



Speech by

Mrs D. PRATT

MEMBER FOR NANANGO

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TRANSPORT (COMPULSORY BAC TESTING) AMENDMENT BILL

Mrs PRATT (Nanango—Ind) (9.28 p.m.): I would like to say that it is a pleasure to rise to address such a traumatic issue as contained in the Transport (Compulsory BAC Testing) Amendment Bill, but it is not. This is a bill that must be done, and it should have been done a long time ago as there have been too many instances of an injustice being perpetrated on victims and their families through unconscious intoxicated persons avoiding the true penalties after they have caused an accident. However, this bill is not about revenge but about justice. The bill introduced by the member for Gregory addresses the recommendations of the 1997 report of the Queensland parliamentary Travelsafe Committee. It would have been appropriate for the government to have acted on those recommendations long ago to address the many years of angst experienced by families.

This government continually reinforces the view that committees are bipartisan and therefore there should not have been any problem in adopting the 1997 committee's recommendations. Alcohol is one of society's social drugs, as is tobacco and in current times ecstasy and other drugs. Alcohol has been proven to contribute to road accidents, and, according to the Parliamentary Library's research brief, the first call to make such a test mandatory was made in Germany in 1914. So in this area we are a long, long way behind.

Drivers do not necessarily have to be totally intoxicated to become impaired in their judgment whilst behind the wheel of a car. Even a small amount of alcohol consumed after taking certain medication can intensify the effects of the alcohol that has been drunk. I think that most people in this House would know that there is an effect of even one glass on our moods. Whether it be a sedative to help us sleep, brighten our mood, give us a bit more courage or a dampening of inhibitions, it is in fact a mind-altering drug.

There was a short video produced recently in an attempt to bring home the tragedy of drink-driving. It was in the form of verse. Although I cannot recall the name of the young woman who made the video—and who in fact won an award with it—I do recall its message very clearly, and I encourage its showing in all schools before children are set free on the roads. This video depicted the loss of a beautiful young girl's life because of a drunk driver. I cannot do it the justice it deserves, but if any member of this House has not seen it I suggest they do so. They will never forget it and they will show their children.

There are many reasons why accidents occur, and I do not intend to say that all accidents are alcohol induced, but a small amount of alcohol can and does affect the judgment of many. Falling asleep, speeding and distractions within the vehicle can occur at any time, day or night, but these are the primary contributing factors to accidents related directly to alcohol consumption. Although blood samples may be taken from drivers involved in an accident, the person must be awake and must be informed that a blood sample is being taken and the purpose for which it is being taken. In the case of an unconscious person, the period that elapses before they are awake and aware that a blood sample is being taken may mean that they no longer have alcohol in their system.

As some doctors have stated to me—and I concur—their first priority is to take care of the patient, and if the patient refuses a blood test then they, the doctors, back off. To continue, they believe, would constitute an assault. There is no protection for these doctors in our current law, and I believe that making this blood sample mandatory would relieve this threat against them. There are

reasons as to why a doctor may neglect to take a blood sample, and I believe that in this bill adequate protection exists for those doctors in attendance. I said before that the welfare of the patient is and must be the primary consideration of any doctor, and there are several other reasons put forward in the bill. I ask: what, if any, consultation was undertaken with the medical profession, and were they in support of the intent of the bill and the bill's consideration for their position as doctors?

Although any legislation should not be judged with emotion, any person within these walls who has heard the plight of a family who has lost a loved one through the actions of an intoxicated individual and witnessed their frustration because the driver involved just walked away without bearing any responsibility would support the intent of this bill. I acknowledge that most members who have spoken to this bill have supported its intent. Although I acknowledge the minister's concerns, I must question why we do not do as other countries and states do and have mandatory testing. It should have been a regular occurrence long ago. There is no shortage of legislation for the government to review and therefore, I cannot see why the government did not take the initiative to bring in this legislation in 1997, 1998 and onwards.

As is the continued practice in this House, this private member's bill will be defeated. If this bill has forced the minister to bring forward his own bill, then all due credit must go to the member for Gregory. It always disappoints me to see delays in bringing forward legislation because of party politics. It is a sad reflection of any government not to be open to good ideas just because it did not think of them first. Amendments are not unheard of in this place, as all members would be well aware, and they could have been moved to this particular bill. I commend this bill to the House.