on the indicator, the technology tells the driver not to move as there is something in the blind spot. It is amazing what technology is doing. There is also automatic parking. I am not bad at reverse parking but I know a lot of people struggle with it; now cars can do it for them. Technology is changing everything, and the Road Traffic Amendment (Alcohol Interlocks and Other Matters) Bill 2014 is part of that. I am happy to support this legislation. It is a good idea to apply technology and I look forward to its passage and to reviewing its work in a few years to see how much difference it will have made.

MR B.S. WYATT (Victoria Park) [8.00 pm]: I rise to make some comments on the Road Traffic Amendment (Alcohol Interlocks and Other Matters) Bill and to reiterate some of the points already raised by my colleagues, in particular the last two speakers, the members for Cannington and Mandurah, and to indicate that the opposition supports the legislation. The member for Mandurah has already made the point that drink-driving is something that in my lifetime has gone from, when I was younger, being a practice that was publicly frowned upon but publicly common to something that is now broadly and definitely frowned upon. All Western Australians are now particularly aware, or at least have some experience, of people who have been a victim of somebody who has driven a vehicle whilst under the influence of alcohol. It is embedded in the psyche of Western Australians that people should not drive a vehicle when intoxicated, but the fact that we are debating the legislation tonight means that that is not a universal position for all Western Australians and that there are people who may not deliberately seek to drink and drive to flout the law but who may have other issues they are dealing with.

I first became aware of interlocks in 2007 when I was doing a review for the member for Girrawheen, the then Minister for Corrective Services, and through the work of Kylie Olney, who worked at the then Office of Road Safety. She was on the committee and did a lot of work around that committee. I will spend a bit of time on the work of that committee, and although it did not deal specifically with interlocks, it certainly dealt with drink-driving specifically in respect of Aboriginal people living in remote and regional Western Australia, and I want to make some points about that matter. I know the member for Mandurah said that this legislation will impact on Aboriginal people—in fact, all people living in regional and remote parts of Western Australia. Indeed, recommendation 27 of the report was to —

Give specific and formal consideration to the impact on Indigenous drivers when making legislative changes to road traffic or licensing laws so that they do not have a disproportionate impact on Indigenous communities.

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I will go through some of the statistics around drink-driving offences particularly for Aboriginal people living in regional and remote parts of the state.

In the second reading speech the Minister for Police outlined what the legislation seeks to do. The member for Mandurah also had a couple of questions that I have about how the system will operate and who will monitor the interlock data. I note that the second reading speech states —

Offenders' interlock data will be downloaded on location and a summary report uploaded to a secure system, and will then be assessed for violations.

Could the acting minister outline in his response who keeps that system? Is it a police system? Is it a Main Roads system? I am unsure how it will operate and how it will interact with police. I assume the police will do the legwork when an offence is committed as outlined in the bill.

Mr J.H.D. Day: Primarily the Department of Transport.

Mr B.S. WYATT: Thank you. The second reading speech does what it does. I note that the scheme is a user-pays system and that offenders will be required to pay for installation, monthly servicing and removal of devices from vehicles. That will indeed have an impact on people living in regional and remote parts of Western Australia, particularly the requirement for monthly servicing. I note that there are some stipulations for people who reside more than 150 kilometres from an accredited interlock service provider.

I want to make a couple of points about the 2007 report of the Committee to Explore the Effect of Motor Driver's Licence and Driving Laws on Remote Communities, titled "Indigenous Licensing and Fine Default: A Clean Slate" because it highlights similar issues that will come out as a result of the legislation that will no doubt pass through Parliament very shortly. Bearing in mind that it is a 2007 report, some of the statistics will now be a little dated, but I dare say that the ratios are pretty much the same. The executive summary of the 2007 report made the point —

The Department of the Attorney General reports that Aboriginal people represents 13.4 per cent of convictions for unlicensed driving in the Perth Court of Petty Sessions, whereas in Kalgoorlie, Aboriginal people represent 51.4 per cent. The evidence points to regional and remote areas as having a significantly higher incidence of driving offences involving Aboriginal people. Of the eight courthouses with the highest number of unlicensed driving convictions for Aboriginal people, six were in regional areas, representing 63 per cent of convictions.

Madam Acting Speaker, you perhaps more than most in this house would be interested in that statistic. As I said, it is a 2007 statistic, but I dare say the ratios are probably still the same now. The report then makes the point —

Road crashes remain one of the leading causes of death among Indigenous Western Australians. Aboriginal people are about three times more likely to be injured or killed in motor vehicle crashes than non-Aboriginal people.

That is broadly crashes, regardless of how they are caused—whether alcohol is involved or there are cattle on the road or whatever. Yes, I am raising concerns about how Aboriginal people will be impacted by this legislation, but Aboriginal people are the people who may also benefit the most from what is passed through this Parliament. It is important. I note that I am the member for Victoria Park, an inner-city electorate, but I am very aware that sometimes we forget how laws passed here will be broadly applied, not just in terms of our citizens getting the benefit of those laws but also the downside of those receiving the penalties of those laws.

Drink-driving is reflected in the statistics of convictions for unlicensed driving, and it is on this matter that I will comment on interlocks. The 2007 report also states —

The proportion of Aboriginal drink-driving offenders increases with the number and severity of offence.

I note that the second reading speech refers to six circumstances in which the WA interlock scheme will apply to persons, and, of course, the severity of the offence is one of the circumstances considered. However, my report states —

Aboriginal people represent about 15 per cent of all drink-driving arrests, increasing to 28 per cent of third time arrests and 35 per cent of drink-drivers disqualified from driving for life.

Ms M.M. Quirk: Some three per cent of the population.

Mr B.S. WYATT: That is right; that is some three or 3.5 per cent of the population. The further in severity the drink-driving offence, the more likely it is that the offender is an Aboriginal person. The legislation we are passing tonight will have, whether we like it or not, a disproportionate impact on Aboriginal people simply because at three and a half per cent of the population, we can see the impact of interlock requirements on people living in regional and remote Western Australia. Bearing in mind the legislation requires that "the scheme is user

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pays and offenders be required to pay for installation, monthly servicing and the removal of devices from vehicles they drive”, I come back to the point I made before: the impact that will have and how to get interlocks installed in remote communities, serviced monthly and removed, and the likely cost of that, for example, versus the likely cost of getting that done in Victoria Park, which I dare say will be considerably different.

I want to finish by quoting the beginning of the report, because it is useful information. As I said, the statistics are probably a little different now but the proportions are the same. The report also states —

There is an over-representation of Aboriginal people in road crashes and resultant road trauma. Aboriginal people make up 3.5 per cent of the population of Western Australia, but represent 9 per cent of those killed on the roads and 8 per cent of those hospitalised as a result of a road crash. In the Kimberley, for example, one third of all crashes involve drink driving with drivers have a high blood alcohol concentration.

One-third is a significant percentage by any measure.

The report covered a number of different areas; I am just trying to keep my remarks relevant for the purposes of tonight’s debate. We went through why Aboriginal people are overrepresented in unlicensed driving convictions and why they are likely to be overrepresented in offences created through the interlock system. There are realisation-of-perception issues around the need to comply with the law and issues pertaining to the ability to get access to interlock servicing education that we often forget about. One of the committee’s recommendations specifically related to reviewing current licensing education materials. As a result of this review, there will have to be an education campaign that can be understood by a range of people across our vast state pertaining to the ability to be tested and also post-licensing issues.

I do not know whether this issue came up in the department when the legislation was being drafted, again noting this was a 2007 report, but we did look at current initiatives around the country such as projects aimed at improving Indigenous licensing. One of those was the Office of Road Safety’s Indigenous drink-driving and licensing project. It was set up to identify and progress initiatives to reduce the incidence of drink-driving and unlicensed driving among Indigenous Western Australians, particularly those living in rural and remote areas. That project was detailed. Whilst it was not the specific focus of the committee that I chaired, it dealt with a number of things. I would be curious—I guess it is probably better to be left until consideration in detail—to know what impact, if any, the Office of Road Safety’s Indigenous drink-driving and licensing project had on the drafting of this legislation. Maybe that is something that we can discuss in consideration in detail.

There were specific issues concerning regional and remote communities around licensing, including: lack of payment facilities, which is not isolated to licensing; reliance on mail to inform offenders of licence suspension, which is always an issue in regional and remote WA; and no alternative transport. This is always an issue, regardless of what we say in this place. Mainly Aboriginal people living in remote communities and people living in remote parts of Western Australia will drive whether they have a licence and whether their car is roadworthy. Their licence may have been suspended because they were drink-driving but they will drive because there is no other option. That is something that we need to consider when we look at legislation such as this. I dare say it will move through this house without dissent because I think we all recognise the importance of the passage of this legislation. The overwhelming benefit and the use of this legislation will be in the metropolitan area because we very rarely have the resources to get the maximum efficiency and effectiveness in regional WA. Again, I note the minister’s second reading speech, which states —

Research indicates that the monitoring and supporting of offenders in an interlock program is critical to its success.

The WA scheme will be performance based, with one key feature being the monitoring of monthly data recorded from an offender’s alcohol interlock device. Failure to present an interlock for a monthly service will result in a permanent lockout which will require intervention by the service provider.

The point is that continuous monitoring and support of offenders is critical. It is always the way that many projects fail in not just remote parts of Western Australia but also regional parts of Western Australia because of the lack of ongoing support and monitoring to ensure that government programs are delivered effectively in terms of not just the cost but also benefits that those Western Australians receive. It is something that I wanted to raise tonight because it certainly caused me to reflect on a report of the committee that I chaired back in 2007. It strikes me that we often forget that laws such as this, which are important laws, will hopefully have the impact of reducing the number of people who are hurt or killed as a result of driving whilst under the influence or reducing the number of victims injured as a result of somebody else who is driving another vehicle under the influence of alcohol. Whatever we can do to influence that is a good outcome. It is not just how it will impact on Aboriginal people in remote communities on the negative side of things; it is how they can be the beneficiaries of what we are doing tonight. As I said, those statistics show that Aboriginal people in remote parts of Western Australia are

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far more likely than anyone else to be victims of the drink-driving carnage and motor vehicle crashes. It is very important that that is followed through in the passage of this legislation.

I seek the minister's indulgence. I want to read something. It is not relevant to the Road Traffic Amendment (Alcohol Interlocks and Other Matters) Bill; it relates to the late Bishop Jobst from Broome. He died earlier this year. I want to read a one-page note. I appreciate the Deputy Speaker allowing me to do this. I gather that the minister is very happy for me to do this. All members will learn something. I have been looking for an opportunity to do this.

[Member's time extended.]

Mr B.S. WYATT: It is a short eulogy of the late Bishop John Jobst, who was the bishop of Broome for many years. He died in July this year. This is a eulogy for the bishop that was given by the current bishop of Broome, Christopher Saunders. His title was Bishop Emeritus of Broome. The requiem mass was held in his home town of Frauenzell, Bavaria, Germany. I want to read this because he was a significant Western Australian. Again, I am reading the eulogy given by the current bishop of Broome. It states —

On behalf of the Diocese of Broome I wish to offer my deepest sympathies to the Jobst family. In your midst Bishop Johannes Jobst came to be a person of faith, a believer in the Lord, a servant of God. And so much of this found expression in the Mission to the Kimberley where he was bishop for thirty-seven years. To these condolences I add my prayers for the repose of his soul and I give thanks to Almighty God for his life among us in the service of Our Lord. As he was a son of Regensburg Diocese, a Pallottine missionary sent from this particular Diocese to the Kimberley Mission, I also extend my heartfelt gratitude to Bishop Rudolph and the people of the Diocese of Regensburg for it was here, in this beautiful part of Bavaria, that Bishop Jobst' faith was planted and grew so magnificently on fertile ground. To his Pallottine family I acknowledge your giftedness through his ministry to all of us in the Kimberley Region. Indeed our Church in the Kimberley today is built on your foundations whereby your congregation served the Kimberley Mission for just over 100 years beginning in 1901.

When Bishop Jobst was ordained bishop in 1959 he became bishop of a church that was in utter disrepair. It was always a fragile Church with meagre resources and suffered grievously in the aftermath of the Second World War. The Vicariate, as it then was, remained starved of Australian Government support and despite countless promises from government agencies it struggled to provide adequate material care for the Aboriginal people given over to the ministrations of the missionaries.

A striking part of Bishop Jobst character was his fierce determination to meet any challenge and he applied himself to the task of the expansion of the Kimberley Mission with great energy. He began a Lay Missionary Association in an effort to develop administrative and nursing and educational services in the region. Young men and women from all over Australia, and some from overseas, joined the Kimberley Lay Missionary Association and brought with them gifts of talent and enthusiasm that enabled the local Church to grow. Also part of his accomplishment was that he encouraged a large number of Religious Sisters and teaching Religious Brothers from other parts of Australia to come to the Kimberley and in this manner he began an outreach building schools in remote areas which were previously devoid of such facilities. The Bishop realised that if Indigenous people were to advance to take their rightful place in Australian society then they needed educational centres in their own land and teachers to serve them. He built nine schools in the Kimberley and was instrumental in establishing a campus for Notre Dame University in Broome itself. He built five Churches and six convents in the Diocese and was called, with affection, "John the Builder". He built up too the church in spiritual ways, not just with bricks and mortar, but with faith and in hope. In this manner his life was an inspiration.

I must say that the Church in Germany has been very kind and generous to the Kimberley Mission. Under the leadership of Bishop Jobst so many projects have been founded, so many services delivered, so much ministry begun—and almost all of it with the help of German benefactors, many of whom were close friends with the late bishop.

To this day I benefit, as bishop, from this connection and this overwhelming generosity. And for that I am grateful.

Bishop Jobst ordained five Australian men as priests for the Diocese of Broome including myself—

Christopher Saunders —

He was bishop for 37 years and saw the more recent modern development of the region, noting its changes and its growth to modernity. He returned to Europe having done so much in that foreign outback land in northern Australia. But he left behind not only the labour of his love, the firm foundations of a growing Church, but also many friends so many of whom have expressed their

Extract from Hansard

[ASSEMBLY — Tuesday, 14 October 2014]

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condolences to family and friends over here. You here in Europe have lost a friend, a relative, a companion, a confrere, someone who brought you great joy. We in the Kimberley have lost this with his passing and more; he was to so many of us a father in faith. We shall mourn him, and suffer to some degree his absence. But we shall rejoice with the Saints for he lives on with The Lord whom he served so well. We are greater people for having known him and we thank Almighty God for the spiritual riches he has brought to us. May he rest in peace.

I thank the minister and Madam Deputy Speaker, because the passing of Bishop Jobst was a very significant end to a very significant time spent in the Kimberley. A few years ago, with the passing of Father Michael McMahon, who was a wonderful friend of mine, the Palatine connection to the Kimberley that goes back over 100 years came to an end. The Palatines had a significant influence on the Kimberley. My dad told stories about the bishop. The bishop was also a pilot and my dad flew to all sorts of places around the Kimberley with him. My dad regularly argued with the late bishop, but very much respected the work that he did, particularly on education.

Coming back to the bill; I thank the minister.

Mr J.H.D. Day: That was very broadly relevant.

Mr B.S. WYATT: I think the minister is right; there is a link. It is important when we can try to work in some of our reflections on the passing of significant Western Australians. I think that Bishop Jobst certainly was a significant Western Australian.

We have all said that this is important legislation. We have raised some concerns and issues that will be pursued in consideration in detail or as the legislation is implemented and rolled out across Western Australia, but fundamentally it is a good piece of legislation.

MR P. PAPALIA (Warnbro) [8.22 pm]: I will make only a short contribution to the debate on the Road Traffic Amendment (Alcohol Interlocks and Other Matters) Bill 2014. In regard to the eulogy read by the member for Victoria Park, I did not know Bishop Jobst, but if he was responsible for ordaining Bishop Saunders, apart from all the other things we heard about, he has made a wonderful contribution gifting that particular individual, whom I greatly admire and respect, to the Kimberley.

Much of what I intended to say has been covered by the members for Mandurah and Victoria Park. I am sure members are grateful that I do not intend to repeat everything that they have said. I want to reflect a little on one very important subject that has already been covered. I refer to the process of how interlocks will be managed, operated and supervised, and how that process will impact particularly on a vulnerable and susceptible part of the community and the consequences for them if they fail to follow the process and are then penalised. As the shadow Minister for Corrective Services, I am regularly focused on the challenge associated with the number of Aboriginal people in the prison system and the justice system generally. The member for Victoria Park referred to a report that clearly identifies that our system almost sets up Aboriginal people to be trapped by the challenges associated with obtaining and retaining a licence. Invariably, the people who are susceptible to these types of problems live in remote communities, where there is often no regular opportunity to acquire a licence through the normal processes. Therefore, by necessity they are frequently inclined to drive without a licence. Those who do get a licence are susceptible to falling into the trap of travelling to a town, consuming alcohol, returning having become drunk and being caught in excess of the appropriate blood alcohol level in their system and subsequently losing their licence or having a restriction placed upon them. They then again breach the restriction placed on them because there is no public transport, they live long distances from any significant population and to get anywhere they have to drive.

More and more I am concerned about the number of women entering our prison system. The number of women in the prison system has exploded under the current government—there is no other way of putting that. Unfortunately, since late 2008, when the previous government lost office, there has been a 72 per cent increase in the number of women held at Bandyup Women's Prison, which is the state's only women's prison. That is a huge increase, be it only a small number compared with the overall prison population. There has been a rapid escalation of the number women who are ending up in the prison system, and I suspect that a large number of them may be falling foul of driving offences. In all likelihood, this measure, which I support and hope will have a positive impact, may have an unintentional negative consequence and may even make things worse. That is not to say in any way that I endorse people drinking and driving. I have been here for only seven years, but I have seen countless examples of good intentions resulting in bad outcomes.

Dr G.G. Jacobs: Is the main reason for the increase of women in prison due to drug issues?

Mr P. PAPALIA: I will tell the member the main reason for the increase in the number of women in prison at a later date, but not right now.

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Mr R.H. Cook interjected.

The DEPUTY SPEAKER: Member for Warnbro, no violence in the chamber.

Mr P. PAPALIA: Stop spilling the beans! Obviously drugs will be a part of the reason, but I think there are other things. There are combinations of factors too, including comorbidity, no doubt.

Clearly there is a problem, and I commend to anyone the report authored by the member for Victoria Park with the assistance of somebody else we heard from tonight. I commend that report to anyone seeking an insight into the impact of licencing breaches on Aboriginal people and the possibility of falling foul of the law. I doubt whether much has changed, although I know that is not through a lack of desire for change. I think this government, like the previous government, has good intentions, but I do not know whether we have achieved our hoped-for outcomes. I suspect that some of the things we have done have just made things worse. Looking at the explanatory memorandum, which gives a little more detail than the second reading speech, I am concerned about how these things will be managed. The explanatory memorandum states —

A person will demonstrate a satisfactory level of performance if, for a continuous period of 6 months immediately prior to the revocation of the restriction:

- there has been no evidence of tampering or attempted tampering with the alcohol interlock device; ...

There are other dot points, but I will deal with that one. I wonder, as did the member for Mandurah, who will determine whether the interlock has been tampered with.

I make the observation that with respect to dangerous sex offenders and GPS tracking devices there was a demonstrated failure by the system. I think the tracking devices are monitored by contractors and there was a demonstrated failure on behalf of those people to even recognise that a device had been tampered with on three occasions before the individual was finally located. That individual was a dangerous sex offender, not a person trying to start a vehicle with a previous record of drink-driving. It makes me worry about how effective and efficient whoever we get to do this will be in remote parts of the state, a long way from serious population centres, centres of administration of government and even contractors for that matter. It worries me that one of the outs for the government and the system with this process is that a person is excused from having to operate an interlock if they reside in a place that is more than 150 kilometres from an alcohol interlock service provider. That means that the director general will not be required to grant a person an authorisation to drive. Does that then mean that that person is excluded from the opportunity to use interlock devices and is therefore a second-class citizen compared with all the people who live close to those facilities? I do not think that is fair and I suspect, as I suggested earlier and as was identified in 2007, that things have not changed much. There will be a disproportionately high level of representation of Aboriginal people who live in remote communities in this cohort we will look at. I understand the reasoning behind requiring that a person be within 150 kilometres of the service provider, but that has the unfair and probably unintended consequence of excluding a large chunk of people, who could be using these devices, from getting back on the road, being more responsible, learning to be responsible and demonstrating they have the capacity to obtain their licences again. I would be very interested to hear the minister's response to that particular observation. I heard the minister suggest by way of interjection that perhaps the Department of Transport would be responsible for the implementation and monitoring or servicing. I will be interested to see who is responsible and whether that responsibility is outsourced. If so, will it be the same guys who did the dangerous sex offender GPS tracking, because they are not that crash hot? Minister for Corrective Services, that bloke who was sent back to prison tried to saw his GPS tracking device off three times before they bothered to find out whether he was trying to cut it. I am sorry, Acting Minister for Road Safety, I am talking to the Minister for Corrective Services in response to the queried look he passed across the chamber. I do not think that those contractors have demonstrated a great degree of proficiency in monitoring those people.

Mr J.M. Francis: You can cut them off with a pair of scissors; they break the fibre-optic circuit.

Mr P. PAPALIA: The minister might recall that it was reported—I am assuming that the report was accurate—that the offender had tried to saw the device with a hacksaw. He reckoned he had slipped and hit his GPS tracking device three times while he was cutting wood or something.

Mr J.M. Francis: Three times in a row. It was reported straightaway.

Mr P. PAPALIA: It took a number of days before the contractors bothered to track him down. As I understand it, the extent of their pursuit of the dangerous sex offender was to ring him and if he did not respond, they did not worry about it until he did respond. Maybe that is wrong. Anyway, I digress.

I am interested to find out who will monitor these devices and where they will be located. How much of the state, which is one-third of the continent of Australia, is not covered by a radius of 150 kilometres around the

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town where the service provider is? How many people live outside that? How many of these people we are seeking to supervise through the provision of the interlock devices live outside those coverage areas? By excluding them we are creating second-class citizens.

I do not advocate drink-driving. I have been very critical of people who have engaged in drink-driving in this state. I think this is a good initiative, and it began to be spoken in as far back as 2003. I also make the observation that generally, since I have been in this place, the subject of road safety has elicited a bipartisan response—a supportive response from both sides of the house. When I first got here, I was a backbencher in government for 18 months and I witnessed the creation of a road safety forum with support from the then opposition, for part of the time anyway, with the objective of improving the safety of people on the roads in the state. I was quite distressed to witness during the matter of public interest debate about a road safety matter today that that bipartisanship was abandoned by the Treasurer of the state, with a fairly dismissive and, I think, disappointing response to deaths on the road of bicycle and motorbike riders. I think that was pretty disappointing. I hope it was an aberration and that the Treasurer will be reminded by people who have perhaps been in the Parliament longer than him that this particular subject is pretty well above politics and requires a mature response from all sides at all times if we are to achieve the best outcomes. The opposition's role is to question, raise issues and perhaps point out flaws in legislation, but that does not mean that that should elicit an inappropriate response. It should just be accepted as part of the bipartisan discussion about what is a very serious matter.

The other issues I want to mention about the devices themselves all really relate to whether these requirements will be applied in a fair and equitable fashion right across the state. As I said, this is driven by concerns I have that we are unintentionally continuing a very disproportionate impact on the Aboriginal people of Western Australia. They represent only 3.8 per cent of the population, but they are 40 per cent of the adult prison population, and that prison population has massively increased under the current government, by around 33 per cent in six and a half years, which is extraordinary. We are talking about something in the order of 5 355 adults in the system this week and 40 per cent of those people are Aboriginal. There are a great many opportunities for us to reduce that disproportionate representation and I will make my views about how we can do that clearer in the near future. However, as has been articulated by the member for Mandurah, the member for Victoria Park and no doubt others—I think everyone on this side of the house is concerned—there is a concern that we inadvertently end up with an increase in and a worsening of the problem as a result of trying to do good. I think this is a good initiative, but I am worried about how it will be implemented.

MR R.H. COOK (Kwinana — Deputy Leader of the Opposition) [8.38 pm]: I wish to add just a few comments about the Road Traffic Amendment (Alcohol Interlocks and Other Matters) Bill 2014. I think everyone has indicated that we support the bill. I do not claim to have a detailed knowledge about the ins and outs of the workings of an interlock device or of vehicle safety devices to the extent that the member for Cannington demonstrated tonight. He has an almost unhealthy understanding of the inner workings of car safety devices! I want to put on record before I begin tonight my gratitude to the member for Victoria Park, and to the member for Warnbro in his comments just now, for talking about the impact that this legislation will have on Aboriginal people and people living in regional and remote communities. It is important that every time we come to this place to legislate we understand how these things will impact not just on big population centres but also right across the state. I am sure that the acting minister will be able to comment on these things in his reply to the second reading debate.

I want to take the opportunity tonight to make the observation that this is another demonstration of the extraordinary lengths we go to in our society to facilitate the consumption of the drug known as alcohol.

The cost associated with the regulation of this particular drug is astronomical to not only the individual or their family, but also society, the community generally and to the government managing the issues associated with alcohol consumption. I understand that alcohol is an important part of modern Australian lifestyle and has been a part of our culture for many, many years, but the extent to which we go to facilitate the consumption of this particular drug is gobsmacking.

Let us look at some of the costs associated with alcohol consumption, which is second only to tobacco as a preventable cause of drug-related death and hospitalisation. Between 1992 and 2001, more than 31 000 deaths were attributed to risky or high-risk alcohol consumption. If this were the road fatality figure, we would be appalled. In the eight years between 1993–94 and 2000–01, over half a million completed hospital episodes were associated with alcohol. That is an extraordinary cost to the community. It has been estimated that the cost to the Australian community was around \$15.3 billion in 2004–05 when factors such as crime, violence, treatment costs, loss of productivity and premature deaths were taken into account. Here we go again, moving significant policy and public resources to the process of facilitating the consumption of this particular drug. It is an extraordinary position for a community to find itself in, to time and again go about inflicting ourselves with these

costs. As I said, these are not just economic costs, but huge social costs. WA Police observed that around 22 000 assaults are recorded by police each year in Western Australia. WA has a per capita alcohol consumption of 12.4 litres as opposed to the national average of 10.3 litres, so Western Australians are some of the leading performers in alcohol consumption. In 2012, at its peak, police attended 6 971 calls per hour between midnight Saturday and 1.00 am Sunday. That is an extraordinary level of activity. In 2006, it was estimated that 19.8 per cent of the police budget was spent on policing alcohol, which represented about \$126.6 million. If we extrapolate that to today's police budget, we spend \$232.6 million every year to police alcohol. This is an extraordinary exercise of taxpayers' funds. WA Police charge, on a five-year average, 18 551 drivers each year for an alcohol-related offence. Let us constantly remind ourselves, as we sit and contemplate these laws about regulating alcohol, the extent to which we invest so many public resources into the process of regulating the consumption of this particular drug. We have time and again decided to minimise, through an exercise of harm minimisation, the consumption of alcohol, but as a community we work towards facilitating the ongoing consumption of the drug alcohol and as a result we put laws in place such as this to mitigate the impact of alcohol and the harm that it does in our community.

One of the key negative impacts from alcohol is drink-driving and the resulting accidents, fatalities and injuries that occur. In 2011, a survey found that 51 per cent of people reported drinking and driving and that, of those, 72 per cent had driven after consuming alcohol at least twice in the previous year. We know that this is a pervasive problem and governments have struggled with this issue of drink-driving for many years. We know that the end result of drink-driving is that people die and are injured at extraordinary cost to themselves, their families and the community. In 2011, drink-driving was responsible for 30 per cent of fatalities and nine per cent of serious road injuries in Australia. In 2006, the cost of each fatal crash to the Australian community was estimated at approximately \$2.6 million, while the cost of each hospitalisation was estimated at \$266 000. We have to address this issue. We have to come to grips with the fact that many people either deliberately make the decision to drink and drive or, for a range of reasons, find themselves behind the wheel of a car unable to make the decision whether they are fit to drive. We invest millions of dollars, year after year, into the process trying to mitigate the effects of drink-driving. We have a series of strategies around drink-driving campaigns. We have learnt over the years the effectiveness of these campaigns and how they impact upon the behaviour of people in our community. We have public education in the community to warn people about the impacts of drink-driving and to continually acquaint people with the negative impacts of alcohol and the almost inevitable impact of alcohol if they drink and drive. We know this has an impact. We know that a good portion of the community are aware of the negative implications of drink-driving and, as various members have offered tonight, we know there is a level of strong negative social attitude to drink-driving, which is in part the success associated with these education campaigns. We have random breath testing and a series of activities around random breath testing that act as a further deterrent to drink-driving. For instance, we know that the measure of the awareness in the community of the likelihood of being stopped for a random breath test and therefore being detected with alcohol in their blood is an effective deterrent to stop people from drink-driving. I have observed in this place before that governments in Western Australia were frustrated by this Parliament, which on two or three occasions rejected legislation around random breath testing because it was thought at the time to be an imposition on the liberties of the driver and that it was not an effective measure. We know, of course, that since the introduction of random breath testing in Norway in the early 1970s that it is an extremely effective form of deterrence to drink-driving. That has been proved time and again and therefore has been extended to various jurisdictions. We also know that between 20 and 30 per cent of convicted drink-drivers reoffend, and there is a range of reasons that they continue to reoffend. We know that the education campaigns, random breath-testing and other forms of policing in relation to drink-driving are not having an effect on this particular cohort. Because of that, the government has taken another step in trying to deter these people from continuing to drink-drive. In her second reading speech, the minister observed —

In Western Australia each year around 4 000 drivers commit high-end drink-driving offences, repeat drink-driving offences or refuse to provide a breath, blood or urine sample when required by Western Australia Police to do so.

There is a cohort within the group of drink-drivers in the community whom we simply have to reach out to and provide additional measures for. After six years—I will be interested to hear from the acting minister why it has taken so long to bring this legislation to this place—the government has brought forward the interlock legislation, and thank goodness it has got to this point at long last. We know—this was also mentioned in the minister's second reading speech—that an average reduction of 64 per cent in drink-driving reoffending will occur while the alcohol-interlock device is fitted. This is a very important next step in the ongoing process of trying to reduce the impact of drink-driving on the community. Indeed, international tests have shown that the interlock devices have been highly effective at preventing drink-driving while they are installed. The studies also show that unless there are other support and rehabilitation programs for the offender, as the final aspect of the

drink-driving campaign, the drink-driving behaviour tends to return once the interlock device is removed. We have to be cognisant of the fact that it is effective while it is in place. However, what are we doing with this cohort in the community to ensure that, once the interlock device is removed, they receive support, perhaps through processes similar to the cannabis intervention orders and other measures, to continue to address the root cause of the problem, which is, of course, not their drink-driving, but their drinking to excess in the first place and therefore undertaking risky behaviours and continuing to make poor choices? From that point of view, it is important that the government articulate the other aspect of the interlock legislation. We have the legislation to make this part of our drink-driving reduction regime, but what else are we doing to ensure that these people continue to have the support they need to address their long-term behavioural problems?

I thought it was also interesting to note that a lot of studies into the effectiveness of drink-driving campaigns indicate that, time and again, imprisonment has been shown to be one of the least effective measures to stop someone from reoffending. In fact, this report states —

There is little support in the literature for imprisonment. Indeed, for offenders generally, imprisonment can be criminogenic, leading to higher levels recidivism ... Most studies indicate imprisonment is costly and ineffective at reducing drink driving ...

As members have indicated, we support this legislation. It is important legislation. When the shadow Minister for Police was in a similar role in government, she foreshadowed prior to 2008 that this legislation was needed, and she has since committed our side to supporting the use of interlock devices as a way of contributing to the downward pressure on the incidence of drink-driving. It is incredibly important. I remind members of the commentary of the member for Victoria Park to understand how this will impact on rural, regional and remote communities and that we must ensure that the cost imposition on people in those areas is not disproportionately higher simply because of where they live. We need to continue to be cognisant of that.

At the end of the day, I take the opportunity to remind members what an extraordinary amount of public resources we are continuing to commit to address the negative effects of alcohol. At some point in the future, we will have to declare that enough is enough and take much stronger steps to reduce the consumption of alcohol and the pattern of that consumption so that we can continue to reduce the abuse of alcohol, the risky behaviours that come with alcohol consumption, and the poor choices that people make in the excessive consumption of alcohol, and thereby reduce the negative impact it has on our community.

MR C.J. TALLENTIRE (Gosnells) [8.56 pm]: I rise to add my support to the Road Traffic Amendment (Alcohol Interlocks and Other Matters) Bill 2014 and to acknowledge the work done by a previous Minister for Police, the member for Midland, when she held that portfolio when we were last in government. I note that at the time Western Australia could have led the country with the installation of these alcohol-interlock devices. The idea of requiring someone to test themselves before the vehicle motor can engage makes a lot of sense. However, I look forward to hearing from the acting minister some sort of analysis of the cost implications of this mechanism to not only the individual, but also the state, and to being reassured of the cost benefit of it. There are many ways that we can tackle this dreadful problem of people drink-driving, and this is one of those ways. This is a useful mechanism, but I would like to be reassured that this is a means by which we will get good value for money in attacking the problem.

As other members have said, alcohol has an enormous cost for our community. It is a dreadful cost in so many ways, including the violence that is often alcohol caused, the injuries that people receive, the damage to lives and the disruption to the smooth harmonious goings on in our community. It is sad that alcohol causes so much damage. Yes, it is a pleasant addition to recreational time, but we have to be aware of the cost that alcohol has for our community, and we should not shirk from it. We have to realise that this drug causes incredible harm and damage in our society. We should constantly remind ourselves of that. If we do that, we will then realise why it is a drug that should be consumed only in moderation.

That is something that I think is very important.

Over the last few days we have seen some tragic events on our roads. I cannot say that I am aware that all those tragic events are down to alcohol, but clearly statistics would suggest that alcohol had a major role to play. I look at the tragic event that occurred on Saturday morning when a cyclist was murdered—I do not think it is too strong a word—by a motorist who behaved irresponsibly. I do not know whether that motorist was under the influence of alcohol or what the conditions were around the event. But for a cyclist to be hit from behind and killed in such a way is just beyond outrageous. It is so sad. I was disappointed that earlier today the Acting Minister for Police qualified his words by bringing up this talkback furry issue of cyclists somehow being partly responsible, or sometimes to blame, for accidents that occur to them. That is completely wrong. We have to move past that. If there is a crash or some sort of incident between a car and a person on a bike, there is no question that the car will receive just a dent or something of a minor order, but for the cyclist it means serious

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injury and sometimes, not infrequently, death. There is no escaping that fact, yet we still hear this talkback carry-on about how sometimes cyclists are to blame. Get over it! The fact is that cyclists are vulnerable road users and they deserve the utmost protection. This legislation will be a positive step if these interlock-type devices can go some way to reducing irresponsible behaviour and the amount of drink-driving on the roads. However, we must consider what goes through people's minds when they are under the influence of alcohol. Clearly, some people are incapacitated in their driving ability and as well their thinking is retarded in a way. A media slogan in *The Australian* magazine only a couple of months ago said, "Are cyclists fair game in Australia?" Combine those two elements—alcohol and a media headline on the cover of a glossy magazine saying, "Are cyclists fair game in Australia?"—and there is an attitude that leads to the sort of tragedy we saw on Saturday morning. That is absolutely outrageous! Irresponsible media reporting and alcohol combine to form in the minds of weak-minded individuals an attitude that they can get away with it. I think we have to look at that issue very seriously. The fact is that across Australia the death rate of cyclists has increased dramatically. There was an average over 10 years of 35 cyclist deaths a year. That has gone up in 2013 to 50 cyclist deaths in one year.

There have been loads of discussions in the media and sometimes in this place about deaths related to sharks. It is nowhere near as significant a number as the number related to cyclists—50 cyclists killed in 2013 across Australia. I am not sure what component of those deaths can be attributed to alcohol. I do not know whether anyone has even done a study on it. As I said, if we combine this media attitude towards cyclists versus motorists—war, as it is sometimes characterised—then a tragic cocktail is brewed. An emboldening might occur in the minds of some that they do not have to take care and that it is reasonable to drive close to a cyclist. That sort of thing is just outrageous. I believe that the tragic event that led to the death of Brynt McSwain in Kewdale needs to be acknowledged in this debate.

The idea of further controlling the use of motor vehicles when people are under the influence of alcohol is a sensible way to go. We have to do something about reducing the number of times that people get into a car and get behind the steering wheel when they are under the influence of alcohol. We have to do something about that and I am pleased to see that the measures in this legislation endeavour to reduce that number. I am sure many other things need to be done but I think this is a positive step forward. However, as I said, I would like the acting minister to clarify the costs to the state and to individuals for installing these devices. I understand that the aim is to have the costs borne by the individual responsible. That seems reasonable on the surface, but I suspect that the state will also bear an element of the cost. I would therefore like to know more about that. As other members have said, the police service invests so much time in dealing with drink-driving offences and other alcohol-related problems that it is an enormous impost on our society and I do not believe it gets sheeted home to the perpetrators in any adequate way. Alcohol has an enormous cost to our society. Here is a way of constraining the activities and driving habits of a small segment. That is a worthy endeavour. I hope that these devices are robust enough to withstand any kind of rorting. I am concerned about the likelihood of someone simply getting the keys to an alternative vehicle. After all, given that we might be talking about young people who commit their first drink-driving offence, those people very often live in shared housing where a number of vehicles are parked in the driveway and access to an alternative vehicle is very easy. If that sort of loophole exists, there will be some problems still to overcome. I imagine that all sorts of restrictions would apply to such a person if they were not driving a vehicle to which an interlock device had been installed, but we know that many people do not consider these sorts of things. The amount of unlicensed driving that goes on is quite frightening. I heard from police that they had an amazing device installed in their police cars that could read every vehicle registration plate. It was giving police officers the opportunity to see the numbers and it flagged the likelihood of a driver driving without a licence. The police had in fact to switch off the machine because it was flagging too many cases. That to me suggests that there is a very serious problem of unlicensed driving in the community. I hope to hear from the Acting Minister for Police that things have moved on and the police have switched the machine back on and are able to deal with this problem. Dealing with the alcohol problem is a worthy and sensible thing to do but we also need to deal with this problem of unlicensed driving in general. The two issues relate to one another because, as I say, someone might be given the right to continue to drive subject to their using a vehicle with an interlock device.

Mr J.H.D. Day: Which machine did you refer to?

Mr C.J. TALLENTIRE: It is the machine that has been installed in a lot of police vehicles.

Mr J.H.D. Day: Is it the automatic numberplate recognition?

Mr C.J. TALLENTIRE: That might be what it is called—the automatic numberplate recognition.

Mr J.H.D. Day: I understand that 48 police cars have them fitted. I was told last Sunday that there was a bit of a problem initially with the threshold for detection in that they were picking up a range of issues. It was

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impossible to deal with all of them, so they had to make some adjustment. But they are certainly very much in use and, as I said, they are in 48 vehicles in total.

Mr C.J. TALLENTIRE: I am reassured to hear that.

Mrs M.H. Roberts: It is a matter of how many databases they are interrogating and what is popping up on the screen.

Mr C.J. TALLENTIRE: I had heard that they had been switched off altogether; the acting minister is reassuring me that the machines are in operation and that some threshold has been installed so that they can be functional, because it seems like too good a technology to not use it, and that is good news. I had the opportunity to ride in a police car with that equipment installed and it was very impressive indeed. However, it was worrying that even in my short, probably 15-minute ride, that a number of vehicles were flagged as the property of someone whose licence had been suspended. It is a serious concern. We would all fear crashing into a vehicle, even if it is only a minor encounter, driven by someone who does not have a licence, because there are all sorts of insurance complications.

I offer my support for the legislation, but I would like the minister to reflect on his comments earlier today that suggested that sometimes cyclists may be to blame. There are cases in which people see cyclists go through stop signs. Of course, vehicles must point-stop at a stop sign and sometimes cyclists do not do that point-stop. Sometimes traffic light sensors are not engaged by the passage of a bike, so when there is no other traffic about at 6.30 in the morning, a cyclist might roll through a red light. That is something we need to look at because it is a technology problem; the sensor devices are not working adequately. For example, in my electorate the traffic sensors at the intersection of George Street and Fremantle Road do not pick up bikes. We are told that the sensors pick up bikes, but they are not doing an adequate job. It is wrong to beat up the idea that cyclists are at fault as well as motorists, because cyclists are vulnerable road users. The threat to a bike rider's life through any sort of crash is high; whereas a motorist, sitting in a metal box surrounded by all sorts of technology that makes them safe, is not at all at the same risk, so surely motorists could at least be a little understanding when passing cyclists.

I support the legislation. I hope that it will go some way to reducing the amount of drink-driving, that the system will not be abused and that people who should not be driving at all will not be allowed on the roads because they can access a vehicle installed with an interlock device. I hope that the situation in which people who are drink-driving and then disqualified from driving remains. If there is justification for someone to be allowed to drive with an interlock device, I support the introduction of this legislation.

MR J.H.D. DAY (Kalamunda — Acting Minister for Police) [9.14 pm] — in reply: I thank members of the opposition who have commented on and who support the Road Traffic Amendment (Alcohol Interlocks and Other Matters) Bill 2014.

I will deal with the point raised by the member for Gosnells about expected costs first. Generally speaking, the costs will need to be borne by the individual rather than the state, although, as I said in debate earlier today, \$1.5 million has been set aside from the road trauma trust fund to implement the scheme. The cost to install the device in a vehicle is expected to be between \$1 200 and \$1 600 for a six-month period and after that it will be approximately \$150 per month; the \$1 200 to \$1 600 includes the \$150 per month for six months. I understand that cost is comparable to similar, but not the same, schemes in other states. The government will consider options to reduce to some extent that cost for low-income earners.

I will now endeavour to respond to specific points raised by other members. Firstly, I respond to the query about the time taken to introduce the bill. There are probably few occasions in which ministers of either political persuasion would not like legislation to be drafted more quickly than is the case, but it is also the case that complex issues need to be dealt with, and certainly that has been the case for this bill. What is being introduced in Western Australia is different from schemes in other states, and I am advised that other states are paying a lot of attention to this scheme and how it will work in Western Australia with a view to making changes in other states with similar, but not the same, schemes.

As the member for Midland indicated, the former Labor government wanted to go ahead with similar legislation at least a year or two before the 2008 election, but, obviously, it was not able to complete that in its time in office. Similarly, it has taken some time to complete the drafting of this legislation since this government has been in office. As I mentioned, it is important to appreciate that the scheme being introduced in Western Australia differs from the schemes in all other jurisdictions. The legislation and programs that exist elsewhere are characterized by constant change and evolution and, as I mentioned, a lot of attention is being paid to how the scheme will operate in Western Australia.

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Participation in WA will be mandatory through administrative and legislative arrangements, rather than judicially determined as is the case in some other jurisdictions; therefore, it will be consistent in its application across Western Australia. The performance of the scheme in individual cases, of course, will be monitored. Cancellation of a requirement to use an alcohol interlock device will occur only if prescribed performance standards are met by the user. Data collected by the devices will be monitored for that reason and also to determine when a person appears to be having trouble separating their drinking and driving behaviour, in which case the chief executive officer of the Department of Transport will refer the person for alcohol assessment and treatment.

I have some figures from other jurisdictions across Australia, and it varies. The ACT currently has only six participants in its scheme, five of whom are voluntary. In the Northern Territory, there are 90 participants in the scheme, and in New South Wales, there are 300. That might be considered a relatively small number, but in NSW the scheme is voluntary, although NSW is currently in the process of completely modifying its scheme, which will presumably make it mandatory in some cases.

As I mentioned, the scheme that is being introduced in Western Australia is different from that in the other states. It involves different details and, therefore, we have not been able to translate to Western Australia what has been done in other jurisdictions.

It is also relevant to point out that the regulations that need to accompany the bill to bring the act into effect have been drafted. Obviously, they cannot be acted upon until the bill goes through Parliament. There is quite a lot of detail in those regulations, and that has taken time as well and a range of issues have had to be resolved. A lot of the issues were raised in comments made by members this evening. Because the regulations have been drafted, the legislation will be implemented in a much shorter time than would have otherwise been the case.

The issue of other actions that have been taken in relation to drink-driving was also raised. The point was made that this bill is not a panacea to drink-driving. That is entirely correct. Other actions have been taken, certainly during the time that this government has been in office. For example, in 2009, amendments were made to the provisions for impounding and confiscating motor vehicles under the Road Traffic Act 1974 and for the sanctions that apply in that case to also apply in the case of unauthorised driving committed when the person is disqualified or suspended. This was an important amendment relating to the drink-driving strategy. It is intended to deter persons who lose their licences for alcohol offences from opting to drive without authority. In 2011, the government also implemented amendments that flowed from a review of the drink and drug-driving penalties. In 2010, the government also brought in legislation to introduce disqualification notices for drink-driving offences above the .08 blood alcohol content, for driving under the influence and also for refusing a breath or blood or urine test. Instant disqualification notices can now be given in those cases, which up until 2010 was not the case.

The review that was undertaken by Peter Browne was also referred to by a couple of speakers, particularly the member for Midland. I make the point that the government made a commitment at the last election to review the Road Safety Council and its operations, and the Office of Road Safety in particular. We did that because we considered that we can do better in this area. It was not done because there was concern about mismanagement within the Office of Road Safety or mismanagement of the road trauma trust fund, as has been suggested. Indeed, the report did not suggest that there had been mismanagement. Recommendations have been made about how we can hopefully be more effective in reducing the amount of trauma on our roads in Western Australia. That report is currently out for public comment. The government will finalise its position on the recommendations and then they can be put into effect.

Mrs M.H. Roberts: There's 56 recommendations on how to improve it. Is that what you are saying? There are significant problems if the report has made 56 recommendations. It is not two or three.

Mr J.H.D. DAY: There are certainly things that can be done better. The member can describe them as problems if she wishes. As I said, the report did not suggest that there had been mismanagement within the Office of Road Safety or with the administration of the road trauma trust fund. It certainly identified issues with the governance of road safety in Western Australia, particularly in the context of the fact that the road trauma trust fund has grown enormously from when the Road Safety Council was first established. The revenue flowing into the road trauma trust fund this year was approximately \$100 million. From my recollection, when the Road Safety Council was established, the amount of revenue going into that fund, given that it collected only one-third of speed and red-light camera fines, was about \$8 million a year.

I was a member of the Select Committee on Road Safety that the member for Midland referred to earlier that existed between 1993 and 1996. The committee recommended—I was personally very strongly supportive of this recommendation—that the Road Safety Council be established to be more inclusive of other agencies, more than the police, who were playing a very strong role until that point. The Traffic Board of Western Australia existed until that point. We had a view that too much was being left to the police, particularly concentrating on

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enforcement, and that other relevant agencies needed to be more involved and a more comprehensive approach needed to be taken to road safety, public education campaigns and enforcement in Western Australia. The change that was made around 1996 or thereabouts was positive and it had a beneficial effect in ultimately reducing the amount of road trauma in this state. The Road Safety Council, which was recommended to be established then, was certainly not the sort of body that is really appropriate to administer a fund of something like \$100 million a year. I think that explains a lot of what has happened in subsequent years and the reason we need to change the government arrangements that were recommended by Peter Browne in his report.

I wish to make a few other points. The number of fatalities on our roads is still far too high. As I said earlier today, one fatality is one too many. I am advised that last year was the best year, if we can put it in those terms, since records started. A total of 161 people died on our roads last year. That is still many but the number, generally speaking, has been coming down. The rate of fatalities relative to the population of the state has been coming down quite significantly over the past 30 or 40 years.

Mrs M.H. Roberts: But nowhere near the rate of decline that they've had in other states.

Mr J.H.D. DAY: We need to be more effective. I completely agree. That probably means more well-targeted public education campaigns. Perhaps it means even more enforcement. There is a major enforcement effort now underway through WA Police. We particularly need drivers to take adequate responsibility, more so than many people do at the moment. That is the reality. We all see people on the roads, whether they be in two-wheel vehicles, four-wheel vehicles, trucks or whatever, particularly cars and motorbikes, who are driving dangerously and recklessly. Not all of them, unfortunately, can be intercepted by the police. People are just asking for trouble for themselves or, worse, for other people on the roads. That is what a lot of it comes down to—people not taking adequate responsibility for how they behave on the roads.

The member for Cannington raised the issue of whether drivers who are subject to this scheme will be able to get around the requirements in some way. There are provisions in the regulations and the way the scheme will work that will enable us to do whatever is reasonably possible to stop that from occurring. For example, the devices will require a retesting of breath samples at random intervals once a journey begins. I am not sure what the intervals will be; obviously, they are random. They may be seven and a half minutes, 10 minutes, 30 minutes or whatever. Presumably with a short amount of notice, the driver will need to pull over and be retested on a random basis. If the individual is detected driving a friend's car or somebody else's car, the car will be impounded and the driver will be charged with an offence of unauthorised driving of a serious level, attracting significant fines or, potentially, imprisonment for repeat offences and further disqualification. There is a quite strong disincentive in the legislation for people attempting to get around the scheme by driving someone else's car.

Hire cars will also be impounded in such a situation, and will not be released if the hire car company did not do its due diligence to ensure that the driver was properly authorised to drive the hire car. Potentially, there are quite serious consequences for hire car companies if they do not adequately check that drivers are appropriately licensed to drive the company's cars.

The member for Mandurah raised the issue of the commencement time of the legislation and any potential retrospectivity. The legislation does not have retrospective application. It will apply to people who commit and are convicted of a relevant offence or offences after the legislation commences operation, so we will not be looking back, prior to the legislation taking effect.

Mrs M.H. Roberts: So it won't go back to a prior offence as a first offence if there is a previous offence in the previous five years?

Mr J.H.D. DAY: As I understand it, that is the case, but I am happy to check that. Yes, I am being told that that is the case. The scheme will commence from the date of the legislation, and people will not be subject to sanctions for prior offences.

In relation to the possible take-up of the scheme based upon conviction for relevant offences over the preceding five years, approximately 27 000 people, over a five-year period, could be required to have an alcohol interlock device installed. For them to get their licence back, this condition will be applied as a condition of having their motor vehicle driver's licence returned to them.

A question was asked also by the member for Mandurah about who will undertake the monitoring. The CEO of the Department of Transport will accredit suitable persons to supply, install and service the interlock devices. As I understand it, potentially about three commercial providers in the state will be able to install and service the interlock devices. The accredited service providers will service and inspect the devices at regular intervals—generally at monthly intervals. They will download data from those devices and provide to the CEO details of incidents in which the device has separated drinking and driving behaviour. I think that means that when they are

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concerned about people having been drinking and driving, that information will be forwarded to the CEO of the Department of Transport.

The issue of potential cost and availability in regional and rural areas was raised, in particular, by the member for Victoria Park. The cost will be the same on a statewide basis, so there will not be any difference between the metropolitan area and rural or regional areas. The member for Victoria Park also raised issues specifically about Indigenous drivers. I am advised that a trial has been undertaken with Indigenous drivers in the Roebourne area. The devices were well received and fitted to 19 vehicles. They prevented 127 instances of drink-driving. I am advised that the devices were retained by the Aboriginal corporation, and the government, I presume, through the Office of Road Safety or the Department of Transport, has spoken to the Department of Aboriginal Affairs, which was keen to have the devices in the Aboriginal communities and to ensure that providers could be in identified towns. Voluntary interlocks could also be funded by individuals or corporations, including, no doubt, Aboriginal corporations and other organisations, for approximately \$1 800 per device.

Mr D.A. Templeman: Is \$1 800 the average cost?

Mr J.H.D. DAY: Earlier I mentioned \$1 200 to \$1 600 for a six-month period, and about \$150 a month thereafter if it needs to go on for longer than six months.

Mrs M.H. Roberts: The \$1 200 to \$1 500 is like a lease cost for that period of time, isn't it, so what you are now talking about is maybe purchasing it outright for \$1 800?

Mr J.H.D. DAY: That sounds right, yes—for voluntary installation.

An Indigenous licensing scheme has been very successful. I am speaking more generally about driving in Aboriginal remote areas. It has increased the participation of Aborigines in the licensing scheme, and has been a partnership between the Department of Transport and the elders in the relevant communities to assist with the theory and practical tests. The Department of Transport has provided the facilities, regular visits to remote areas and resources, and has also helped Aboriginal people teach other Aboriginal people. That has been an effective scheme as far as it goes, I am advised.

As I mentioned earlier, or alluded to at least, alcohol interlock technology is constantly evolving, and that has been one of the issues to deal with in the drafting of the bill and the regulations. Because a lot of the detail is established through the regulations, this bill provides for changes to be made relatively simply and for improvements to be put in place to keep up to date with developments in alcohol interlock technology. Quite deliberately, some of that detail is in the regulations to make it easier to change them than if it was in the bill itself.

On the question of remote areas, the intention is that this scheme will apply to people who live within 150 kilometres of an approved provider in the metropolitan area. As I understand it, potentially three companies will provide the services. In rural and regional areas, people will be able to obtain services through a subcontracting arrangement through auto electricians, but if people live more than 150 kilometres from where an approved provider is available, they will be exempt from the scheme. That will not apply to many people in the state. We expect that there will be widespread coverage across the state. Indeed, the department has a map of where the offenders live and it is expected, similar to what has happened in Queensland where there has been a coverage of about 90 per cent of offenders, that the coverage rate in Western Australia will be similar. However, as I said, outside that 150-kilometre limit, there will be an exemption from the scheme.

The member for Mandurah raised the issue of extraordinary drivers' licences. In the last calendar year, 1 127 extraordinary licences were granted, of which 615 were lodged subject to an alcohol-related offence. Those people have to offend in order to enter this scheme. As I said, the scheme will not be retrospective, but if they commit a second offence, according to the criteria outlined in the explanatory memorandum, they will be required to enter the scheme.

Mr D.A. Templeman: With this regime in place, the order could, as part of the granting of an extraordinary licence, include a requirement for an alcohol interlock device to be installed.

Mr J.H.D. DAY: Yes, that is the case. It is also the case, probably more generally, that for people to be able to resume driving after their period has ended, they will be required to have one of the interlock devices. That will be the more general situation. They will be able to apply for approval to resume driving prior to the end of their licence disqualification period, but it will not be able to take effect, of course, until the period of disqualification has ended.

A question was also asked about the effectiveness of alcohol interlock devices where they are being used elsewhere. I am advised that, generally, the research indicates that alcohol interlock devices reduce the incidence of drink-driving of people who have one fitted by 64 per cent—so approximately two-thirds when a device is

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fitted—which is quite a substantial reduction. It is reasonable to ask the question: what about the other 36 per cent? Presumably, they are getting around it, but being detected in some way or other, and, as I mentioned earlier, there are potentially very serious penalties for doing so.

Mr D.A. Templeman: I suppose the query I was trying to get at was that this regime exists and has existed in New South Wales, Victoria and Queensland. I was interested in the number of interlock devices. How many are there currently in Victoria and what is the raw figure? You mentioned, I think Canberra or the ACT and that was only a very small number. How many are we talking about in the other jurisdictions?

Mr J.H.D. DAY: Victoria has a much higher number than New South Wales has. New South Wales is currently voluntary, but I understand it is moving to a mandatory scheme. In Victoria the numbers are much higher.

Mr D.A. Templeman: We can probably come to that in consideration in detail.

Mr J.H.D. DAY: I can give the member the expected number for Western Australia, which is about 4 600 at any one time, so it is quite a substantial number. In Victoria the number is 7 000, which is higher than the predicted figure for Western Australia and that would be expected given the higher population.

Mr D.A. Templeman: So we would expect 64 per cent of the 7 000? Is that what it is currently?

The ACTING SPEAKER (Mr P. Abetz): Member for Mandurah, perhaps we could deal with some of this in consideration in detail.

Mr J.H.D. DAY: Yes, it would seem that approximately 64 per cent of people are prevented from having a second drink-driving offence.

I am also advised that the devices are associated with reducing the incidence of crashes by between 31 per cent and 81 per cent, which is quite a broad range, but a significant reduction. This is hypothetical really, given we are not proposing to do this at the moment at least—if it was going to happen, it would need to be done on a national basis and I think it would be quite some time before this does occur, if ever—but I am advised that if the devices were installed in all new vehicles, they would reduce the rate of fatalities nationally by 24 per cent. Presumably, that is in vehicles that have the devices installed from any point in the future. It would reduce fatalities by 24 per cent and serious injuries by 11 per cent. There are potentially some substantial benefits there, but there would need to be pretty wide community debate about that before it happens, as I mentioned. There have not been any formal Australian evaluations for the number of crashes prevented by the locks in Australia at this stage. I am sure with what is happening in Western Australia there will be more data to provide information for some good research to be done.

I acknowledge the contribution made by the member for Girrawheen. She referred to a range of schemes that have been underway largely in California. I know a lot of research is done and there is some quite advanced work done in some respects in the United States, particularly in California.

The member for Kwinana raised a number of issues as well. To respond to some of those points, the scheme will provide support that is the first of its kind in Australia. The performance will be monitored by the monthly downloaded data collected by the devices and when an individual is experiencing difficulty separating their drinking and driving behaviour, they will be referred for an alcohol assessment and treatment. The cost of that aspect will be met by the government, just to add to what I said earlier. I am also advised that alcohol was a factor in 16 per cent of road crash fatalities in Western Australia in 2013, not 30 per cent, as I think the member for Kwinana suggested. It is still a significant proportion, but not as much as the member indicated.

Mrs M.H. Roberts: Is that road crash fatalities? Is that what you said?

Mr J.H.D. DAY: That is what I said, yes.

Mrs M.H. Roberts: As opposed to other road crashes when there are no fatalities.

Mr J.H.D. DAY: Yes. I am sure the percentage would have come down in recent years, certainly since there has been random breath testing, a .05 blood alcohol limit and a much higher degree of enforcement. Alcohol-related crashes in Western Australia cost the community about \$460 million a year, which is a very significant cost economically and there is a substantial cost in human terms as well, as the point was made in the debate. In the last five years the government, as I mentioned earlier, has introduced legislation to reduce the amount of unlicensed driving in the community. Penalties have been increased for drink and drug-driving, with, as I mentioned earlier, the ability for licences to be immediately disqualified. I am also advised that recent research has found that the effects of alcohol interlock devices in changing behaviour can last beyond the period of the device and we certainly hope that they do. In 2011, a Canadian study showed a 21 per cent reduction in the recidivism rate up to three years after the devices were removed, so we hope that there is at least a 21 per cent reduction and we want there to be more lasting effects even on that.

Extract from *Hansard*

[ASSEMBLY — Tuesday, 14 October 2014]

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I think that responds to most of the points raised in the debate. I presume the opposition will want to go into consideration in detail. We will not do that tonight, but I think that is a reasonable approach. This is new legislation for the state. It is a new scheme, in terms of the detail, for Australia and we can cover some of the more detailed aspects in the consideration in detail stage. With those comments, I thank members for their contributions and their general support for the bill. Like the opposition, the government certainly hopes the bill will pass through both houses as expeditiously as possible and I hope it will get through the Legislative Council before the end of this year. Given the range of other legislation we have to deal with, there is probably a big question mark over that, but I very much hope that it will so that we can start putting it into effect in Western Australia not very far into 2015. I commend the bill to the house.

Question put and passed.

Bill read a second time.